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FEDERAL REGISTER

Vol. 89 Monday,

No. 203 October 21, 2024

Pages 84065–84254

OFFICE OF THE FEDERAL REGISTER

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DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2017–BT–STD–0014]

RIN 1904–AF58

Energy Conservation Program: Energy Conservation Standards for Residential Clothes Washers

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Direct final rule; confirmation of effective and compliance dates; technical correction.

SUMMARY: The U.S. Department of Energy (''DOE'') published a direct final rule to establish amended energy conservation standards for residential clothes washers in the **Federal Register** on March 15, 2024. DOE has determined that the comments received in response to the direct final rule do not provide a reasonable basis for withdrawing the direct final rule. Therefore, DOE provides this document confirming the effective and compliance dates of those standards. This document also clarifies the introductory notes to the appendices for the residential clothes washer test procedure to conform with the amended standards promulgated by direct final rule published on March 15, 2024.

DATES: The technical correction in this document is effective October 21, 2024. The effective date of July 15, 2024, for the direct final rule published on March 15, 2024 (89 FR 19026) is confirmed. Compliance with the standards established in the direct final rule will be required on March 1, 2028.

ADDRESSES: The docket for this rulemaking, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket web page can be found at *www.regulations.gov/docket/EERE-2017-BT-STD-0014.* The docket web page contains instructions on how to access all documents, including public comments, in the docket.

For further information on how to submit a comment or review other public comments and the docket, contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT:

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I. Authority

The Energy Policy and Conservation Act, Public Law 94–163, as amended (''EPCA''),[1] authorizes DOE to issue a direct final rule establishing an energy conservation standard for a product on receipt of a statement submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates), as determined by the Secretary of Energy (''Secretary''), that contains recommendations with respect to an energy or water conservation standard that are in accordance with the provisions of 42 U.S.C. 6295(o) or 42 U.S.C. 6313(a)(6)(B), as applicable. (42 U.S.C. 6295(p)(4))

The direct final rule must be published simultaneously with a notice of proposed rulemaking (''NOPR'') that proposes an energy or water conservation standard that is identical to the standard established in the direct final rule, and DOE must provide a public comment period of at least 110 days on this proposal. (42 U.S.C. 6295(p)(4)(A)–(B)) Not later than 120 days after issuance of the direct final rule, DOE shall withdraw the direct final rule if: (1) DOE receives one or more adverse public comments relating to the direct final rule or any alternative joint recommendation; and (2) based on the rulemaking record relating to the direct final rule, DOE determines that such adverse public comments or alternative joint recommendation may provide a reasonable basis for withdrawing the direct final rule. (42 U.S.C. 6295(p)(4)(C)) If DOE makes such a determination, DOE must proceed with the NOPR published simultaneously with the direct final rule and publish in the **Federal Register** the reasons why the direct final rule was withdrawn. (*Id.*)

After review of comments received, DOE has determined that it did receive adverse comments on the direct final rule. However, based on the rulemaking record, the comments did not provide a reasonable basis for withdrawing the direct final rule under the provisions in 42 U.S.C. 6295(p)(4)(C). As such, DOE did not withdraw this direct final rule and the direct final rule remains effective. Although not required under EPCA, where DOE does not withdraw a direct final rule, DOE typically publishes a summary of the comments

[1] All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020), which reflect the last statutory amendments that impact Parts A and A–1 of EPCA.

received during the 110-day comment period and its responses to those comments. This document contains such a summary, as well as DOE's responses to the comments.

II. Residential Clothes Washers Direct Final Rule

A. Background

In a direct final rule published on May 31, 2012 (''May 2012 Direct Final Rule''), DOE prescribed the current energy conservation standards for residential clothes washers (''RCWs'') manufactured on or after January 1, 2018. 77 FR 32308.[2] These standards are set forth in DOE's regulations at 10 CFR 430.32(g)(1). The current standards are defined in terms of a minimum allowable integrated modified energy factor (''IMEF''), measured in cubic feet per kilowatt-hour per cycle (''ft^3/kWh/cycle''), and maximum allowable integrated water factor (''IWF''), measured in gallons per cycle per cubic foot (''gal/cycle/ft^3''), as measured according to the test procedure at 10 CFR part 430, subpart B, appendix J2 (''appendix J2'').

In a final rule published on June 1, 2022 (''June 2022 TP Final Rule''), DOE finalized a new test procedure at 10 CFR part 430, subpart B, appendix J (''appendix J''), which defines new energy efficiency metrics: an energy efficiency ratio (''EER'') and a water efficiency ratio (''WER'').[3] 87 FR 33316, 33319. For both EER and WER, a higher value indicates more efficient performance.

On March 3, 2023, DOE published a NOPR (''March 2023 NOPR'') proposing to establish amended standards for RCWs, defined in terms of the EER and WER metrics as measured according to appendix J. 88 FR 13520.

On September 25, 2023, DOE received a joint statement (''Joint Agreement'') recommending standards for RCWs that was submitted by groups representing manufacturers, energy and environmental advocates, consumer groups, and a utility.[4] In addition to the recommended standards for RCWs, the Joint Agreement also included separate recommendations for several other covered products.[5] The amended standard levels recommended in the Joint Agreement for RCWs are presented in Table II.1, expressed in terms of the EER and WER metrics as measured according to the newly established test procedure contained in appendix J. Details of the Joint Agreement recommendations for other products are provided in the Joint Agreement posted in the docket for this rulemaking.[6]

TABLE II.1—RECOMMENDED AMENDED ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL CLOTHES WASHERS

Product class	Minimum energy efficiency ratio (lb/kWh/cycle)	Minimum water efficiency ratio (lb/gal/cycle)	Compliance date
Top-Loading, Ultra-Compact (less than 1.6 ft^3 capacity)	3.79	0.29	March 1, 2028.
Top-Loading, Standard-Size (1.6 ft^3 or greater capacity)	4.27	0.57	
Front-Loading, Compact (less than 1.6 ft^3 capacity)	5.02	0.71	
Front-Loading, Standard-Size (1.6 ft^3 or greater capacity)	5.52	0.77	
Semi-Automatic Clothes Washers	2.12	0.27	

After carefully considering the recommended energy conservation standards for RCWs in the Joint Agreement, DOE determined that these recommendations were in accordance with the statutory requirements of 42 U.S.C. 6295(p)(4) for the issuance of a direct final rule and published a direct final rule on March 15, 2024 (''March 2024 Direct Final Rule''). 89 FR 19026. DOE evaluated whether the Joint Agreement satisfies 42 U.S.C. 6295(o), as applicable, and found that the recommended standard levels would, among other things, result in significant energy savings and are technologically feasible and economically justified. *Id.* at 89 FR 19113–19120. Accordingly, DOE adopted the recommended efficiency levels for RCWs as the amended standard levels in the March 2024 Direct Final Rule. *Id.*

The standards adopted in the March 2024 Direct Final Rule apply to product classes listed in Table II.2 and that are manufactured in, or imported into, the United States starting on March 1, 2028. The March 2024 Direct Final Rule provides a detailed discussion of DOE's analysis of the benefits and burdens of the amended standards pursuant to the criteria set forth in EPCA. *Id.*

[2] DOE published a confirmation of effective date and compliance date for the direct final rule on October 1, 2012. 77 FR 59719.

[3] EER is defined as the quotient of the weighted-average load size divided by the total clothes washer energy consumption per cycle, with such energy consumption expressed as the sum of (1) the machine electrical energy consumption, (2) the hot water energy consumption, (3) the energy required for removal of the remaining moisture in the wash load, and (4) the combined low-power mode energy consumption. 10 CFR part 430 subpart B, appendix J section 1. WER is defined as the quotient of the weighted-average load size divided by the total weighted per-cycle water consumption for all wash cycles in gallons. *Id.*

[4] The signatories to the Joint Agreement include the Association of Home Appliance Manufacturers (''AHAM''), American Council for an Energy-Efficient Economy, Alliance for Water Efficiency, Appliance Standards Awareness Project, Consumer Federation of America, Consumer Reports, Earthjustice, National Consumer Law Center, Natural Resources Defense Council, Northwest Energy Efficiency Alliance, and Pacific Gas and Electric Company. Members of AHAM's Major Appliance Division that make the affected products include: Alliance Laundry Systems, LLC; Asko Appliances AB; Beko US Inc.; Brown Stove Works, Inc.; BSH Home Appliances Corporation; Danby Products, Ltd.; Electrolux Home Products, Inc.; Elicamex S.A. de C.V.; Faber; Fotile America; GE Appliances, a Haier Company; L'Atelier Paris Haute Design LLG; LG Electronics; Liebherr USA, Co.; Midea America Corp.; Miele, Inc.; Panasonic Appliances Refrigeration Systems (PAPRSA) Corporation of America; Perlick Corporation; Samsung Electronics America, Inc.; Sharp Electronics Corporation; Smeg S.p.A; Sub-Zero Group, Inc.; The Middleby Corporation; U-Line Corporation; Viking Range, LLC; and Whirlpool Corporation.

[5] The Joint Agreement contained recommendations for six covered products: refrigerators, refrigerator-freezers, and freezers; RCWs; clothes dryers; dishwashers; cooking products; and miscellaneous refrigeration products.

[6] The Joint Agreement is available in the docket at *www.regulations.gov/comment/EERE-2017-BT-STD-0014-0505*.

TABLE II.2—AMENDED ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL CLOTHES WASHERS

[Compliance starting March 1, 2028]

Product class	Minimum energy efficiency ratio (lb/kWh/cycle)	Minimum water efficiency ratio (lb/gal/cycle)
Automatic Clothes Washers:		
Top-Loading Ultra-Compact (less than 1.6 ft^3 capacity)	3.79	0.29
Top-Loading Standard-Size (1.6 ft^3 or greater capacity) [1]	4.27	0.57
Front-Loading Compact (less than 3.0 ft^3 capacity) [2]	5.02	0.71
Front-Loading Standard-Size (3.0 ft^3 or greater capacity) [3]	5.52	0.77
Semi-Automatic Clothes Washers	2.12	0.27

[1] The energy conservation standards in this table do not apply to top-loading standard-size clothes washers with an average cycle time less than 30 minutes.

[2] The energy conservation standards in this table do not apply to front-loading clothes washers with a capacity greater than or equal to 1.6 ft^3 and less than 3.0 ft^3 with an average cycle time of less than 45 minutes.

[3] The energy conservation standards in this table do not apply to front-loading standard-size clothes washers with an average cycle time less than 45 minutes.

As required by EPCA, DOE also simultaneously published a NOPR proposing the identical standard levels contained in the March 2024 Direct Final Rule. 89 FR 18836. DOE considered whether any adverse comment received during the 110-day comment period following the publication of the March 2024 Direct Final Rule provided a reasonable basis for withdrawal of the direct final rule under the provisions in 42 U.S.C. 6295(p)(4)(C).

III. Comments on the Direct Final Rule

As discussed in section I of this document, not later than 120 days after publication of a direct final rule, DOE shall withdraw the direct final rule if: (1) DOE receives one or more adverse public comments relating to the direct final rule or any alternative joint recommendation; and (2) based on the rulemaking record relating to the direct final rule, DOE determines that such adverse public comments or alternative joint recommendation may provide a reasonable basis for withdrawing the direct final rule. (42 U.S.C. 6295(p)(4)(C)(i))

DOE received comments in response to the March 2024 Direct Final Rule from the interested parties listed in Table III.1.[7]

TABLE III.1—LIST OF COMMENTERS WITH WRITTEN SUBMISSIONS IN RESPONSE TO THE MARCH 2024 DIRECT FINAL RULE

Commenter(s)	Abbreviation	Comment No. in the Docket	Commenter type
The Attorneys General of the States of Florida, Alabama, Arkansas, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Virginia, and West Virginia.	AGs of FL *et al*	526	State Government Officials.
The Attorney General of the State of Montana	AG of MT	529	State Government Official.
Association of Home Appliance Manufacturers	AHAM	525	Trade Association.
Anonymous	Anonymous	530	Individual.
Appliance Standards Awareness Project, Alliance for Water Efficiency, American Council for an Energy-Efficient Economy, Consumer Federation of America, Consumer Reports, Earthjustice, National Consumer Law Center, Natural Resources Defense Council, Northwest Energy Efficiency Alliance, and Pacific Gas and Electric Company.	ASAP *et al*	527	Advocacy Organizations.
New York State Energy Research and Development Authority and California Energy Commission.	NYSERDA and CEC	519	State Agencies.
Consumer Federation of America, Consumer Reports, Green Energy Consumers Alliance, National Consumer Law Center, and U.S. Public Interest Research Group.	CFA *et al*	528	Advocacy Organizations.
Rebekah Finn	Finn	524	Individual.
Martina Gómez de la Torre	Gómez de la Torre	516	Individual.
Emma Leamy	Leamy	518	Individual.
Representative Stephanie Bice	Rep. Bice	517	Federal Government Official.
Bill Word and David Daquin	Word and Daquin	*521, 522	Individual.

* Comments No. 521 and 522 are identical. DOE cites comment No. 521 in this document.

A parenthetical reference at the end of a comment quotation or paraphrase provides the location of the item in the public record.[8] The following sections discuss the substantive comments DOE received on the March 2024 Direct Final

[7] Table III.1 excludes one non-substantive comment received from an anonymous commenter.

[8] The parenthetical reference provides a reference for information located in the docket of DOE's rulemaking to develop energy conservation standards for RCWs. (Docket No. EERE–2017–BT–STD–0014, which is maintained at: *www.regulations.gov*). The references are arranged as follows: (commenter name, comment docket ID number at page of that document).

Rule as well as DOE's determination that the comments do not provide a reasonable basis for withdrawal of the direct final rule.

A. General Comments

NYSERDA and CEC reiterated their sustained support for the recommendations issued their October 5, 2023 letter.[9] (NYSERDA and CEC, No. 519 at p. 1)

AHAM supported the March 2024 Direct Final Rule for RCWs because it establishes standards that are consistent with recommendations submitted in the Joint Agreement. (AHAM, No. 525 at p. 1) AHAM commented that it finds DOE has satisfied all EPCA criteria for issuing the March 2024 Direct Final Rule because the recommended energy conservation standards were designed by the Joint Stakeholders (including manufacturers of various sizes as well as consumer, environmental, and efficiency advocacy groups; a utility; and some States) to achieve the maximum improvement in energy efficiency that is technologically feasible and economically justified in accordance with the provisions of 42 U.S.C. 6295(o); and because DOE issued the March 2024 Direct Final Rule with a proposed rule identical to the standard established in the March 2024 Direct Final Rule and allowed 110 days for public comment, which is consistent with EPCA requirements. (AHAM, No. 525 at pp. 7–8)

ASAP *et al.* supported the standards in the March 2024 Direct Final Rule, as they reflect the recommendation in the Joint Agreement submitted to DOE in September 2023 in conjunction with AHAM. (ASAP *et al.,* No. 527 at pp. 1–2)

CFA *et al.* strongly supported the March 2024 Direct Final Rule, which they noted is one of many completed and pending efficiency standards that will together significantly reduce consumer costs and climate pollution, as well as reduce emissions of nitrogen oxides, which cause health issues. (CFA *et al.,* No. 528 at pp. 1–2)

DOE received comments from individual commenters who expressed support for the standards promulgated in the March 2024 Direct Final Rule. (Gómez de la Torre, No. 516 at p. 1; Leamy, No. 518 at p. 1; Finn, No. 524 at p. 1; Anonymous, No. 530 at p. 1)

Rep. Bice submitted a comment in opposition to the standards adopted in the March 2024 Direct Final Rule. (Rep. Bice, No. 517 at p. 1)

Word and Daquin commented that they are harmed by the March 2024 Direct Final Rule because their choice of preferred RCW would be eliminated by the rule. Word and Daquin recommended DOE repeal the March 2024 Direct Final Rule and withdraw the proposed rule. (Word and Daquin, No. 521 at p. 10)

The AGs of FL *et al.* asserted that the March 2024 Direct Final Rule over-regulates American households and requested that DOE reconsider it. (AGs of FL *et al.,* No. 526 at p. 1) The AG of MT expressed agreement with the AGs of FL *et al.*'s comments. (AG of MT, No. 529 at p. 1)

As discussed in more detail below, DOE has determined that these comments do not provide a reasonable basis to withdraw the March 2024 Direct Final Rule.

B. Authority To Regulate Water Use

DOE received comments regarding DOE's statutory authority to regulate the water use of RCWs.

Word and Daquin commented that DOE has gone beyond its statutory authority in increasing water efficiency standards of certain consumer appliances without lawful authority. Word and Daquin asserted that DOE lacks the authority to increase the stringency of water use standards for products other than showerheads, faucets, water closets, and urinals. (Word and Daquin, No. 521 at p. 1)

Word and Daquin also commented that based on the history of EPCA and the recent ruling of the Fifth Circuit Court of Appeals, DOE does not have the authority to regulate the water use of RCWs. Word and Daquin commented that the Fifth Circuit Court of Appeals recognized that ''No part of [EPCA] indicates Congress gave DOE power to regulate water use for energy-using appliances.'' *Louisiana* v. *United States Dep't of Energy,* 90 F.4th 461, 471 (5th Cir. 2024). Word and Daquin also noted that according to the Fifth Circuit, ''EPCA does not appear to contemplate overlap between the products subject to 'energy' regulation and those subject to 'water' regulation,'' noting that this is because the statute authorized DOE to regulate ''energy use, or, [. . .] water use,'' and ''[t]he word 'or' is almost always disjunctive.'' *Id.* at 470–471 (quoting *Encino Motorcars, LLC* v. *Navarro,* 584 U.S. 79, 80 (2018)). Word and Daquin asserted that the March 2024 Direct Final rule, in requiring a minimum water efficiency ratio for clothes washers beyond that required by statute, is irreconcilable with the opinion of the Fifth Circuit Court of Appeals. (*Id.* at pp. 1–5)

The AG of MT disputed DOE's interpretation of its statutory authority and asserted that DOE does not have authority to act contrary to the plain text of EPCA. (AG of MT, No. 529 at pp. 6–7)

As discussed in the March 2024 Direct Final Rule, EPCA prescribed energy conservation standards with both energy and water use requirements for RCWs. 89 FR 19026, 19032. In establishing energy conservation standards with both energy and water use performance standards for RCWs, Congress also directed DOE to ''determin[e] whether to amend'' those standards. (42 U.S.C. 6295(g)(9)(B)) Congress's directive, in section 6295(g)(9)(B), to consider whether ''to amend the standards in effect for RCWs'' refers to ''the standards'' established in the immediately preceding paragraph, 6295(g)(9)(A), where Congress established energy conservation standards with *both* energy and water use performance standards for RCWs. Indeed, the energy and water use performance standards for RCWs (both top-loading and front-loading) are each contained within a single subparagraph. *See id.* Accordingly, DOE's authority, under 6295(g)(9)(B), includes consideration of amended energy and water use performance standards for RCWs.

Similarly, DOE's authority under 42 U.S.C. 6295(m) to amend ''standards'' for covered products includes amending both the energy and water use performance standards for RCWs. Neither section 6295(g)(9)(B) nor section 6295(m) limit their application to ''energy use standards.'' Rather, they direct DOE to consider amending ''the standards,'' 42 U.S.C. 6295(g)(9)(B), or simply ''standards,'' *Id.* 6295(m)(1)(B), which may include both energy and water use performance standards.

C. Anti-Backsliding

EPCA, as codified, contains what is known as an ''anti-backsliding'' provision, which prevents the Secretary from prescribing any amended standard that either increases the maximum allowable energy use or decreases the minimum required energy efficiency of a covered product. (42 U.S.C. 6295(o)(1))

The AG of MT commented that the fact the Joint Agreement is contingent upon other parts being implemented conflicts with the anti-backsliding provision of EPCA. (AG of MT, No. 529 at pp. 1–2)

DOE addressed this issue in the March 2024 Direct Final Rule. As discussed there, the Joint Agreement was contingent upon DOE initiating

[9] NYSERDA and CEC letter available at *www.regulations.gov/comment/EERE-2017-BT-STD-0014-0506.*

rulemaking processes to adopt all of the recommended standards. In other words, DOE could not pick and choose which recommendations in the Joint Agreement to implement. *See* 89 FR 19026, 19036. As described, DOE's adoption of the recommended standards conforms with the anti-backsliding provision in 42 U.S.C. 6295(o)(1).

The AG of MT stated that DOE must consider energy efficiency over the entire product lifecycle. The AG of MT agreed with DOE's statement that conscientious energy use is more complicated than increasing efficiency alone, and the AG of MT referenced documents with quotes from DOE officials testifying to this sentiment. The AG of MT commented that DOE's use of a single lifespan in its analysis for this rulemaking was in error, and given its statements about the energy consumed in raw materials, manufacturing, *etc.,* its efficiency standards may violate anti-backsliding prohibitions in EPCA when shorter lifespans are considered, especially if the full fuel cycle (''FFC'') costs of short lifespans are accounted for. (AG of MT, No. 529 at pp. 3–4)

As described in the March 2024 Direct Final Rule, DOE did not use a single lifespan in its analysis for the RCWs rulemaking. Instead, DOE assigned a range of lifespan from 1 to 30 years, based on the Weibull lifetime distribution. DOE further notes that the lifetime distribution used in the March 2024 Direct Final Rule is based on actual lifetime values in the field, which were developed from historical shipments data and surveys. 89 FR 19026, 19060. In addition, DOE is unaware of data that suggests a different lifetime associated with the technology options considered in the March 2024 Direct Final Rule, and no such data was provided by stakeholders. *Id.*

As discussed previously, DOE may not prescribe an amended standard that increases the maximum allowable energy use or decreases the energy efficiency of a covered product. Further, EPCA defines the term ''energy use'' to mean the quantity of energy directly consumed by a consumer product at point of use, determined in accordance with test procedures under 42 U.S.C. 6293. (42 U.S.C. 6291(4)) EPCA similarly defines ''energy efficiency'' to mean the ratio of the useful output of services from a consumer product to the energy use [as that term is defined] of such product, determined in accordance with test procedures under 42 U.S.C. 6293. (42 U.S.C. 6291(5)) Neither the energy use nor the energy efficiency of a product, as those terms are defined in EPCA, is dependent upon the lifespan of the product. As a result, product lifespan has no effect on whether an amended standard violates the anti-backsliding provision in 42 U.S.C. 6295(o)(1).

As product lifespan does not affect energy use or energy efficiency as defined in EPCA, DOE has determined that the comment provided by the AG of MT does not provide a reasonable basis for withdrawal of the March 2024 Direct Final Rule.

D. Economic Justification

DOE must follow specific statutory criteria for prescribing new or amended standards for covered products, including RCWs. Any new or amended standard for a covered product must be designed to achieve the maximum improvement in energy efficiency that the Secretary determines is technologically feasible and economically justified. (42 U.S.C. 6295(o)(2)(A)) In deciding whether a proposed standard is economically justified, DOE must determine whether the benefits of the standard exceed its burdens. (42 U.S.C. 6295(o)(2)(B)(i)) DOE must make this determination after receiving comments on the proposed standard, and by considering, to the greatest extent practicable, the following seven statutory factors:

(1) The economic impact of the standard on manufacturers and consumers of the products subject to the standard;

(2) The savings in operating costs throughout the estimated average life of the covered products in the type (or class) compared to any increase in the price, initial charges, or maintenance expenses for the covered products that are likely to result from the standard;

(3) The total projected amount of energy (or as applicable, water) savings likely to result directly from the standard;

(4) Any lessening of the utility or the performance of the covered products likely to result from the standard;

(5) The impact of any lessening of competition, as determined in writing by the Attorney General, that is likely to result from the standard;

(6) The need for national energy and water conservation; and

(7) Other factors the Secretary considers relevant.

(42 U.S.C. 6295(o)(2)(B)(i)(I)–(VII))

DOE received several comments on its determination of economic justification under the statutory criteria.

Rep. Bice asserted that increased standards will lead to increased production costs for manufacturers, which will subsequently lead to increased costs to consumers. Rep. Bice added that the adopted standards will limit consumer choice, drive up prices, and impose onerous regulations on American manufacturers, many of whom are small businesses. (Rep. Bice, No. 517 at p. 1)

The AGs of FL *et al.* commented that while they acknowledge that DOE has reduced the stringency as compared to the previously proposed standards, the March 2024 Direct Final Rule does not weigh heavily enough the appliance cost increase that the rule will cause and that will be borne by American consumers. (AGs of FL *et al.,* No. 526 at p. 1)

DOE considered the impacts to manufacturers, including the potential increase in manufacturing costs, in the manufacturing impact analysis in the March 2024 Direct Final Rule. 89 FR 19026, 19071–19077, 19092–19098. At the adopted standard levels, DOE's data demonstrate no lessening of consumer choice, product utility, or performance would occur. DOE estimates that approximately 49 percent of annual shipments currently meet the adopted standard levels. *Id.* at 89 FR 19119. In the March 2024 Direct Final Rule, the life-cycle cost (''LCC'') analysis calculated the distribution of impacts across a nationally representative sample of US households. As demonstrated by the LCC analysis, at the adopted standard, the average LCC savings are positive for all product classes and the fraction of consumers experiencing a net LCC cost is about 12 percent. *Id.* Therefore, the March 2024 Direct Final Rule did consider the economic impact of the standard on the manufacturers and on the consumers of the products subject to such standard (42 U.S.C. 4296(o)(2)(B)(i)(I)), and DOE has determined that the comments provided by the AGs of FL *et al.* and Rep. Bice do not provide a reasonable basis for withdrawal of the March 2024 Direct Final Rule.

AHAM commented that the recommended standards are economically justified as required by 42 U.S.C. 6295(o)(2)(B)(i)(I) and will not result in lessening of utility, reliability, performance or availability of RCWs considered under 42 U.S.C. 6295(o)(2)(B)(i)(IV). AHAM commented that under the standards adopted in the March 2024 Direct Final Rule, only 2 percent of consumers would experience a net cost. AHAM commented that the standards adopted in the March 2024 Direct Final Rule also decrease the number of low-income consumers that could experience a net cost. In addition, AHAM noted that manufacturer costs to comply with the final standard are less under the March 2024 Direct Final Rule

than under the previously proposed standards. (AHAM, No. 525 at p. 6)

ASAP *et al.* commented that the amended standards will particularly benefit low-income consumers, who spend three times more of their income on energy costs compared to non-low-income households. ASAP *et al.* commented that the standards will also benefit renters, whose landlords might not otherwise purchase energy-saving RCWs. (ASAP *et al.,* No. 527 at p. 2)

CFA *et al.* commented that the standards adopted in the March 2024 Direct Final Rule will reduce energy use by about 10 percent relative to the least-efficient RCW sold today while also cutting water waste, and for a household replacing an inefficient top-loading RCW, the new standards will provide annual utility bill savings of $23 on average. CFA *et al.* further noted that the average PBP for low-income households for top-loading and front-loading RCWs are 3.5 years and 0.7 years, respectively. (CFA *et al.,* No. 528 at p. 1)

The AG of MT stated that DOE's reliance on the Energy Information Administration's (''EIA's'') *Annual Energy Outlook 2023* (''*AEO2023*'') for pricing trends is faulty due to federal rulemakings being issued that will force existing generating capacity offline, spike electricity demand, and decrease fossil fuel supply, as illustrated with several documents attached to the comment. (AG of MT, No. 529 at p. 5)

DOE contends that *AEO2023* remains the best available source for projections of future energy price trends based on adopted energy policies. DOE also performed sensitivity analyses using alternate *AEO2023* growth scenarios with low and high energy prices relative to the reference scenario in the March 2024 Direct Final Rule to assess the impact of alternative energy price projections. 89 FR 19026, 19059. The results of these scenarios are available in appendix 10D of the March 2024 Direct Final Rule Technical Support Document (''TSD'') and show that consumers of residential clothes washers would still experience positive cumulative consumer net present value (''NPV'') even when considering lower and higher energy prices.

Therefore, the March 2024 Direct Final Rule did take into account energy price variability in its analysis, and DOE has determined that the comment provided by the AG of MT does not provide a reasonable basis for withdrawal of the March 2024 Direct Final Rule.

The AG of MT stated that DOE acknowledges but disregards consumer preference and assumes consumers are ignorant. The AG of MT attached studies demonstrating consumer preference for product lifetime over energy consumption, and the AG of MT commented that these longer-life appliances may use less energy over the entire life cycle and be a lower cost to the consumer. (AG of MT, No. 529 at p. 2)

DOE did not disregard consumer preference but rather noted in the March 2024 Direct Final Rule that the economics literature provides a wide-ranging discussion of how consumers trade off up-front costs and energy savings in the absence of government intervention. 89 FR 19026, 19113. Much of this literature attempts to explain why consumers appear to undervalue energy efficiency improvements, as the AG of MT alleged in their comment. There is evidence that consumers undervalue future energy savings as a result of (1) a lack of information; (2) a lack of sufficient salience of the long-term or aggregate benefits; (3) a lack of sufficient savings to warrant delaying or altering purchases; (4) excessive focus on the short term, in the form of inconsistent weighting of future energy cost savings relative to available returns on other investments; (5) computational or other difficulties associated with the evaluation of relevant trade-offs; and (6) a divergence in incentives (for example, between renters and owners, or builders and purchasers). *Id.* at 89 FR 19114 Having less-than-perfect foresight and a high degree of uncertainty about the future, consumers may trade off these types of investments at a higher-than-expected rate between current consumption and uncertain future energy cost savings. *Id.*

Potential changes in the benefits and costs associated with a standard due to changes in consumer purchase decisions were included in the analysis for the March 2024 Direct Final Rule in two ways. *Id.* First, if consumers forgo the purchase of a product in the standards case, as estimated based on price elasticity related to empirical data on appliances, this decreases sales for product manufacturers, and the impact on manufacturers attributed to lost revenue is included in the manufacturer impact analysis. *Id.* Second, DOE accounts for energy savings attributable only to products actually used by consumers in the standards case; if a standard decreases the number of products purchased by consumers, this decreases the potential energy savings from an energy conservation standard.

Further, the AG of MT stated that the reliability of products affected by the rulemaking will decrease due to complexity increases, which the commenters asserted is supported by engineering facts illustrated in a document attached to their comment, yet DOE does not address this issue. The AG of MT also commented that complexity increases will lead to less economic viability of repair, which is not reflected in DOE's assumption that the rulemaking will have no impact on lifespan. The AG of MT commented that DOE disregards the fact that reliability can be increased by lightening the electrical, mechanical, thermal, and other conditions of operation of the components, which tends to decrease energy efficiency but results in less repair downtime and longer times before replacement and, therefore, decreased costs, as illustrated in attached documents. (AG of MT, No. 529 at pp. 3–5)

AHAM commented that the March 2024 Direct Final Rule addresses AHAM's key concerns with the March 2023 NOPR. AHAM added that the technology options DOE identified for meeting the standard levels in the March 2024 Direct Final Rule are established technologies used in the market today and do not negatively impact product reliability. (AHAM, No. 525 at p. 7)

ASAP *et al.* commented that they did not expect the standards in the March 2024 Direct Final Rule to have any impact on product reliability because the amended standards can be met with simple design changes that have already been incorporated in many models on the market today. ASAP *et al.* presented a figure of historical data from EIA's Residential Energy Consumption Survey (''RECS'') showing that the distribution of RCW age remained largely unchanged between 2005 and 2020 as RCW efficiency improved. (ASAP *et al.,* No. 527 at pp. 4–5)

In contrast to the comment from the AG of MT and as noted in the March 2024 Direct Final Rule, DOE did take into consideration the cost of repair and included higher repair costs for more efficient products when supported by available data. *See* 89 FR 19026, 19059. Hence, notwithstanding theoretical conjecture that higher-efficiency products may have poor reliability based on simplified textbook models, no real-world evidence or data related to the technologies used at the adopted standard levels can be found clearly supporting such a correlation. The AG of MT did not specify how the attached documents on network node analysis and reliability theory correspond to the technologies used at the adopted standard levels for RCWs. In the absence of data specific to the technologies used in RCWs, DOE has no practical basis to model the theoretical concern from the

AG of MT at the adopted standard levels.

DOE further notes that the lifetime distribution used in the March 2024 Direct Final Rule is based on actual lifetime values in the field, which were developed from historical shipments data and surveys. DOE did not find that the average lifetime for RCWs has changed. 89 FR 19026, 19060. DOE is unaware of data that suggests a different lifetime associated with the technology options considered in the March 2024 Direct Final Rule, and no such data was provided by stakeholders. In response to the March 2024 Direct Final Rule, AHAM commented that the adopted standard will not impact the reliability of products, and hence lifetime of the product, at the adopted level, and it further stated that the standard levels are achievable by technology readily available on the market. (AHAM, No. 525 at p. 6) As there is no data to suggest different lifetime distributions for products at the adopted standards level, the comment from the AG of MT does not provide a reasonable basis for withdrawal of the March 2024 Direct Final Rule.

As discussed in the March 2024 Direct Final Rule, DOE did take into account product reliability, lifetimes, and cost of repair when considering the LCC of more efficient products when supported by available data. *See* 89 FR 19026, 19060. Therefore, the March 2024 Direct Final Rule did take into account consumer purchase decisions in its analysis, and DOE has determined that the comment provided by the AG of MT does not provide a reasonable basis for withdrawal of the March 2024 Direct Final Rule.

The AG of MT stated their belief that greenhouse gas (''GHG'') emissions and climate change impacts should not be part of EPCA rulemakings, but given their inclusion, DOE must consider them throughout the entire life cycle of the product, including manufacturing and potential reductions in lifespan due to increased complexity. The AG of MT commented that the March 2024 Direct Final Rule failed to adequately address these full life cycle impacts. (AG of MT, No. 529 at p. 6)

As previously stated in section III.C of this document, the comment from the AG of MT points to a statement made to the U.S. Senate Subcommittee on Energy to indicate that 40 to 60 percent of the carbon footprint for many consumer products can be attributed to the supply chain.[10] However, the McKinsey report, which is the primary source for the statement made to the U.S. Subcommittee on Energy, is only referring to the manufacturing company's energy and carbon footprint that can reside upstream in its supply chain and does not include the energy and emissions associated with the usage phase of the appliance life cycle, which represents more than 90 percent of the total for large appliances.[11] As such, the energy and carbon footprint associated with supply chain likely accounts for approximately 4 to 6 percent of the overall carbon footprint of a product. Furthermore, there is no data suggesting that the supply chain carbon footprint would be different between baseline units and units that meet the adopted standard. In the March 2024 Direct Final Rule, DOE accounted for the environmental and public health benefits associated with the more efficient use of energy, including those connected to global climate change, as they are important to take into account when considering the need for national energy conservation under EPCA. (*See* 42 U.S.C. 6295(o)(2)(B)(i)(IV)) 89 FR 19026, 19110–19113. This analysis focused on the estimated reduced emissions expected to result during the lifetime of RCWs shipped during the projection period. *Id*

The AG of MT stated that the Interagency Working Group's (''IWG's'') SC–GHG based on global impacts is inconsistent with EPCA's requirements for standards to consider economic implications to U.S. consumers. The AG of MT claimed that DOE erroneously appears to assume that all the benefits accrue to U.S. citizens, despite using global values. The AG of MT cited the case of *Louisiana* v. *Biden* to demonstrate questions related to the accuracy of the IWG's SC–GHG estimates. (AG of MT, No. 529 at p. 6)

DOE reiterates its view that the environmental and public health benefits associated with more efficient use of energy, including those connected to global climate change, are important to take into account when considering the need for national energy conservation. (*See* 42 U.S.C. 6295(o)(2)(B)(i)(IV)) In addition, Executive Order 13563, which was reaffirmed on January 21, 2021, stated that each agency must, among other things, ''select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity).'' Regarding the use of global SC–GHG values, many climate impacts that affect the welfare of U.S. citizens and residents are better reflected by global measures of SC–GHG. In addition, assessing the benefits of U.S. GHG mitigation activities requires consideration of how those actions may affect mitigation activities by other countries, as those international mitigation actions will provide a benefit to U.S. citizens and residents by mitigating climate impacts that affect U.S. citizens and residents.

The AG of MT stated the monetized GHG benefits largely accrue centuries in the future, well beyond the rulemaking analysis period. The AG of MT also stated that DOE improperly mixed discount rates in its cost-benefit analysis. (AG of MT, No. 529 at p. 6)

DOE's March 2024 Direct Final Rule analysis considers the costs and benefits associated with 30 years of shipments of a covered product. Because a portion of products shipped within this 30-year period continue to operate beyond 30 years, DOE accounts for energy cost savings and reductions in emissions until all products shipped within the 30-year period are retired. 89 FR 19026, 19073. In the case of carbon dioxide emissions, which remain in the atmosphere and contribute to climate change for many decades, the benefits of reductions in emissions likewise occur over a lengthy period; to not include such benefits would be inappropriate. *Id.*

With regards to discount rates used, the IWG found that the use of the social rate of return on capital (7 percent under current Office of Management and Budget Circular A–4 guidance) to discount the future benefits of reducing GHG emissions inappropriately underestimates the impacts of climate change for the purposes of estimating the SC–GHG. Consistent with the findings of the National Academies and the economic literature, the IWG continued to conclude that the consumption rate of interest is the theoretically appropriate discount rate in an intergenerational context and recommended that discount rate uncertainty and relevant aspects of intergenerational ethical considerations be accounted for in selecting future discount rates. Regarding mixing discount rates, DOE consulted the National Academies' 2017 recommendations on how SC–GHG estimates can ''be combined in Regulatory Impact Analyses (''RIAs'') with other cost and benefits estimates that may use different discount rates.''

[10] See *www.energy.senate.gov/services/files/3D26FA56-F102-9E9F-BEA4-52BB0085B19A.*

[11] Gonzalez, A., A. Chase, and N. Horowitz. 2012. ''What We Know and Don't Know about Embodied Energy and Greenhouse Gases for Electronics, Appliances, and Light Bulbs.'' Energy Solutions and Natural Resources Defense Council. ACEEE Summer Study on Energy Efficiency in Buildings.

The National Academies reviewed several options, including ''presenting all discount rate combinations of other costs and benefits with [SC–GHG] estimates.'' 89 FR 19026, 19080.[12]

E. Unavailability of Performance Characteristics

EPCA specifies the Secretary may not prescribe an amended or new standard if interested persons have established by a preponderance of the evidence that the standard is likely to result in the unavailability in the United States in any covered product type (or class) of performance characteristics (including reliability), features, sizes, capacities, and volumes that are substantially the same as those generally available in the United States. (42 U.S.C. 6295(o)(4))

The AGs of FL *et al.* stated that the March 2024 Direct Final Rule does not account for the lower performance of RCWs that AHAM identified through members' independent testing of RCWs at the new standard level.[13] (AGs of FL *et al.,* No. 526 at p. 3) The AGs of FL *et al.* asserted that the standards in the March 2024 Direct Final Rule will leave consumers struggling with washers that take longer to clean clothes. (AGs of FL *et al.,* No. 526 at p. 1)

Rep. Bice asserted that the adopted standards will limit consumer choice. (Rep. Bice, No. 517 at p. 1)

ASAP *et al.* commented that the amended standards will improve washing performance for top-loading RCWs and will not impact other performance attributes. ASAP *et al.* added that RCWs that already meet the new standards provide improved washing performance relative to less-efficient models, as demonstrated by Consumer Reports studies. (ASAP *et al.,* No. 527 at pp. 2–3)

ASAP *et al.* also commented that the standards in the March 2024 Direct Final Rule can be met across the entire capacity range of top-loading RCWs, so indicating that the standards will not preclude the availability of smaller-capacity RCWs. (*Id.* at p. 4) ASAP *et al.* noted that the amended standards will not require an increase in cycle time. ASAP *et al.* further commented that there is no evidence that the frequency of running multiple RCW cycles has increased over time or will increase in the future as a result of the amended standards. (*Id.* at pp. 3–4)

AHAM commented that it supported the energy conservation standards in the March 2024 Direct Final Rule because DOE's data demonstrate, and industry experience confirms that RCWs at the amended standard level can maintain good cleaning performance and that the amended standards do not preclude the ability to provide high wash temperatures. AHAM further commented that there is no significant difference in cycle time between RCWs in its data set that are less efficient than the amended standards and those that just meet the standard levels. Thus, AHAM commented that it supported the energy conservation standards adopted in the March 2024 Direct Final Rule. (AHAM, No. 525 at p. 3)

AHAM commented that the energy conservation standards adopted in the March 2024 Direct Final Rule will not result in significant lessening of utility, reliability, performance, or availability of the covered products as prohibited under the so-called ''safe harbor'' exception of 42 U.S.C. 6295(o)(2)(B)(IV). (*Id.* at p. 6)

AHAM further noted that the energy conservation standards adopted in the March 2024 Direct Final Rule are equivalent to current ENERGY STAR levels for many product classes, and that there are a wide range of products meeting the adopted standards currently available on the market. AHAM therefore does not anticipate that the energy conservation standards recommended in the Joint Agreement and established in the March 2024 Direct Final Rule will negatively affect features or performance, including cycle time. (*Id.* at p. 5)

NYSERDA and CEC reiterated their support for the recommendations in the Joint Agreement and echoed the clarification regarding ''short cycle'' products made in the February 15, 2024 letter to DOE by ASAP and AHAM. This clarification specified that the recommendations in the Joint Agreement did not address ''short cycle'' products for clothes washers, clothes dryers, and dishwashers as so-called ''short cycle'' product classes did not exist at the time the recommendations were submitted to DOE and do not exist at this time.[14] This letter also highlighted that the signatories to the Joint Agreement do not anticipate that amended standards will negatively affect features or performance, including cycle time. (NYSERDA and CEC, No. 519 at p. 1)

DOE determined that the March 2024 Direct Final Rule would not result in the unavailability of products that are substantially the same as those currently available in the United States. 89 FR 19026, 19108–19109. Therefore, DOE has determined that the comments provided by Rep. Bice and the AGs of FL *et al.* do not provide a reasonable basis for withdrawal of the March 2024 Direct Final Rule.

F. Stakeholder Representation

Under 42 U.S.C. 6295(p)(4), interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates), as determined by DOE, may submit a joint recommendation to DOE for new or amended energy conservation standards.

The AGs of FL *et al.* questioned the expertise and relevancy of several advocacy groups who contributed to the Joint Agreement (*i.e.,* the Alliance for Water Efficiency, Earthjustice, the Northwest Energy Efficiency Alliance, the Natural Resource Defense Council, and the National Consumer Law Center). The AGs of FL *et al.* asserted that none of the advocacy groups has expertise in setting energy efficiency standards for RCWs. (AGs of FL *et al.,* No. 526 at pp. 4–5)

The AGs of FL *et al.* commented that there were several other groups that commented on the March 2023 NOPR but did not appear in the joint statement. The AGs of FL *et al.* stated that the joint agreement did not include the National Apartment Association (''NAA'') and the National Multifamily Housing Council (''NMHC''). NAA and NMHC previously raised concerns about the effects of the rulemaking on mass-appliance purchases, which will disproportionately affect low-income individuals. (AGs of FL *et al.,* No. 526 at pp. 5–6)

[12] Following the issuance of the March 2024 Direct Final Rule, DOE issued a rulemaking document in an unrelated matter in which it preliminarily determined that new, updated SC–GHG estimates promulgated in 2023 by EPA (2023 SC–GHG estimates) represent a significant improvement in estimating SC–GHG. *See 89 FR 59692, 59700–59701.* DOE preliminarily determined that the updated 2023 SC–GHG estimates reflect the best available scientific and analytical evidence and methodologies, are accordingly the most appropriate for DOE analyses, and best facilitate sound decision-making by substantially improving the transparency of the estimates and representations of uncertainty inherent in such estimates. *Id.* DOE welcomed comment on that preliminary determination. *Id.*

Because it issued the March 2024 Direct Final Rule prior to making that preliminary determination, DOE estimated the climate benefits of the standards adopted in this rule using the IWG's SC–GHG estimates. As noted in the text, DOE's decision to adopt the March 2024 Direct Final Rule's standards did not depend on the cost of greenhouse gasses; nor would the decision change based on a revised estimate of the cost of greenhouse gasses.

[13] DOE notes that the AHAM members' testing referred to by the AGs of FL *et al.* in this statement reflected testing at the standard levels proposed in the March 2023 NOPR (*i.e.,* not the ''new standard level'' adopted in the March 2024 Direct Final Rule).

[14] ASAP and AHAM letter available at *www.regulations.gov/comment/EERE-2017-BT-STD-0014-0509.*

The AGs of FL *et al.* commented that while Massachusetts, New York, and California supported the standards adopted in the March 2024 Direct Final Rule, 21 States cautioned DOE about the March 2024 Direct Final Rule's effects on consumer welfare; the AGs of FL *et al.* asserted that EPCA requires DOE to receive the concurrence of States across the ideological spectrum in order to proceed with a direct final rule rather than acknowledge only the few opinions in favor without receiving the support of a majority of States. The AGs of FL *et al.* commented that many States also previously raised legal concerns with DOE's previously proposed rule, which they stated were not resolved in the March 2024 Direct Final Rule. The AGs of FL *et al.* commented that States have a direct interest in protecting consumers and are also directly affected by the rule because many State entities purchase clothes washers. (AGs of FL *et al.,* No. 526 at p. 6)

The AG of MT agreed with the AGs of FL *et al.'*s concerns over the participants in the Joint Agreement underlying the March 2024 Direct Final Rule, along with their concerns that the group does not comply with EPCA. (AG of MT, No. 529 at p. 1)

The AGs of FL *et al.* stated one concern was that DOE engaged in ''administrative arm-twisting'' and indicated that AHAM's change of approach from opposing to supporting the energy efficiency standards in question reflects a subtle example of the effect of DOE's arm-twisting on AHAM. (AGs of FL *et al.,* No. 526 at p. 4)

AHAM commented that the stakeholders who submitted the Joint Agreement are representative of a wide range of expert and relevant points of view—including manufacturers of various sizes representing nearly 100 percent of the market for consumer clothes dryers; consumer, environmental, and efficiency advocacy groups; a utility; and several States that participated in the negotiation discussions and filed comments in support of the agreement. AHAM concluded that the March 2024 Direct Final Rule benefits both the manufacturers and consumers that these organizations represent. (AHAM, No. 525 at p. 5)

In response to the comments regarding whether the Joint Agreement was submitted by persons fairly representative of relevant points of view, DOE reiterates that 42 U.S.C. 6295(p)(4) states that if the criteria in 42 U.S.C. 6295(o) are met, the Secretary may issue a final rule that establishes an energy conservation standard ''[o]n receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates), as determined by the Secretary.'' (42 U.S.C. 6295(p))

As stated in the March 2024 Direct Final Rule, DOE determined that this requirement was met. 89 FR 11434, 19038. The Joint Agreement included a trade association, AHAM, which represents 12 manufacturers of the subject covered products—RCWs. *Id.* The Joint Agreement also included environmental and energy-efficiency advocacy organizations, consumer advocacy organizations, and a gas and electric utility company. *Id.* Additionally, DOE received a letter in support of the Joint Agreement from the States of New York, California, and Massachusetts (*see* comment No. 506). *Id.* DOE also received a letter in support of the Joint Agreement from the gas and electric utility, San Diego Gas and Electric, and the electric utility, Southern California Edison (*see* comment No. 507). *Id.* Representatives from each of the relevant points of view described in 42 U.S.C. 6295(p)(4) supported the Joint Agreement.

DOE has ample authority to accept a joint statement in these circumstances. EPCA does not require that the Joint Agreement be representative of *every* point of view. Nor does it require that a statement be submitted by *all* interested persons. Rather, it requires a statement from a sufficient number and diversity of ''interested persons'' such that the statement is ''fairly representative of relevant points of view.'' The Joint Agreement presented here is such a statement, as the Secretary determined.

Contrary to the commenters' suggestion, EPCA does not include any requirement that ''relevant points of view'' must include ideologically opposed points of view. Rather, EPCA ensures a diversity of opinions and interests by requiring that parties that provide a joint agreement must be fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates), as determined by the Secretary. (42 U.S.C. 6295(p)(4)(A))

Moreover, regardless of whether amended energy conservation standards are recommended as part of a joint agreement or proposed by DOE, the standards have to satisfy the same criteria in 42 U.S.C. 6295(o). Thus, once DOE has determined that a joint agreement was submitted by interested persons that are fairly representative of relevant points of view, DOE then determines whether the joint agreement satisfies the relevant statutory criteria. As a result, in evaluating whether comments provide a reasonable basis for withdrawing a direct final rule, it is the substance of the comments, not the number of stakeholders that submit statements in favor of, or opposed to, the joint agreement, that determines whether a rule should be withdrawn.

DOE also finds the contention that the Joint Agreement parties are not competent to present a statement for the purposes of section 6295(p) meritless. Contrary to the characterizations by the AGs of FL *et al.,* the parties to the Joint Agreement have an established historical record of participation in DOE rulemakings and have submitted detailed comments in the past that demonstrate a thorough understanding of the technical, legal, and economic aspects of appliance standards rulemakings, including factors affecting specific groups such as low-income households.

In a follow-up letter from the parties to the Joint Agreement, each organization provided a brief description of its background: American Council for an Energy-Efficient Economy is a nonprofit research organization and its independent analysis advances investments, programs, and behaviors that use energy more effectively and help build an equitable clean energy future. Alliance for Water Efficiency is a nonprofit dedicated to efficiency and sustainable use of water that provides a forum for collaboration around policy, information sharing, research, education, and stakeholder engagement. ASAP organizes and leads a broad-based coalition effort that works to advance new appliance, equipment, and lighting standards that cut emissions that contribute to climate change and other environmental and public health harms, save water, and reduce economic and environmental burdens for low- and moderate-income households. AHAM represents more than 150 member companies that manufacture 90 percent of the major portable and floor care appliances shipped for sale in the United States. CFA is an association of more than 250 non-profit consumer and cooperative groups that advances the consumer interest through research, advocacy, and education. Consumer Reports is a mission-driven, independent, nonprofit member organization that empowers and informs consumers, incentivizes corporations to act responsibly, and helps policymakers prioritize the rights and interests of consumers in order to shape a truly

consumer-driven marketplace. Earthjustice is a nonprofit public interest environmental law organization advocating to advance clean energy and combat climate change. National Consumer Law Center supports consumer justice and economic security for low-income and other disadvantaged people in the United States through its expertise in policy analysis and advocacy, publications, litigation, expert witness services, and training. National Resources Defense Council is an international nonprofit environmental organization with expertise from lawyers, scientists, and other environmental specialists. Northwest Energy Efficiency Alliance is a collaboration of 140 utilities and efficiency organizations working together to advance energy efficiency in the Northwest on behalf of more than 13 million consumers. Pacific Gas and Electric Company represents one of the largest combined gas and electric utilities in the Western United States, serving over 16 million customers across northern and central California.[15]

Finally, DOE notes that it had no role in requesting that the parties to the Joint Agreement submit the Joint Agreement or in negotiating the terms of the Joint Agreement. As noted in the Joint Agreement itself, the parties negotiated and accepted the agreement based on the totality of the agreement. DOE's participation was limited to evaluating the joint submission under the criteria set forth in 42 U.S.C. 6295(p).

Therefore, DOE reaffirms its determination that the Joint Agreement was submitted by interested persons that are fairly representative of relevant points of view.

G. Responses to Previous Stakeholder Comments

The AGs of FL *et al.* commented that there were many comments made by AHAM, Whirlpool, and GE Appliances in previous rounds of the rulemaking that the AGs of FL *et al.* found were not adequately addressed in the March 2024 Direct Final Rule. For example, the AGs of FL *et al.* stated that the March 2024 Direct Final Rule does not address Whirlpool's concern that DOE did not conduct a North American integrated supply-chain analysis. The AGs of FL *et al.* commented that the March 2024 Direct Final Rule neglects to address AHAM's previous concern that RCWs will not be able to maintain certain features and functionalities and households at or near the poverty line would be negatively affected by having to purchase new RCWs. The AGs of FL *et al.* commented that although AHAM later authored a joint agreement in favor of the March 2024 Direct Final Rule, DOE did not adequately address the concerns listed in AHAM's earlier comment and therefore does not assuage concerns that the new energy efficiency standards will raise prices for RCWs with disproportionate harm to low-income households. (AGs of FL *et al.,* No. 526 at pp. 2–4)

Regarding the comments from the AGs of FL *et al.* that DOE did not respond in the March 2024 Direct Final Rule to the comments submitted by signatories to the Joint Agreement and other stakeholders in response to the March 2023 NOPR, DOE notes that the commenters misunderstand DOE's direct final rule authority under EPCA. As discussed in the March 2024 Direct Final Rule, DOE was already conducting a rulemaking to consider amending the standards for RCWs when the Joint Agreement was submitted. 89 FR 19026, 19036. After receiving the Joint Agreement, DOE initiated a separate rulemaking action and subsequently issued the March 2024 Direct Final Rule after determining that the recommendations contained in the Joint Agreement were compliant with 42 U.S.C. 6295(o). *Id.* The March 2024 Direct Final Rule is a separate rulemaking, conducted under a different statutory authority from DOE's prior rulemaking in the March 2023 NOPR, and DOE has no obligation to consider comments submitted in response to that prior rulemaking in a different rulemaking. Further, both the efficiency levels and compliance periods proposed in the March 2023 NOPR are different from those adopted in the March 2024 Direct Final Rule.

Even though DOE was not required to consider comments from the March 2023 NOPR, DOE did in fact consider relevant comments, data, and information obtained through the March 2023 NOPR. This included the issues that the AGs of FL *et al.* asserted DOE ignored in the March 2024 Direct Final Rule.

In response to concerns about manufacturer supply chain, DOE noted in the March 2024 Direct Final Rule that six of the nine OEMs with top-loading standard-size products offer models that meet the adopted standard level, while for the front-loading standard size RCWs, approximately 92 percent of shipments already meet the adopted standard level. 89 FR 19026, 19093. Given that a significant portion of the market already meets or exceeds the adopted standard, it is very unlikely that the adopted standard will impact the RCW product supply chain.

Additionally, in the March 2024 Direct Final Rule, DOE specifically addressed the ability of RCWs to maintain certain features and functionalities. 89 FR 19026, 19100. For example, DOE determined that the adopted standards would not require substantive reduction in hot water temperature on the hottest temperature selection in the Normal cycle. The adopted standards would not preclude the ability to provide wash temperatures above 85 degrees Fahrenheit, would not preclude the ability to provide total cleaning scores for top-loading units equally as high as the highest scores currently achieved by units at lower efficiency levels, and would not preclude the ability to provide mechanical action score comparable to cores for units at lower efficiency levels, *Id.* at 89 FR 19102–19103.

AHAM commented that DOE satisfactorily responded to AHAM's comments and concerns regarding clothes washer performance and safety concerns, baseline level definition, product class definitions, the economic value of water, consideration of low-income consumers, consideration of well and septic system users, test cloth availability, and harmonization of compliance dates for other laundry products. AHAM stated that the compliance timeline reduces the cumulative regulatory burden of this rulemaking and those for other major appliances. AHAM further commented that the energy conservation standards adopted in the March 2024 Direct Final Rule maintain important consumer features and utilities. AHAM commented that it agrees with DOE that the standard levels in the March 2024 Direct Final Rule can maintain good cleaning performance and do not preclude the ability to provide high wash temperatures. (AHAM, No. 525 at pp. 3–8)

ASAP *et al.* also commented that DOE's testing found that the standards finalized in the March 2024 Direct Final Rule can be achieved with wash temperatures and ''wear and tear'' scores comparable to or better than those of lower-efficiency units. (ASAP *et al.,* No. 527 at p. 3)

In the March 2024 Direct Final Rule, DOE considered the impact on low-income households by performing a LCC subgroup analysis for low-income households. 89 FR 19026, 19067–19071. Notably, consistent with the Joint Agreement, in the March 2024 Direct Final Rule DOE adopted a lower standard level for top-loading and front-loading standard-size RCWs than the

[15] This document is available in the docket: *www.regulations.gov/comment/EERE-2017-BT-STD-0014-0531.*

level proposed in the March 2023 NOPR. DOE estimated that the adopted standard level would result in 12 percent of low-income households experiencing a net cost due to the standard, compared with 14 percent at the proposed level in the March 2023 NOPR.

H. Formal Rulemaking

The AGs of FL *et al.* recommended that before enacting these stringent new standards for RCWs, DOE return to formal rulemaking or, at a minimum, to proceed with informal notice-and-comment rulemaking to allow States and other relevant parties to participate in rulemaking processes that affect nearly every household appliance and also ensure a minimal level of political accountability by giving visibility to internal agency deliberations. The AGs of FL *et al.* further commented that the lack of a formal process does not allow people the opportunity to comment on rules that touch the lives of nearly all Americans. (AGs of FL *et al.,* No. 526 at pp. 1, 6–8) The AG of MT similarly recommended DOE halt the rulemaking. (AG of MT, No. 529 at p. 7)

The AG of MT expressed concern about pretext and circumvention of the Administrative Procedure Act (''APA''), regarding DOE's conduct in this rulemaking and in recent litigations. (AG of MT, No. 529 at pp. 1–2)

AHAM stated that interested parties have had ample opportunity to comment through multiple stages of rulemaking. AHAM noted that, in fact, the March 2024 Direct Final Rule process provided an extra 110 days for interested parties to review DOE's final rule and submit comments—which met EPCA requirements. (AHAM, No. 525 at p. 5)

In response, DOE notes that Congress granted DOE the authority to issue energy conservation standards as direct final rules subject to certain conditions and procedural requirements. As discussed in the March 2024 Direct Final Rule, DOE determined that the Joint Agreement was submitted jointly by interested persons that are fairly representative of relevant points of view and the adopted energy conservation standards as recommended in the Joint Agreement would result in significant energy savings and are technologically feasible and economically justified as required under 42 U.S.C. 6295(o) and provided supporting analysis. 89 FR 19026, 19037–19038.

Additionally, DOE notes it followed the procedures in 42 U.S.C. 6295(p)(4) to publish a direct final rule in the **Federal Register** simultaneously with a NOPR proposing identical standards and allowed 110 days for public comment. *See* 89 FR 19026. Regarding the comment about formal rulemaking, DOE has met all of its statutory requirements under its direct rule authority, which does not require formal rulemaking.[16]

Finally, regarding the comments about the APA, EPCA mandates the substance and process by which DOE establishes energy conservation standards and develops direct final rules. While the APA provides DOE direction in areas in which EPCA is silent, EPCA is a comprehensive statutory mechanism for the development, implementation, and enforcement of energy conservation standards.

I. Conforming Updates To Test Procedure Introductory Notes

The test procedures at appendices J and appendix J2 contain introductory notes that specify the dates of applicability for each test procedure. Among other details, these introductory notes currently specify the following:

- For RCWs, manufacturers must use the results of testing under appendix J2 to determine compliance with the relevant standards at 10 CFR 430.32(g)(4) as they appeared in January 1, 2022 edition of 10 CFR parts 200–499.
- For RCWs, manufacturers must use the results of testing under appendix J to determine compliance with any amended standards provided in 10 CFR 430.32(g) that are published after January 1, 2022.

The March 2024 Direct Final Rule reorganized 10 CFR 430.32(g) by renumbering the currently applicable standards at 10 CFR 430.32(g)(4) to 430.32(g)(1) and adding the amended standards promulgated by the March 2024 Direct Final Rule at 10 CFR 430.32(g)(2).

In this document, DOE updates the introductory notes to both appendix J and appendix J2 to reference 10 CFR 430.32(g)(1) with regard to the currently applicable standards for RCWs and 10 CFR 430.32(g)(2) with regard to the amended standards promulgated by the March 2024 Direct Final Rule.

IV. Impact of Any Lessening of Competition

EPCA directs DOE to consider any lessening of competition that is likely to result from new or amended standards. (42 U.S.C. 6295(p)(4)(A)(i) and (C)(i)(II); 42 U.S.C. 6295(o)(2)(B)(i)(V)) It also directs the Attorney General of the United States (''Attorney General'') to determine the impact, if any, of any lessening of competition likely to result from a proposed standard and to transmit such determination to the Secretary within 60 days of the publication of a proposed rule, together with an analysis of the nature and extent of the impact. (42 U.S.C. 6295(o)(2)(B)(i)(V) and (B)(ii)) To assist the Attorney General in making this determination, DOE provided the Department of Justice (''DOJ'') with copies of the March 2024 Direct Final Rule, the corresponding NOPR, and the March 2024 Direct Final Rule TSD for review. DOE has published DOJ's comments at the end of this document.

In its letter responding to DOE, DOJ concluded that, based on its review, the direct final rule standards for RCWs are unlikely to have a significant adverse impact on competition.

V. Conclusion

In summary, based on the previous discussion, DOE has determined that the comments received in response to the direct final rule for amended energy conservation standards for RCWs do not provide a reasonable basis for withdrawal of the direct final rule. As a result, the energy conservation standards set forth in the direct final rule became effective on July 15, 2024. Compliance with these standards is required on and after March 1, 2028.

List of Subjects in 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Intergovernmental relations, Reporting and recordkeeping requirements, and Small businesses.

Signing Authority

This document of the Department of Energy was signed on October 10, 2024, by Jeffrey Marootian, Principal Deputy Assistant Secretary for 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

[16] DOE notes that outside of its direct rulemaking authority, DOE utilizes informal or legislative rulemaking (*i.e.,* notice and comment rulemaking under the Administrative Procedure Act, 5 U.S.C. 553) when it promulgates rules under EPCA, not formal rulemaking.

the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 15, 2024.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

For the reasons set forth in the preamble, DOE amends part 430 of chapter II, subchapter D, of title 10 of the Code of Federal Regulations, as set forth below:

PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

■ 1. The authority citation for part 430 continues to read as follows:

Authority: 42 U.S.C. 6291–6309; 28 U.S.C. 2461 note.

■ 2. Amend appendix J to subpart B of part 430 by revising the introductory note to read as follows:

Appendix J to Subpart B of Part 430—Uniform Test Method for Measuring the Energy Consumption of Automatic and Semi-Automatic Clothes Washers

Note 1 to appendix J to subpart B of part 430: Manufacturers must use the results of testing under appendix J2 to this subpart to determine compliance with the residential clothes washer standards provided at § 430.32(g)(1) and the commercial clothes washer standards provided at § 431.156(b).

Manufacturers must use the results of testing under this appendix to determine compliance with the residential clothes washer standards provided at § 430.32(g)(2) and for any amended commercial clothes washer standards provided at § 431.156 that are published after January 1, 2022.

Any representations related to energy or water consumption of residential or commercial clothes washers must be made in accordance with the appropriate appendix that applies (*i.e.,* this appendix or appendix J2 to this subpart) when determining compliance with the relevant standard. Manufacturers may also use this appendix to certify compliance with the residential clothes washer standards provided at § 430.32(g)(2) or any amended standards for commercial clothes washers prior to the applicable compliance date for those standards.

* * * * *

■ 3. Amend appendix J2 to subpart B of part 430 by revising the introductory note to read as follows:

Appendix J2 to Subpart B of Part 430—Uniform Test Method for Measuring the Energy Consumption of Automatic and Semi-Automatic Clothes Washers

Note 1 to appendix J2 to subpart B of part 430: Manufacturers must use the results of testing under this appendix to determine compliance with the residential clothes washer standards provided at § 430.32(g)(1) and the commercial clothes washer standards provided at § 431.156(b).

Manufacturers must use the results of testing under Appendix J to this subpart to determine compliance with the residential clothes washer standards provided at § 430.32(g)(2) and for any amended commercial clothes washer standards provided at § 431.156 that are published after January 1, 2022.

Any representations related to energy or water consumption of residential or commercial clothes washers must be made in accordance with the appropriate appendix that applies (*i.e.,* appendix J to this subpart or this appendix) when determining compliance with the relevant standard.

* * * * *

Note: The following appendix will not appear in the Code of Federal Regulations.

Appendix A

May 16, 2024

Ami Grace-Tardy
Assistant General Counsel for
Legislation, Regulation and Energy Efficiency
U.S. Department of Energy
Washington, DC 20585
Ami.Grace-Tardy@hq.doe.gov

Re: Residential Clothes Washers Energy Conservation Standards
DOE Docket No. EERE–2017–BT–STD–0014

Dear Assistant General Counsel Grace-Tardy:

I am responding to your March 18, 2024 letter seeking the views of the Attorney General about the potential impact on competition of proposed energy conservation standards for residential clothes washers.

Your request was submitted under Section 325(o)(2)(B)(i)(V) of the Energy Policy and Conservation Act, as amended (ECPA), 42 U.S.C. 6295(o)(2)(B)(i)(V), which requires the Attorney General to make a determination of the impact of any lessening of competition that is likely to result from the imposition of proposed energy conservation standards. The Attorney General's responsibility for responding to requests from other departments about the effect of a program on competition has been delegated to the Assistant Attorney General for the Antitrust Division in 28 CFR 0.40(g). The Assistant Attorney General for the Antitrust Division has authorized me, as the Policy Director for the Antitrust Division, to provide the Antitrust Division's views regarding the potential impact on competition of proposed energy conservation standards on his behalf.

In conducting its analysis, the Antitrust Division examines whether a proposed standard may lessen competition, for example, by substantially limiting consumer choice, by placing certain manufacturers at an unjustified competitive disadvantage, or by inducing avoidable inefficiencies in production or distribution of particular products. A lessening of competition could result in higher prices to manufacturers and consumers.

We have reviewed the proposed standards contained in the Notice of proposed rulemaking (89 FR 18836), Direct Final Rule (89 FR 19026), and the related Technical Support Documents. We have also reviewed public comments and information provided by industry participants.

Based on this review, our conclusion is that the proposed energy conservation standards for residential clothes washers are unlikely to have a significant adverse impact on competition.

Sincerely,

/s/

David G.B. Lawrence,

Policy Director.

[FR Doc. 2024–24154 Filed 10–18–24; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2014–BT–STD–0005]

RIN 1904–AF57

Energy Conservation Program: Energy Conservation Standards for Consumer Conventional Cooking Products

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Publication of determination.

SUMMARY: The Energy Policy and Conservation Act of 1975 (EPCA), as amended, requires that the U.S. Department of Justice (DOJ) make a determination on the impact, if any, of any lessening of competition likely to result from an energy conservation standard and that the U.S. Department of Energy (DOE) publish such determination in the **Federal Register**. DOE published a direct final rule and accompanying notice of proposed rulemaking for consumer conventional cooking products on February 14, 2024. In accordance with EPCA, DOE is publishing DOJ's determination of the impact, if any, the energy conservation standards for consumer conventional cooking products will have on competition.

DATES: The DOJ determination is dated April 9, 2024.

FOR FURTHER INFORMATION CONTACT:

Dr. Carl Shapiro, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–5649. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Mr. Pete Cochran, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (240) 961–1189. Email: *Peter.Cochran@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: On February 14, 2024, DOE published a direct final rule (89 FR 11434) and accompanying notice of proposed rulemaking (89 FR 11548) for consumer conventional cooking products. The Energy Conservation and Policy Act of 1975 (42 U.S.C. 6291, *et seq.;* ''EPCA''), as amended, requires that DOJ make a determination of the impact, if any, of any lessening of competition likely to result from an energy conservation standard. (42 U.S.C. 6295(o)(2)(B)(ii)) EPCA also requires that DOE publish the determination in the **Federal Register**. *Id.*

On April 9, 2024, DOJ sent DOE a determination that the energy conservation standards for consumer conventional cooking products are unlikely to have a significant adverse impact on competition. DOE is publishing DOJ's determination at the end of this document.

Signing Authority

This document of the Department of Energy was signed on October 10, 2024, by Jeffrey Marootian, Principal Deputy Assistant Secretary for 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 October 15, 2024.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

Note: The following appendix will not appear in the Code of Federal Regulations.

Appendix A

April 9, 2024

Ami Grace-Tardy
Assistant General Counsel for
Legislation, Regulation and Energy Efficiency
U.S. Department of Energy
Washington, DC 20585
Ami.Grace-Tardy@hq.doe.gov

Re: Consumer Conventional Cooking Products Energy Conservation Standards
DOE Docket No. EERE–2014–BT–STD–0005

Dear Assistant General Counsel Grace-Tardy:

I am responding to your February 16, 2024, letter seeking the views of the Attorney General about the potential impact on competition of proposed energy conservation standards for consumer conventional cooking products.

Your request was submitted under Section 325(o)(2)(B)(i)(V) of the Energy Policy and Conservation Act, as amended (ECPA), 42 U.S.C. 6295(o)(2)(B)(i)(V), which requires the Attorney General to determine the impact of any lessening of competition that is likely to result from the imposition of proposed energy conservation standards. The Attorney General's responsibility for responding to requests from other departments about the effect of a program on competition has been delegated to the Assistant Attorney General for the Antitrust Division in 28 CFR 0.40(g). The Assistant Attorney General for the Antitrust Division has authorized me, as the Policy Director for the Antitrust Division, to provide the Antitrust Division's views regarding the potential impact on competition of proposed energy conservation standards on his behalf.

In conducting its analysis, the Antitrust Division examines whether a proposed standard may lessen competition, for example, by substantially limiting consumer choice, by placing certain manufacturers at an unjustified competitive disadvantage, or by inducing avoidable inefficiencies in production or distribution of particular products. A lessening of competition could result in higher prices to manufacturers and consumers.

We have reviewed the proposed standards contained in the direct final rulemaking, the notice of proposed rulemaking (89 FR 11548, February 14, 2024) and the related Technical Support Documents. We have also reviewed public comments and information provided by industry participants.

Based on this review, our conclusion is that the proposed energy conservation standards for consumer conventional cooking products are unlikely to have a significant adverse impact on competition.

Sincerely,
/s/
David G.B. Lawrence,
Policy Director.

[FR Doc. 2024–24158 Filed 10–18–24; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–0233; Project Identifier MCAI–2023–01003–T; Amendment 39–22746; AD 2024–10–01]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Airbus SAS Model A330–800 and A330–900 series airplanes. This AD was prompted by a report of a protective cap found still in place on the drain hole of a fire extinguishing pipe, and by further investigations indicating these caps may have remained on other airplanes. This AD requires a one-time general visual inspection (GVI) of the engine fire extinguishing pipe drain hole and, depending on findings, removal of the protective cap, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 25, 2024.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 25, 2024.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–0233; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available in the AD docket at *regulations.gov* under Docket No. FAA–2024–0233.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 206–231–3229; email *Vladimir.Ulyanov@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR

part 39 by adding an AD that would apply to certain Airbus SAS Model A330–800 and A330–900 series airplanes. The NPRM published in the **Federal Register** on February 21, 2024 (89 FR 12993). The NPRM was prompted by AD 2023–0169, dated September 4, 2023, issued by EASA, which is the Technical Agent for the Member States of the European Union (EASA AD 2023–0169) (also referred to as the MCAI). The MCAI states that a protective cap was found still in place on the drain hole of a fire extinguishing pipe. Further investigations indicated that this failure to remove those caps may have occurred on other airplanes. This condition, if not detected and corrected, could lead to accumulation of water and ice in the pipe and, in case of an engine fire, prevent extinguishing that engine fire, possibly resulting in reduced control of the airplane.

In the NPRM, the FAA proposed to require a one-time GVI of the engine fire extinguishing pipe drain hole and, depending on findings, removal of the protective cap, as specified in EASA AD 2023–0169. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2024–0233.

Discussion of Final Airworthiness Directive

Comments

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

Conclusion

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA reviewed the relevant data, considered the comment received, and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on this product. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2023–0169 specifies procedures for a GVI of each engine fire extinguishing pipe drain hole and, if found, removal of the protective cap. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Costs of Compliance

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

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
4 work-hours × $85 per hour = $340	$0	$340	$2,720

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2024–10–01 Airbus SAS: Amendment 39–22746; Docket No. FAA–2024–0233; Project Identifier MCAI–2023–01003–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 25, 2024.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus SAS Model A330–841 and A330–941 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2023–0169, dated September 4, 2023 (EASA AD 2023–0169).

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire Protection.

(e) Unsafe Condition

This AD was prompted by a report of a protective cap found still in place on the drain hole of a fire extinguishing pipe, and by further investigations indicating these caps may have remained on other airplanes. The FAA is issuing this AD to address protective caps possibly remaining in place on fire extinguishing pipes installed on the

affected airplanes. The unsafe condition, if not addressed, could result in accumulation of water and ice in the pipe and, in case of an engine fire, prevent extinguishing that engine fire, possibly resulting in reduced control of the airplane.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2023–0169.

(h) Exceptions to EASA AD 2023–0169

(1) Where EASA AD 2023–0169 refers to its effective date, this AD requires using the effective date of this AD.

(2) This AD does not adopt the ''Remarks'' section of EASA AD 2023–0169.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0169 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, mail it to the address identified in paragraph (k) of this AD. Information may be emailed to: *9-AVS-AIR-730-AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

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

(3) *Required for Compliance (RC):* Except as required by paragraph (j)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(k) Additional Information

For more information about this AD, contact Vladimir Ulyanov, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone 206–231–3229; email *Vladimir.Ulyanov@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2023–0169, dated September 4, 2023.

(ii) [Reserved]

(3) For EASA AD 2023–0169, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this EASA AD on the EASA website at *ad.easa.europa.eu.*

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

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit *www.archives.gov/federal-register/cfr/ibr-locations,* or email *fr.inspection@nara.gov.*

Issued on October 3, 2024.

Peter A. White,

Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2024–23538 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 31

[TD 10008]

RIN 1545–BN52

Withholding on Certain Distributions Under Section 3405(a) and (b)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulation.

SUMMARY: This document contains a final regulation regarding income tax withholding on certain periodic payments and nonperiodic distributions from employer deferred compensation plans, individual retirement plans, and commercial annuities that are not eligible rollover distributions. The regulation addresses a payor's obligation to withhold income taxes in the circumstances in which those payments or distributions are made to payees outside of the United States and affects payors and payees of those periodic payments and nonperiodic distributions.

DATES:

Effective date. This regulation is effective October 21, 2024.

Applicability date. This regulation applies with respect to payments and distributions made on or after January 1, 2026. However, taxpayers may apply it to earlier payments and distributions.

FOR FURTHER INFORMATION CONTACT: Jeremy Lamb at (202) 317–4575 or Isaac Stein at (202) 317–6320 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Authority

Section 7805(a) authorizes the Secretary to prescribe all needful rules and regulations for the enforcement of the Code.

Background

Section 3405(a)(1) of the Internal Revenue Code of 1986 (Code) requires the payor of any periodic payment to withhold income tax from the payment. Under section 3405(a)(2), an individual generally may elect not to have section 3405(a)(1) apply with respect to periodic payments made to the individual. Section 3405(b)(1) requires the payor of any nonperiodic distribution to withhold income tax from the distribution. Under section 3405(b)(2), an individual generally may elect not to have section 3405(b)(1) apply with respect to any nonperiodic distribution.

Section 3405(e)(2) defines a periodic payment as a designated distribution that is an annuity or similar periodic payment. Section 3405(e)(3) defines a nonperiodic distribution as any designated distribution that is not a periodic payment. A designated distribution is defined in section 3405(e)(1) as generally any distribution or payment from or under an employer deferred compensation plan, an individual retirement plan (as defined in section 7701(a)(37) of the Code), or a commercial annuity. For this purpose, an employer deferred compensation plan is defined in section 3405(e)(5) as any pension, annuity, profit sharing, or stock bonus plan or other plan deferring the receipt of compensation, and a commercial annuity is defined in section 3405(e)(6) as an annuity, endowment, or life insurance contract

issued by an insurance company licensed to do business under the laws of any State.

Section 3405(e)(1)(B) identifies certain amounts or payments that are not a ''designated distribution'' for purposes of section 3405 withholding. Under section 3405(e)(1)(B)(iii), any amount that is subject to withholding under subchapter A of chapter 3 of the Code (relating to withholding of tax on nonresident aliens and foreign corporations) by the person paying such amount or which would be so subject but for a tax treaty is not a designated distribution.

Section 3405(e)(13)(A) provides generally that, in the case of any periodic payment or nonperiodic distribution that is ''to be delivered outside of the United States and any possession of the United States,'' no election may be made under section 3405(a)(2) or (b)(2) with respect to such payment, with the result that withholding may not be waived. Section 3405(e)(13)(B) provides that section 3405(e)(13)(A) does not apply if the recipient certifies to the payor, in such manner as the Secretary of the Treasury may prescribe, that the recipient is not (i) a United States citizen or a resident alien of the United States, or (ii) an individual to whom section 877 of the Code applies. Section 877(h) provides that section 877 applies to certain nonresident alien individuals whose expatriation date, as defined in section 877A(g)(3), is before June 17, 2008.

Notice 87–7, 1987–1 CB 420, provides guidance under section 3405(e)(13)(A) to payors of designated distributions with respect to their duty to withhold income tax from such distributions. The notice applies to designated distributions for the following categories of payees: (1) payees who have provided the payors with a residence address outside of the United States; [1] (2) payees who have provided the payors with a residence address within the United States; and (3) payees who have not provided the payors with a residence address.

Notice 87–7 specifies that, if a payee has provided the payor with a residence address outside of the United States, the payor is required to withhold income tax from designated distributions to the payee. If a payee has provided the payor with a residence address within the United States, the payor is required to withhold income tax from these distributions to the payee unless the payee has elected no withholding in accordance with the applicable provisions of section 3405. If a payee has not provided the payor with a residence address, the payor is required to withhold income tax from designated distributions; included within this category is a payee who has provided the payor with an address for the payee's nominee, trustee, or agent without also providing the payee's residence address.

On May 31, 2019, the Department of the Treasury (Treasury Department) and the IRS published a notice of proposed rulemaking regarding withholding on certain periodic payments and nonperiodic distributions under section 3405 (other than eligible rollover distributions) in the **Federal Register** (84 FR 25209). No comments responsive to the notice of proposed rulemaking were received, and no public hearing was requested or held. Thus, this final regulation adopts the provisions of the proposed regulation with no modifications except for the change in the applicability date to January 1, 2026, and other minor changes in wording that are nonsubstantive.

Explanation of Provisions

This document contains a final regulation under section 3405(e) that provides withholding guidance for payors of periodic payments and nonperiodic distributions under section 3405(a) and (b), respectively. The regulation generally addresses a payor's obligation to withhold under section 3405(a) and (b) in the following situations: (1) payments to payees with a military or diplomatic Post Office address; (2) payments to payees with a residence address located within the United States; (3) payments to payees with a residence address located outside of the United States or who have not provided a residence address; and (4) payments subject to withholding under subchapter A of chapter 3 (sections 1441 through 1446 of the Code).

1. Payees With a Military or Diplomatic Post Office Address

For purposes of section 3405(e)(13)(A), the regulation treats an Army Post Office (APO), a Fleet Post Office (FPO), or a Diplomatic Post Office (DPO) [2] address as an address located within the United States. In 1986, when this provision was added to the Code by the Tax Reform Act of 1986, Public Law 99–514 (TRA '86), it was one of several provisions intended to increase compliance with the internal revenue laws by United States persons resident abroad and green card holders. The Senate Finance Committee Report for TRA '86 indicates a concern, based on data gathered by the General Accounting Office (GAO),[3] that the percentage of taxpayers who fail to file returns is substantially higher among Americans living abroad than it is among those resident in the United States, and that it is often difficult for the IRS to enforce compliance by these taxpayers. S. Rep. No. 99–313, at 390 (1986).

The GAO data referred to in the legislative history does not include United States military personnel and their families as taxpayers who are living abroad. Johnny C. Finch, *United States Citizens Living in Foreign Countries and Not Filing Federal Income Tax Returns,* United States General Accounting Office, May 8, 1985. In addition, enforcement of compliance by individuals receiving mail at an APO, an FPO, or a DPO address generally does not involve the same challenges as enforcing compliance by other taxpayers living abroad. Because APO, FPO, and DPO delivery destinations are generally United States military or diplomatic facilities, taxpayers with an APO, an FPO, or a DPO address commonly maintain a current or former employment or contractor relationship with the United States government. Moreover, these addresses generally are treated as ''domestic'' by the United States Postal Service. *United States Domestic Mail Manual, 608.2.2.*

For these reasons, the Treasury Department and the IRS have determined that treating a United States military or diplomatic post office address as located within the United States for purposes of section 3405(e)(13)(A) is consistent with the tax avoidance concerns underlying the enactment of that provision. Accordingly, the regulation provides that designated distributions to United States military and diplomatic personnel or their families are not treated as delivered outside of the United States solely because those payments or distributions are to be delivered to an APO, an FPO, or a DPO address.

[1] For purposes of this preamble, references to the ''United States'' include any possession of the United States.

[2] APO is associated with Army or Air Force installations. FPO is associated with Navy installations and ships. APO/FPO addresses are utilized by Department of Defense personnel, their family members, and other authorized users. DPO provides global mail service to authorized personnel assigned to designated posts abroad.

[3] Effective July 7, 2004, the GAO's legal name was changed from the General Accounting Office to the Government Accountability Office.

2. Payees With a Residence Address Located Within the United States

The regulation imposes withholding requirements on payors regarding certain payees who have provided the payor with a residence address located within the United States. Under Notice 87–7, payors are not required to withhold if a payee provides a residence address located within the United States and the payee elects no withholding. Notice 87–7 does not specifically address whether payors are required to withhold when a payee provides a residence address located within the United States, but also provides payment instructions indicating that the funds are to be delivered outside of the United States. As explained in the Background section of this preamble, the mandatory withholding for amounts to be delivered outside of the United States was enacted because Congress was concerned about noncompliance. Section 3405(e)(13)(A) refers to ''any periodic payment or nonperiodic distribution which is to be delivered outside of the United States.'' Consistent with the text of section 3405(e)(13)(A) and its purpose, the regulation requires payors to withhold in certain circumstances when a payee provides a residence address located within the United States but also provides payment instructions indicating that the funds are to be delivered outside of the United States.

3. Payees With a Residence Address Located Outside of the United States or Who Have Not Provided a Residence Address

Unless section 3405(e)(13)(B) (which provides an exception for certain nonresident aliens) applies, if the payee's residence address that is provided to the payor is located outside of the United States, the payor is required to withhold income tax under section 3405 from any designated distribution, without regard to the delivery instructions and without regard to any attempt to elect no withholding. Thus, for example, withholding under section 3405 would be required even if a payee with a foreign residence address has requested that the distribution be deposited with a financial institution located within the United States. Given the ease with which the funds deposited with a financial institution in the United States can be withdrawn by a person located outside the United States, the Treasury Department and the IRS have concluded that the payee's residence address is more likely to be indicative of the place the distribution is ultimately to be delivered than the location of the financial institution. The same requirement to withhold income tax under section 3405 applies if a payee has not provided a residence address to the payor. Furthermore, a payee who has provided the payor with an address for the payee's nominee, trustee, or agent without also providing the payee's residence address has not provided a residence address for purposes of this regulation.

These rules are consistent with the approach in Notice 87–7, which uses the residence address of the payee in order to determine whether a taxpayer is permitted to make an election not to have withholding apply under section 3405(a)(2) or (b)(2). The Treasury Department and the IRS have determined that this interpretation articulated in Notice 87–7 provides an administrable standard that has been relied upon for many years, is consistent with the TRA '86 legislative history, and appropriately addresses tax avoidance concerns underlying section 3405(e)(13)(A).[4]

4. Payments Subject to Withholding Under Subchapter A of Chapter 3

In accordance with section 3405(e)(1)(B)(iii), the regulation clarifies that a designated distribution does not include a distribution that is subject to withholding under subchapter A of chapter 3 (or that would be subject but for a tax treaty). Therefore, the withholding rules under section 3405(a) and (b) do not apply to such a distribution. For example, section 3405(a) or (b) withholding would not apply to a United States-source distribution to a nonresident alien individual from a trust described in section 401(a) of the Code. In such a case, the withholding rules of section 1441 (within subchapter A of chapter 3) that apply to nonresident aliens would apply to such a distribution. *See* § 1.1441–1(b)(1).

Applicability Date

This regulation applies with respect to payments and distributions made on or after January 1, 2026. However, taxpayers may apply the regulation to earlier payments and distributions. Notice 87–7 is obsoleted with respect to payments and distributions made after December 31, 2025.

[4] The Senate Finance Committee Report states that ''it will be appropriate to require withholding with respect to pension payments to persons with foreign addresses absent a showing that withholding is not required.'' S. Rep. No. 99–313, at 391 (1986).

Statement of Availability of IRS Documents

The IRS notice cited in this preamble is published in the Cumulative Bulletin and is available from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402.

Special Analyses

I. Regulatory Planning and Review

Pursuant to the Memorandum of Agreement, Review of Treasury Regulations under Executive Order 12866 (June 9, 2023), tax regulatory actions issued by the IRS are not subject to the requirements of section 6 of Executive Order 12866, as amended. Therefore, a regulatory impact assessment is not required.

II. Paperwork Reduction Act

The collection of information related to the withholding requirements is captured within the forms and instructions for Forms W–4P and W–4R. Both of these forms are approved under OMB Number 1545–0074. This regulation does not alter any previously approved information collection requirements contained within the forms and instructions for Forms W–4P and W–4R, and this regulation does not create new collection requirements not already approved by the Office of Management and Budget.

III. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (5 U.S.C. chapter 6) it is hereby certified that the collection of information in this regulation will not have a significant economic impact on a substantial number of small entities. The number of small entities potentially affected by this regulation is unknown but could be substantial because based on data and information available to the Treasury Department and the IRS, most defined benefit and defined contribution retirement plans are sponsored by small employers (defined as employers with fewer than 100 employees), while annuities and IRAs are typically set up by large financial institutions. Although a substantial number of small entities is potentially affected by this regulation, the Treasury Department and the IRS have concluded that this regulation will not have a significant economic impact on a substantial number of small entities. This is because the main purpose and effect of this regulation is to treat military and diplomatic post office addresses the same as residence addresses located within the United States for purposes of income tax

withholding, and payors of distributions from retirement plans and annuities are already processing distributions to payees with residence addresses located within the United States. Accordingly, this regulation will not have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility analysis under the Regulatory Flexibility Act is not required.

Pursuant to section 7805(f) of the Code, the notice of proposed rulemaking preceding this regulation was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

IV. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 requires that agencies assess anticipated costs and benefits and take certain other actions before issuing a final rule that includes any Federal mandate that may result in expenditures in any one year by a state, local, or tribal government, in the aggregate, or by the private sector, of $100 million in 1995 dollars, updated annually for inflation. This regulation does not include any Federal mandate that may result in expenditures by state, local, or tribal governments, or by the private sector in excess of that threshold.

V. Executive Order 13132: Federalism

Executive Order 13132 (Federalism) prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial, direct compliance costs on state and local governments, and is not required by statute, or preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This rule does not have federalism implications and does not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the Executive Order.

VI. Congressional Review Act

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).

Drafting Information

The principal author of this regulation is Jeremy Lamb, of the IRS Office of Associate Chief Counsel (Employee Benefits, Exempt Organizations, and Employment Taxes (EEE)). However, other personnel from the Treasury Department and the IRS participated in the development of the regulation.

List of Subjects in 26 CFR Part 31

Employment taxes, Income taxes, Penalties, Pensions, Railroad retirement, Reporting and recordkeeping requirements, Social security, Unemployment compensation.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR part 31 is amended as follows:

PART 31—EMPLOYMENT TAXES AND COLLECTION OF INCOME AT THE SOURCE

■ **Paragraph 1.** The authority citation for part 31 continues to read in part as follows:

Authority: 26 U.S.C. 7805.

* * * * *

■ **Par. 2.** Section 31.3405(e)–1 is added to read as follows:

§ 31.3405(e)–1 Questions and answers relating to withholding on pensions, annuities, and certain other deferred income.

(a) The following questions and answers apply for purposes of determining whether a payor of periodic payments or nonperiodic distributions from pensions, annuities, and certain other deferred income (other than eligible rollover distributions) must withhold federal income tax under section 3405(a) or (b) of the Code. For purposes of this section, references to the United States include possessions of the United States.

(b)(1) *Q–1.* Is an Army Post Office (APO), a Fleet Post Office (FPO), or a Diplomatic Post Office (DPO) address an address located within the United States for purposes of section 3405(e)(13)(A)?

(2) *A–1.* For purposes of section 3405(e)(13)(A), an APO, an FPO, or a DPO address is an address located within the United States.

(c)(1) *Q–2.* Is the payor of a designated distribution described in section 3405(a) or (b) required to withhold income tax from the distribution if the payee's residence address that is provided to the payor is located within the United States?

(2) *A–2.* If the payee's residence address that is provided to the payor of a designated distribution described in section 3405(a) or (b) is located within the United States, then the payor is required to withhold income tax from the distribution unless the payee has made a valid election of no withholding in accordance with section 3405(a)(2) or (b)(2). Any election of no withholding with respect to such a distribution under section 3405(a)(2) or (b)(2) is not valid if the payee instructs the payor to do one or more of the following in connection with the distribution:

(i) Send the distribution to a financial institution or other person located outside of the United States;

(ii) Send the distribution to a financial institution or other person located within the United States with further instructions (such as *for further credit to* instructions) directing that the funds be forwarded to a financial institution or other person located outside of the United States; or

(iii) Send the distribution to a financial institution or other person pursuant to payment instructions (including addenda information) that reference an International Automated Clearing House Transaction (IAT), International Bank Account Number (IBAN), Society for Worldwide Interbank Financial Telecommunication (SWIFT) Business Identifier Code (BIC), or similar identifier linked to a financial institution or other person located outside of the United States.

(d)(1) *Q–3.* Is the payor of a designated distribution described in section 3405(a) or (b) required to withhold income tax from the distribution if the payee's residence address that is provided to the payor is located outside of the United States?

(2) *A–3.* Unless section 3405(e)(13)(B) (which provides an exception for certain nonresident aliens) applies, if the payee's residence address that is provided to the payor is located outside of the United States, the payor of a designated distribution described in section 3405(a) or (b) is required to withhold income tax from the distribution without regard to the delivery instructions and without regard to any request by the payee to elect no withholding. Withholding would be required, in this case, even if the payee has requested that the distribution be delivered to a financial institution or other person located within the United States.

(e)(1) *Q–4.* Is the payor of a designated distribution described in section 3405(a) or (b) required to withhold income tax from the distribution if the payee has not provided the payor with the payee's residence address?

(2) *A–4.* If a payee has not provided the payor of a designated distribution described in section 3405(a) or (b) with the payee's residence address, the payor is required to withhold income tax from the distribution. Such a payee may not elect no withholding under section 3405(a)(2) or (b)(2), and any purported election of no withholding by such a

payee is not valid. For purposes of this section, a payee who has provided the payor with an address for the payee's nominee, trustee, or agent without also providing the payee's residence address has not provided a residence address.

(f)(1) *Q–5.* Do the withholding rules under section 3405(a) and (b) apply to a payee who is to receive a payment or distribution that is subject to the withholding rules that apply to nonresident aliens (or that would be so subject but for a tax treaty)?

(2) *A–5.* In accordance with section 3405(e)(1)(B)(iii), a designated distribution does not include a distribution of a United States-source payment that is subject to withholding under the rules of sections 1441 through 1446 of the Code (or that would be so subject but for a tax treaty). Therefore, the withholding rules under section 3405(a) and (b) do not apply to such a distribution. For example, section 3405(a) or (b) withholding would not apply to a pension or other deferred compensation plan distribution to be made to a payee who is a nonresident alien (or other individual payee who is presumed to be a foreign person under the presumption rules of § 1.1441–1(b)(3)). In such a case, withholding under the rules of section 1441, rather than under the rules of section 3405(a) or (b), would apply to such a distribution.

(g)(1) *Q–6.* What is the applicability date of this section?

(2) *A–6.* This section applies with respect to payments and distributions made on or after January 1, 2026. However, taxpayers may apply it to earlier payments and distributions.

Douglas W. O'Donnell,

Deputy Commissioner.

Approved: September 21, 2024.

Aviva R. Aron-Dine,

Deputy Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2024–24224 Filed 10–18–24; 8:45 am]

BILLING CODE 4830–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2023–0568; FRL–11558–02–R9]

Air Plan Approval; California; South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve revisions to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NO_X) from refinery flares. We are approving a local rule that regulates these emission sources under the Clean Air Act (CAA or the Act).

DATES: This rule is effective November 20, 2024.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2023–0568. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Donnique Sherman, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947–4129 or by email at *sherman.donnique@epa.gov.*

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

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I. Proposed Action
II. Public Comments and EPA Responses
III. EPA Action
IV. Incorporation by Reference
V. Statutory and Executive Order Reviews

I. Proposed Action

On March 8, 2024 (89 FR 16712), the EPA proposed to approve the following rule into the California SIP.

Local agency	Rule No.	Rule title	Amended	Submitted
SCAQMD	1118	Control of Emissions from Refinery Flares	01/06/23	05/11/23

We proposed to approve this rule because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the rule and our evaluation.

II. Public Comments and EPA Responses

The EPA's proposed action provided a 30-day public comment period. During this period, we received two comments. The comments discussed California's legalization of recreational marijuana and its impact on air quality. Upon review, the EPA determined that the comments fail to raise issues germane to the proposed revisions to SCAQMD Rule 1118, which exclusively regulates emissions of VOCs and NO_X from refinery flares. The rule revisions being approved with this action increase rule enforceability by correcting the previously identified director's discretion deficiency in our September 22, 2022 action. Therefore, we have determined that these comments do not necessitate a response, and the EPA will not provide specific responses to the comments in this notice.

III. EPA Action

No comments were submitted that change our assessment of the rule as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is approving this rule into the California SIP.

The January 6, 2023 version of Rule 1118 will replace the previously approved version of this rule in the SIP.

IV. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of SCAQMD Rule 1118, ''Control of Emissions from Refinery Flares,'' amended on January 6, 2023, which regulates emissions of VOCs and NO_X from refinery flares. The EPA has made, and will continue to make, these documents available

through *www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 14094 (88 FR 21879, April 11, 2023);
- 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- 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 the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 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. The 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.'' The 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 State 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. The EPA did not perform an EJ analysis and did not consider EJ in this action. 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 Executive Order 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 20, 2024. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

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

Dated: October 9, 2024.

Martha Guzman Aceves,

Regional Administrator, Region IX.

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(586)(i)(A)(*2*) and (c)(610)(i)(B) to read as follows:

§ 52.220 Identification of plan—in part.

* * * * *

(c) * * *

(586) * * *

(i) * * *

(A) * * *

(*2*) Previously approved on September 22, 2022, in paragraph (c)(586)(i)(A)(*1*) of this section and now deleted with replacement in (c)(610)(i)(B)(*1*) of this section: Rule 1118, ''Control of Emissions from Refinery Flares,'' amended on July 7, 2017.

* * * * *

(610) * * *

(i) * * *

(B) South Coast Air Quality Management District.

(*1*) Rule 1118, ''Control of Emissions from Refinery Flares,'' amended on January 6, 2023.

(*2*) [Reserved]

* * * * *

[FR Doc. 2024–24219 Filed 10–18–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2024–0100; FRL–11790–02–R9]

Air Quality Plans; California; San Diego County Air Pollution Control District; Permit Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking final action to approve a revision to the San Diego County Air Pollution Control District (SDAPCD or ''District'') portion of the California State Implementation Plan (SIP). The revision expands an existing provision that exempts tub grinders and trommel screens that process green material from permit requirements to include horizontal grinders and the processing of mixtures of green material and food material. The revision also adds a definition for ''food material.'' This action is being taken pursuant to the Clean Air Act (CAA or ''Act'') and its implementing regulations.

DATES: This rule is effective November 20, 2024.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2024–0100. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Camille Cassar, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105 or by email at *cassar.camille@epa.gov.*

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

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I. Proposed Action
II. Public Comments and EPA Responses
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V. Statutory and Executive Order Reviews

I. Proposed Action

On April 30, 2024 (89 FR 34178), the EPA proposed to approve the following rule into the California SIP.

Rule No.	Rule title	Amended date	Submitted date
11	Exemptions From Rule 10 Permit Requirements	10/13/2022	05/11/2023

We proposed to approve this rule because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the rule and our evaluation.

II. Public Comments and EPA Responses

The 30-day public comment period for the proposed rule ended on May 30, 2024. During this period, the EPA received one comment, which argued for closure or assessment of a carbon tax on marijuana dispensaries and reduction of cannabis production in San Diego due to the greenhouse gas emissions associated with cannabis production. After reviewing the comment, the EPA has determined that the comment fails to raise issues germane to the proposed rulemaking, which proposed to expand exemptions to a permitting rule to include horizontal grinders and the processing of mixtures of green material and food material. Therefore, we have determined that this comment does not necessitate a response, and the EPA will not provide a specific response to the comment in this notice.

III. EPA Action

Because the one comment received was irrelevant to this action, and as authorized in section 110(k)(3) of the Act, the EPA is approving SDAPCD Rule 11, ''Exemptions From Rule 10 Permit Requirements'' into the California SIP. The October 13, 2022 version of this rule will replace the previously approved version of this rule in the SIP.

IV. Incorporation by Reference

In this rule, the EPA is finalizing 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 SDAPCD Rule 11, ''Exemptions From Rule 10 Permit Requirements,'' revised on October 13, 2022, which provides specific permit exemptions for sources otherwise requiring a permit. The EPA has made, and will continue to make, these materials available through *https://www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 14094 (88 FR 21879, April 11, 2023);
- 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 subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it proposes to approve a state program;

• 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 the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rules do 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).

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. The 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.'' The 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 State 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. The EPA did not perform an EJ analysis and did not consider EJ in this action. 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.

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 20, 2024. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Administrative practice and procedure, Air pollution control, Carbon monoxide, Incorporation by reference, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

Dated: October 14, 2024.

Martha Guzman Aceves,

Regional Administrator, Region IX.

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(557)(i)(B)(*3*) and (c)(610)(i)(C) to read as follows:

§ 52.220 Identification of plan—in part.

* * * * *

(c) * * *

(557) * * *

(i) * * *

(B) * * *

(*3*) Previously approved on September 28, 2022, in paragraph (c)(557)(i)(B)(*1*) of this section and now deleted with replacement in paragraph (c)(610)(i)(C)(*1*) of this section: Rule 11, ''Exemptions From Rule 10 Permit Requirements,'' revision adopted on July 8, 2020.

* * * * *

(610) * * *

(i) * * *

(C) San Diego County Air Pollution Control District.

(*1*) Rule 11, ''Exemptions From Rule 10 Permit Requirements,'' revision adopted on October 13, 2022.

(*2*) [Reserved]

* * * * *

[FR Doc. 2024–24223 Filed 10–18–24; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 8

[PS Docket Nos. 23–239; FR ID 250049]

Public Safety and Homeland Security Bureau Announces 15-Business Day Filing Window for Cybersecurity Labeling Administrator and Lead Administrator Applications

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission's (FCC or Commission) Public Safety and Homeland Security Bureau (PSHSB or Bureau) announces a 15-business day filing window for applications from entities seeking designation as a Cybersecurity Labeling Administrator (CLA) and Lead Administrator and also adopt additional requirements for CLA and Lead Administrator applications as well as responsibilities that must be met by the selected Lead Administrator and CLAs. These requirements will provide additional guidance to administrator applicants and further implements the Commission's IoT labeling program.

DATES:

Effective date: November 20, 2024, except for amendment 3 (47 CFR 8.220(f)(14)) which is delayed indefinitely until the Office of Management and Budget has completed review under the Paperwork Reduction Act. The Commission will publish a document in the **Federal Register** announcing that effective date.

Comments due date: Written comments on the Paperwork Reduction Act information collection requirements must be submitted by the public, Office of Management and Budget (OMB), and other interested parties on or before December 20, 2024.

ADDRESSES:

• *All hand-delivered or messenger-delivered paper filings:* Office of the Secretary, Federal Communications Commission, 9050 Junction Drive, Annapolis Junction, MD 20701.

• *Commercial overnight deliveries (other than U.S. Postal Service Express Mail and Priority Mail):* Office of the

Secretary, Federal Communications Commission, 9050 Junction Drive, Annapolis Junction, MD 20701.

• *U.S. Postal Service First-Class, Express, and Priority mail:* Office of the Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554.

• *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).

FOR FURTHER INFORMATION CONTACT: Tara Shostek, Attorney Advisor, Cybersecurity and Communications Reliability Division, Public Safety and Homeland Security Bureau, (202) 418–8130, or by email to *Tara.Shostek@fcc.gov.*

For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, contact Nicole Ongele, Office of Managing Director, Performance & Program Management, 202–418–2991, or by email to *PRA@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document in PS Docket No. 23–239, released September 10, 2024. The full text of this document is available by downloading the text from the Commission's website at: *https://docs.fcc.gov/public/attachments/DA-24-900A1.pdf.*

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

Synopsis

1. By this document, the Federal Communications Commission's (FCC or Commission) Public Safety and Homeland Security Bureau (Bureau) announces a 15-business day filing window for applications from entities seeking designation by the Commission as a Cybersecurity Labeling Administrator (CLA) and Lead Administrator.[1] The Bureau also provides determinations regarding application format, filing fees, selection criteria, sharing of expenses, Lead Administrator neutrality, and confidentiality and security requirements in this document.

I. Background

2. In March 2024, the Commission established a framework for a voluntary cybersecurity labeling program for consumer wireless Internet of Things (IoT) products (IoT Labeling Program), which includes selecting third party administrators to support the program. The Commission delegated authority to the Bureau to open an initial filing window to receive applications from entities seeking authority to be recognized as a CLA and those seeking to be recognized as the Lead Administrator (see Cybersecurity Labeling for Internet of Things, 89 FR 61242 (July 30, 2024) (*IoT Labeling Order*)).[2] CLAs will be authorized by the Commission to certify use of the FCC IoT Label, which includes the U.S. government certification mark (U.S. Cyber Trust Mark), by manufacturers whose products are found to be in compliance with the Commission's IoT cybersecurity labeling program rules. The Lead Administrator will, among other duties, act as liaison between the Commission and CLAs, conduct stakeholder outreach to identify and/or develop and recommend to the Bureau technical standards and testing procedures for at least one class of IoT products, and in collaboration with CLAs, the FCC, and other stakeholders, develop and execute a plan for a consumer education campaign.

II. CLA and Lead Administrator Applications

A. Format of CLA and Lead Administrator Applications

3. In a public notice released in June, 2024 the Bureau proposed that applications be submitted in narrative format via email and sought comment on this tentative determination (see Public Safety and Homeland Security Bureau Requests Comment on Implementation of the Cybersecurity Labeling for Internet of Things Program, 89 FR 58312 (July 18, 2024), at 58313 (*June 2024 IoT Labeling Public Notice*)). We continue to believe that the information to be submitted by entities applying to be a CLA or Lead Administrator lends itself to a narrative discussion of their qualifications and adopt the narrative format proposed. While ioXt argues that a fillable form would better ensure uniformity among applications, we believe the evaluation criteria and CLA/Lead Administrator responsibilities in the *IoT Labeling Order* are specific enough to allow for tailored applicant responses and comparative evaluation by the Commission at this time. In addition, as outlined by the Wi-Fi Alliance, ''. . . a narrative format will better allow CLA applicants to describe in detail their expertise, the types of cybersecurity assessments in which they are involved, and how those activities and other qualifications will enable them to perform the CLA role. Because all these attributes are imperative to the performance of CLA responsibilities, a narrative will best allow the Commission to assess applicant qualifications.'' UL Solutions also supports a narrative-format application, noting that this format will allow applicants to provide the detailed information needed to support their applications. TÜV SÜD also commented that email is functional, and that a fillable form, while helpful for clarification, should also include a narrative text field so applicants can add relevant information. One commenter, ioXt, expressed concern that a ''narrative email'' may require additional communication between staff and applicants to obtain all necessary information to evaluate an application. We note that an enumeration of the evaluation criteria, and additional application instructions, including a ''Frequently Asked Questions'' link, are also provided below in this document and will provide further guidance to applicants. Further, the Bureau has considered and anticipates that staff may need to respond to applicant questions during the application review process and has designated staff for that purpose below.

4. Entities applying to be a CLA or the Lead Administrator must file a narrative explanation of their qualifications to the Office of the Secretary.[3] Consistent with the record, we determine that CLA and Lead Administrator applications and supporting documentation shall be treated as presumptively confidential. Each page of the application must be clearly and conspicuously labeled

[1] While the Bureau may open additional filing windows at later dates, the Bureau will not accept applications for this initial round of applications that are filed after this filing window closes. However, applicants requiring additional time may, in accordance with § 1.46 of the Commission's rules, request an extension of time for up to 10 additional calendar days to complete their applications.

[2] The *IoT Labeling Order* also delegated authority to the Bureau to open additional filing windows or otherwise accept additional applications for authority to be recognized by the Bureau as a CLA when and as the Bureau determines it is necessary.

[3] As stated in the *2024 IoT Labeling Public Notice,* the Bureau may re-evaluate the need for a fillable form and seek additional comment on this issue after this CLA application filing window closes.

''CONFIDENTIAL, NOT FOR PUBLIC INSPECTION.'' As we expect applications will contain commercially sensitive and proprietary information that the Commission routinely treats as confidential, applications shall remain presumptively confidential, regardless of disposition of the application. We decline to publish applications as a matter of course, including for those entities selected as CLAs or the Lead Administrator. We disagree with commenters who argue that the value of understanding CLA methodologies outweighs confidentiality protections, as Commission evaluators will still have the opportunity to review the applicant's testing methodologies submitted to the agency. Maintaining the presumptive confidentiality of CLA and Lead Administrator applications, including those applications that are approved by the Bureau, will provide applicants with assurances that the commercially sensitive business information they submit in conjunction with their voluntary participation in the FCC's Program will not be publicly disclosed.[4] We believe maintaining the presumptive confidentiality of these applications will encourage additional entities to submit applications for these voluntary roles. Thus, in announcing the entities selected as CLAs and Lead Administrator, we only plan to make public the entity's name and their contact information.

5. While the Bureau will review the narrative applications received via email, we seek to leverage existing procedures, including records management, by building on a framework for the filing of confidential materials that the Commission has used in the past. Consistent with that historical approach, applicants must file the application and supporting materials with the Office of the Secretary either via hand or messenger delivery, by commercial overnight courier, or First-Class or overnight U.S. Postal Service mail. A copy must be sent to the Bureau via email as a password protected .pdf file to *CyberTrustMark@fcc.gov.* Additional instructions on submitting applications are provided below.

B. FCC Filing Fees for CLA and Lead Administrator Applications

6. In the *June 2024 IoT Labeling Public Notice,* the Bureau sought comment on whether a filing with the Commission by an entity that is seeking to be a CLA or Lead Administrator constitutes an application under section 8 of the Communications Act, and if so, whether an existing FCC fee category would cover such applications or if a new application fee category should be established. In addition, the Bureau sought comment on what fee the Commission should charge in connection with such a filing, if applicable. Commenters do not opine on whether it is appropriate to charge application fees. The Association of Home Appliance Manufacturers (AHAM), however, explains that if fees are charged, they ''should not be cost prohibitive to the point where it unnecessarily limits those entities that wish to apply.'' TÜV SÜD does not comment on whether a fee should be assessed, but does indicate that if a fee is assessed, the Commission should set a new fee category.

7. In this instance, our IoT Labeling Program derives in part from our authority to hold and utilize a registered certification mark. In reviewing applications to be a CLA or Lead Administrator, we therefore are not acting solely under our Communications Act authority, but also to protect our registered certification mark. Given this dual role, at this time, we do not believe that the nature of our review of the applications is such that they should be subject to an application fee.[5] We recognize that the process for applying to be a CLA or Lead Administrator may evolve with time. As such, we do not wholly foreclose adopting application fees in the future. Given these facts coupled with the lack of support in the record, the Bureau will not assess FCC application fees on CLA and Lead Administrator applications at this time.

C. Bureau Selection of Cybersecurity Label Administrators and the Lead Administrator

8. The Bureau declines to expand the CLA and Lead Administrator selection criteria beyond what is set out in the *IoT Labeling Order.* In the *June 2024 IoT Public Notice,* the Bureau sought comment on whether there are additional areas of expertise or specific requirements a CLA applicant should be required to demonstrate in addition to those listed in the *Order.* The Bureau also asked what additional criteria, if any, the Bureau should take into consideration during the Lead Administrator selection process, as well as safeguards the Bureau might adopt to ensure the stakeholder process remains competitively neutral and whether all selection criteria should be weighted the same.

9. NCTA suggests that ''when selecting a Lead Administrator, the Bureau should consider candidates' ability to maintain the Program's integrity when translating the substantive technical security requirements into recommended standards and test procedures, and do so without creating unnecessary deterrents for manufacturer participation in the Program.'' We agree that a Lead Administrator's maintenance of the Program's integrity during the 90-day stakeholder process and resulting recommendations is very important to the success of the Program. However, the Bureau finds that the criteria outlined in the *IoT Labeling Order* are sufficient to ensure the selected Lead Administrator has the technical experience and the high integrity expected of an entity supporting an FCC program. This position is supported by UL Solutions, which states the ''[*IoT Labeling Order*] did not neglect any important considerations for assessing the qualifications of organizations to serve as CLAs or as the Lead Administrator.'' We believe that the public/private partnership and close collaboration between industry and other stakeholders contemplated in *the IoT Labeling Order,* along with the Commission's oversight, will ensure that there are adequate guardrails to maintain the Program's integrity in this regard.

10. NCTA also encourages the Bureau to evaluate Lead Administrator applications for their ability to avoid conflicts of interest, including any relationships the Lead Administrator applicant may have that could create the appearance of impropriety or a conflict of interest, such as complaints from manufacturers, and suggests evaluating whether Lead Administrator applicants have the financial resources to avoid such conflicts going forward. We disagree that it is necessary to take additional measures when evaluating applications for this purpose. Existing application criteria require an applicant to describe their organization structure, including an explanation of how it will avoid personal and organizational conflict when processing applications, and demonstrate implementation of controls to eliminate actual or potential conflicts of interests (both personal and organizational), to remain impartial and unbiased. In addition, the Future of

[4] As NCTA's comments recognize, to the extent that Commission records ''would be subject to disclosure under the Freedom of Information Act,'' the Commission would have an obligation to make that available in accordance with that law and the Commission's implementing rules. NCTA Comments at 9. *See also, e.g.,* 47 CFR 0.461.

[5] The decision in section II.B of this document is made in conjunction with the Office of Managing Director (OMD).

Privacy Forum urges the Bureau to ''consider requiring program administrators to possess relevant privacy expertise as well as cybersecurity expertise.'' We agree that privacy is an integral aspect of cybersecurity, and note that existing application criteria require applicants to possess both privacy and cybersecurity expertise, including demonstrated expert knowledge of the National Institute of Standards and Technology (NIST) cybersecurity guidance and recommended criteria and labeling program approaches, which include privacy among their core cybersecurity capabilities.

11. We also note that the Wi-Fi Alliance recommends that in addition to demonstrating their ''[e]xpert knowledge of FCC rules and procedures associated with product compliance testing and certification,'' CLA applicants also demonstrate their *experience* in this area. Wi-Fi Alliance recognizes that while a lack of current experience with developing and implementing security standards should not be disqualifying, it would serve the public interest for the Bureau to include this ''additional requirement, particularly concerning specific IoT products where cybersecurity standards have already been developed and tested.'' The Wi-Fi Alliance encourages the Bureau to give a preference to CLA applicants with this experience. The Bureau declines to require applicants to demonstrate previous experience with FCC rules and procedures associated with product compliance testing and certification as a condition precedent to being an approved CLA or give preference to CLA applicants with this experience. In particular, applicants are always encouraged to provide any additional information that helps demonstrate their expertise or experience under the relevant criteria and, providing examples of an applicant's experience where applicable, in general, will provide more information from which the Bureau can evaluate an application. Additionally, CTIA proposes criteria for evaluating CLA applications to include a minimum of 5–10 years of experience managing a cyber certification program and proven experience in running or participating in a working group on cybersecurity standards. While we agree that this set of criteria can be useful to demonstrate a ''proven track record,'' we are concerned that requiring such specific criteria may unnecessarily exclude applicants that otherwise may have appropriate knowledge and expertise. Therefore, we decline to adopt this recommendation.

12. We conclude that we will maintain the criteria as set out in the *IoT Labeling Order* for the initial round of CLA and Lead Administrator applications. The Bureau, jointly with OMD and, to the extent necessary, Office of General Counsel, will receive and review administrators' applications for compliance with each criteria set forth in the *IoT Labeling Order* and to best ensure the success of the program. We note that UL Solutions recommends certain requirements be defined in greater detail to avoid subjective determinations, but we believe that the *IoT Labeling Order* provided a comprehensive list of required criteria that covers the breadth of expertise and capabilities necessary to select a CLA and Lead Administrator at this early stage of the program and is neutral toward applicants. Further, as noted above, applicants are not limited to providing the required criteria listed in the *IoT Labeling Order,* but have the flexibility to offer additional expertise or selection criteria they believe are pertinent and support their application (*e.g.,* expected costs/budget for Lead Administrator to carry out their responsibilities, information to support their ability to carry out the respective responsibilities, etc.). Should the Bureau conclude that it would be appropriate to open subsequent filing windows, we may seek comment on, and consider adoption of, additional selection criteria at that time.

13. As discussed in the *IoT Labeling Order,* authorizing one or more CLAs subject to Commission oversight to handle the routine administration of the program will help to ensure its timely and consistent rollout, and independent third-party CLAs will bring trust, consistency, and an impartial level playing field to the IoT Labeling Program and will provide the required expertise for the administration of the program. Leveraging the expertise of multiple existing program managers and using pre-existing systems and processes that meet our program specifications will minimize administrative delay and ensure the Commission effectively utilizes the expertise of those entities who have made investments in their own cybersecurity labeling programs. Entities that have experience working with manufacturers and IoT conformity and standards testing, as required in the criteria adopted in the *IoT Labeling Order,* will also best be able to promote an efficient and timely rollout of the IoT Labeling Program.

14. We disagree with CTIA's suggestion that the Bureau adopt a flexible approach with respect to International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) 17065 accreditation requirements for CLAs with a certain level of experience to avoid unnecessary costs and delays. CTIA posits that ''[accreditation] can be costly and time-consuming to obtain and is unnecessary for prospective CLAs that have demonstrated track records in managing similar certification programs.'' Instead, CTIA proposes for entities with at least 5–10 years of experience running certification programs, ISO/IEC 17065 accreditation should be optional. In contrast, A2LA submits that the ''ISO/IEC 17065 accreditation requirement will be of benefit to the FCC and the consumers it serves by providing necessary risk mitigation . . . Claiming a certain number of years' experience is not equivalent to demonstrating technical competence or compliance.'' The *IoT Labeling Order* and accompanying rules require that all CLAs obtain ISO/IEC 17065 accreditation to the Commission's scope within six months of the effective date of the adopted standards and testing procedures. The Commission previously determined that ''leveraging accredited industry bodies to perform conformity assessments will 'speed the establishment of the program and increase the program's ultimate quality.' '' As such, we decline to adopt CTIA's suggested exemption. Alternatively, CTIA recommends an 18-month grace period to obtain such accreditation, for entities that have a proven track record of successfully managing a certification program. The Commission recognized it would take time for selected CLAs to obtain ISO/IEC 17065 accreditation and for that reason found it appropriate to conditionally approve CLAs and allow an additional six months for selected administrators to obtain accreditation. While we decline to adopt a blanket 18-month grace period, we are mindful that some entities may require more than six months to obtain accreditation. We think the Commission's existing rule waiver procedure is an appropriate and sufficient vehicle for CLAs that cannot meet the accreditation deadline to request a waiver of the rule along with their requested extension period.

15. We also disagree with CTA's suggestion that conditional approval of CLA applications will allow CLAs to certify products to use the FCC IoT Label before obtaining ISO/IEC 17065 accreditation to the Commission's

scope.[6] The Commission indicated that CLA applications will be conditionally approved in order to expedite initial deployment of the FCC's program. However, CLAs that have not demonstrated that they have received ISO/IEC 17065 accreditation to the Commission's scope will not be recognized and approved by the Bureau to receive applications or otherwise approved to authorize use the FCC IoT Label.

16. It is premature for the Bureau to address the specific scope of the Commission's accreditation program as the standards and testing procedures have not yet been adopted. However, we emphasize that each CLA will be required to obtain ISO/IEC 17065 accreditation to the FCC scope before it will be recognized by the Commission as an entity authorized to certify a product as being compliant with FCC IoT Labeling Program rules and authorize use of the FCC IoT Label consistent with the *IoT Labeling Order.*

D. Lead Administrator Expenses Shared Among CLAs

17. The *June 2024 IoT Labeling Public Notice* sought recommendations for an effective mechanism for CLAs to share the Lead Administrator's expenses. Parties are generally in agreement that Lead Administrator startup costs will be higher than the Lead Administrator's ongoing costs once the program is stood up and should be reflected in the CLA's cost sharing obligations. UL Solutions recommends an initial standup fee for the Lead Administrator and a per-certificate fee going forward. The Wi-Fi Alliance recommends the Lead Administrator submit to the Bureau a claim for expenses incurred in the performance of its duties, which if approved, would be shared proportionally among the CLAs, with the proportionality being based on the annual number of products the CLA certifies to use the FCC IoT Label. The Wi-Fi Alliance notes that Lead Administrator expenses subject to sharing by the CLAs should be limited to those ''that are unique to the Lead Administrator *as Lead Administrator,*'' and not related to its activities as a CLA.

18. The Bureau recognizes that the Lead Administrator's expenses incurred as a result of the performance of its duties under this program must be reasonable and accurately reflect its actual costs. In addition, it is also important to ensure each CLA shares in the Lead Administrator's costs as required by the *IoT Labeling Order* and that the costs shared reflect the Lead Administrator's actual and reasonable expenses incurred as a result of performance of its Lead Administrator duties and only those expenses incurred in its capacity as Lead Administrator. To ensure this occurs, the Lead Administrator is required to implement internal controls adequate to ensure its operations maintain best practices to protect against improper payments and to prevent fraud, waste, and abuse in its handling of funds. Once selected, the Lead Administrator will also submit to the Bureau and OMD, an estimate of its forward-looking costs including, separately, program stand-up costs and ongoing program costs to perform the Lead Administrator duties for the Lead Administrator's upcoming calendar year, which will be reviewed by CLAs, PSHSB, and OMD for reasonableness, and if determined to be reasonable by PSHSB and OMD, will be used to estimate the overall CLA cost sharing obligation.[7]

19. Consistent with the *IoT Labeling Order,* each CLA will share in these Lead Administrator costs, however, we decline to establish the methodology for such cost sharing and instead rely on CLAs and the Lead Administrator to determine the sharing methodology, which should be reasonable and equitable and will be subject to ongoing oversight by the Commission. Further, we require the Lead Administrator to submit to the Bureau and OMD, an annual, independently audited, statement of program expenditures and monies received from the CLAs due before the end of the calendar year. The Bureau will provide further guidance on CLA cost sharing once the CLAs and the Lead Administrator have been selected.

E. Lead Administrator Neutrality

20. *Neutral Treatment of CLAs and Other Stakeholders.* In the *IoT Labeling Order,* the Commission recognized the competitive implications of an entity being both the Lead Administrator and a CLA. The *June 2024 IoT Labeling Public Notice* sought comment on what safeguards, if any, the Bureau should adopt to ensure Lead Administrator neutrality as a potential competitor of other CLAs. The Bureau also asked whether there are additional safeguards, beyond those contemplated in the *IoT Labeling Order,* the Bureau should adopt to ensure the stakeholder engagement process and related recommendations the Lead Administrator makes to the Commission (*e.g.,* standards and testing criteria and label design) are consensus-based and competitively neutral.

21. Commenters emphasize the importance of ensuring Lead Administrator neutrality to prevent actual, as well as perceptions of, unfair economic advantage by the Lead Administrator over other CLAs, and support adopting reasonable safeguards to do so. We share ioXt's concern that if the Lead Administrator gained an economic advantage by passing on fees to other CLAs, for example, CLAs would have to raise their prices, which would pass on the costs to the manufacturers, and then on to consumers. In order to ensure impartiality, A2LA recommends considering ISO/IEC 17065 requirements, which describe a mechanism (often a committee) for safeguarding impartiality and assuring a competitively neutral environment between the Lead Administrator, CLAs, and other stakeholders. TÜV SÜD also recommends that Lead Administrator neutrality be evaluated on a yearly basis, with the possibility of triggering an investigation by the Commission and revocation of Lead Administrator designation. Infineon suggests requiring a ''firewall'' to separate the Lead Administrator from its role as CLA, similar to those instituted by law firms to avoid conflicts between multiple clients' interests. Somos, Inc. recommends applying relevant rules from its role as the North American Numbering Plan Administrator to the Lead Administrator, including impartial allocation of resources, transparency, non-discrimination, avoidance of conflicts of interest, and compliance with regulations.

22. We agree that ensuring Lead Administrator neutrality ''is critical to maximizing the Program's credibility and fostering trust among stakeholders,'' and we believe the *IoT Labeling Order* sufficiently addresses the concerns raised in the record. We note that the requirement that the Lead Administrator be accredited to ISO/IEC 17065 will ensure that the entity is appropriately aligned with those impartiality mechanisms. Further, we require all CLA applicants, including those

[6] CTA also recommends the Bureau similarly conditionally approve CyberLABs to begin testing products before they become accredited and provide CyberLABs a 6-month grace period to obtain accreditation, which the Bureau declines to do. CyberLABs are not authorized by the Commission to begin testing products for compliance with the IoT Labeling Program until after they have obtained the appropriate accreditation to the Commission's scope and have been recognized by the Lead Administrator.

[7] CTIA, and others, point out the need for federal funding to support core aspects of the program, such as consumer education. NCTA argues the Federal government should lead the consumer education campaign, which would reduce the burden on the Lead Administrator and CLAs. However, both of these recommendations are beyond the Bureau's delegation of authority and the scope of this document.

applying to be the Lead Administrator, to demonstrate implementation of controls to eliminate actual or potential conflicts of interests, including remaining impartial and unbiased. The Bureau will evaluate such applications to ensure rigorous compliance with these criteria. We also note that approval of the Lead Administrator may be subject to withdrawal by the Commission upon a determination of just cause, and this includes failing to follow those impartiality requirements. The Lead Administrator must be committed to neutrality and impartiality, consistent with the *IoT Labeling Order.* Because we anticipate those measures will be sufficient, we are not persuaded of the need to adopt additional requirements at this time.

23. Finally, CTA proposes asking prospective CyberLABs and CLAs to attest that they meet the requirements in the (draft) CTA–2119 Scheme Assessment Framework, as an industry consensus standard to preserve neutrality when assessing applicant entities. We decline to adopt this requirement at this time, given that the draft CTA–2119 Framework has not undergone public notice and comment. However, we may reconsider this proposal at a later date, once the Labeling Program's standards and testing procedures have been finalized.[8]

24. *Transparency in 90-day Stakeholder Process.* As an initial matter, we emphasize that the *IoT Labeling Order* requires the Lead Administrator to ''provide equitable recommendations to the Commission to encourage the broadest possible participation of CLAs within the parameters of the FCC's rules.'' Therefore, while we believe it is premature to adopt additional rules in this regard, we note that UL Solutions emphasizes the importance of transparency in the stakeholder collaboration process, stating that the Lead Administrator should invite a wide variety of stakeholders and ensure they all have sufficient opportunity to have their views heard and participate in manageable working groups. Further, UL Solutions states that recommendations made to the Commission should also include dissenting views and how those dissenting views were addressed, which would be considered in the final rules adopted by the Commission. UL Solutions also recommends the importance of a clear and transparent process to shield the Lead Administrator from accusations or perceptions of bias when recognizing accredited CyberLABs. TÜV SÜD similarly proposes safeguards, such as a mandatory consultation round before making critical decisions regarding recommendations to the Commission.

25. While we do not adopt additional guardrails at this stage, we reiterate the position in the *IoT Labeling Order* that the Lead Administrator should ensure participation from a wide variety of stakeholders and consider various resources when developing the IoT Labeling Program recommendations. As noted above, ISO/IEC 17065 accreditation is required for all CLAs, including the Lead Administrator, and adherence to that standard requires the convener of working groups to develop recommendations (here, the Lead Administrator), and achieve a balanced representation of interests, such that no single interest predominates. We agree that transparency in the 90-day stakeholder process is of the highest importance and the Bureau expects to provide additional guidelines on that process when it announces the selection of CLAs and the Lead Administrator.

F. Confidentiality and Security Requirements

26. The Bureau adopts its proposal from the *June 2024 IoT Labeling Public Notice* that manufacturer applications submitted to CLAs are presumptively confidential and CLAs are required to maintain this confidentiality. CLAs will be required to maintain the confidentiality of non-public information received as part of an application for authority to use the FCC IoT Label, and must implement appropriate administrative, technical, procedural, and physical safeguards to protect the confidentiality of information received by the CLA and protect against the unauthorized disclosure and unauthorized use of non-public information received as a result of its participation in the FCC IoT Labeling Program.

27. We agree with commenters that the program would benefit from a presumption of confidentiality for filings and related information provided to CLAs from applicants seeking use of the FCC IoT Label, which would encourage manufacturer participation and protect proprietary technology and trade secrets. We disagree with commenters that such a presumption of confidentiality is not necessary due to the public-facing nature of the label. While this is true for product information required to be disclosed in the registry if approval is granted, this would not be the case for products that are denied authorization to bear the FCC IoT Label. In addition, as discussed above, we expect that applications submitted to the Commission by CLAs will also continue to be treated as presumptively confidential. We emphasize here that information submitted by manufacturers to CLAs, the Lead Administrator, and/or CyberLABs, in the course of seeking authority to use the FCC IoT Label, including but not limited to applications and test reports, and information submitted to the Lead Administrator by a lab seeking recognition as a CyberLAB (*i.e.,* authorized to conduct conformance testing under the Commission's IoT Labeling Program) are not agency records of the Commission. Only information submitted to the Commission, such as submissions in furtherance of applications by entities seeking authority from the Commission to be a CLA and/or Lead Administrator, are records of the Commission.

28. In the *June 2024 IoT Labeling Public Notice,* the Bureau tentatively concluded that the requirements of the Federal Information Security Modernization Act of 2014 (FISMA) apply to the Lead Administrator and CLAs.[9] Some commenters oppose a FISMA requirement, stating that it would ''strongly discourage CLAs from applying to the program,'' and that FISMA has not been applied by other agencies supporting analogous programs, such as the Health and Human Services Department's Office of the National Coordinator's (ONC) certification program for health IT products. While we acknowledge these concerns, alone, they are not dispositive for not applying FISMA.

29. FISMA was enacted to ensure that each federal agency develops, documents, and implements an agency-wide program to secure federal information systems from unauthorized access, use, disclosure, disruption, modification, or destruction. Given this scope, we reconsider our tentative conclusion to apply FISMA to CLAs and the Lead Administrator and determine that, as presently contemplated, neither the CLAs nor the Lead Administrator

[8] CTA also proposes applying the CTA–2119 Scheme Assessment Framework as a uniform way to evaluate whether a scheme recommended by the Lead Administrator-led working group meets the NISTIR 8425 criteria required in the *IoT Labeling Order.* We similarly decline to adopt this proposal at this time.

[9] The *June 2024 IoT Labeling Public Notice* also asks whether ''. . . the registry operator(s) [should] as appropriate, be required to implement adequate security, privacy, and availability controls to meet FISMA low/moderate standards, or a commercial equivalent?'' The Bureau recognizes the importance of the registry's security requirements, and will address these issues in a future Public Notice addressing the structure of the Registry's Application Programming Interface (API).

will operate an information system on behalf of the agency. That is so because the Commission has no plans to establish any interconnection between its systems and the Lead Administrator's or CLA's information systems; indeed, the FCC does not expect to routinely request, obtain access to, otherwise collect, use, process, or maintain the data or information held by the Lead Administrator or the CLAs, excepting for investigative purposes. Moreover, although the Lead Administrator will receive information from CLAs and applicant manufacturers necessary for it to carry out its responsibilities under the FCC's program, and CLAs will receive and evaluate applications and supporting data from applicant manufacturers, this, without more, does not mean that the Lead Administrator or CLAs are managing their information systems ''on behalf of'' the FCC.

30. Nevertheless, we agree with NCTA that ''[c]lear guidelines, safeguards, and protocols for handling confidential information should be established to prevent unauthorized disclosure'' and believe that other mature security frameworks may be applied to CLAs and the Lead Administrator to reduce the risk of unauthorized access, use, disclosure, disruption, modification, or destruction of program data. Accordingly, we require that all CLAs and the Lead Administrator create, update, and implement cybersecurity risk management plans. Such a cybersecurity risk management plan must identify the cyber risks that the entity faces, the controls used to mitigate those risks, and the steps taken to ensure that these controls are applied effectively to their operations. The plans must also describe how each entity employs its organizational resources and processes to ensure the confidentiality, integrity, and availability of its information and information systems. These requirements are consistent with the National Cyber Strategy and are in keeping with a whole-of-government effort to ''establish cybersecurity requirements to support national security and public safety.'' We expect that creating, updating, and implementing a cybersecurity risk management plan will help protect each CLA and the Lead Administrator from serious national security threats.

31. We note that, under this approach, each entity has flexibility to structure its cybersecurity risk management plan in a manner that is tailored to its operations after consideration of a variety of factors, provided that the plan demonstrates that the entity is taking affirmative steps to analyze security risks and improve its security posture. We further note that an entity could successfully demonstrate satisfaction with this requirement by following an established risk management framework, such as the NIST Cybersecurity Framework (CSF) or Risk Management Framework (RMF). CLAs and the Lead Administrator security plans should be informed by established cybersecurity best practices such as the standards and controls set forth in the Cybersecurity and Infrastructure Security Agency (CISA) Cybersecurity Cross-sector Performance Goals and Objectives (CISA CPGs), ISO/IEC 27001, NIST Special Publication 800–53 (rev 5), or the Center for Internet Security Critical Security Controls (CIS Controls) version 7.1 or later. These frameworks are designed to be scalable and adaptable to the needs and capabilities of companies both large and small, are well understood by industry, and are flexible. CTIA and CTA argue compliance with a commercial equivalent framework to FISMA, such as ISO 27001 can ''take a year or more at a cost upwards of $100,000.'' However, these cost and timelines would not apply to this program, because while we require entities to implement security plans reflecting standards and controls, such as ISO/IEC 27001, we do not specifically require a CLA or the Lead Administrator to be certified to ISO/IEC 27001. Moreover, we expect that many entities in the industry that might seek to be CLAs or the Lead Administrator will have adopted plans along the lines we require here and may have obtained such certifications in the ordinary course of business. And in any event, we find that any costs that might be incurred by an entity seeking to be a CLA or Lead Administrator are outweighed by the benefits that will redound to such entities themselves, the industry more broadly, and U.S. national security from our requiring such entities to take these steps to protect the confidentiality, integrity, and availability of the information they hold—including from other entities in the industry—and the information systems they maintain. We expect risk management plans to contribute to the CLAs' and the Lead Administrator's existing internal security practices that maintain the confidentiality, integrity, availability of all information received in support of this program without significantly increasing the time or costs of participation.[10]

32. We additionally require each applicant seeking to serve as a CLA or Lead Administrator to submit with its application an attestation that it already has created and implemented—or upon selection will create and implement—a cybersecurity risk management plan as described above—which will demonstrate compliance with these requirements as well as the entity's cybersecurity expertise and capabilities, knowledge of NIST's cybersecurity guidance, and knowledge of federal law and guidance governing the security and privacy of information systems. We also require that CLAs and the Lead Administrator make such cybersecurity risk management plans available to the Commission upon request. Access to cybersecurity risk management plans will allow the Commission to confirm whether plans are being regularly updated, to review a specific plan as needed, or to proactively review a sample of plans to confirm they sufficiently identify the cybersecurity risks to the Lead Administrator and CLAs in this program. In such circumstances, cybersecurity risk management plans would be presumptively confidential.

III. Who May Apply

33. Any domestic, independent,[11] non-governmental entity eligible to enter into a licensing agreement with the FCC may apply for the role of CLA and/or Lead Administrator; [12] however, an applicant cannot be owned or controlled by, or affiliated with, any entity that produces equipment on the FCC Covered List or is otherwise prohibited from participating in the IoT Labeling Program, to include companies named on the Department of Commerce's Entity List and the Department of Defense's List of Chinese Military Companies.

IV. Application Procedures

A. Applications for Cybersecurity Label Administrator (CLA)

34. Applicants seeking the role of CLA must demonstrate the following:

[10] We expect CLA and Lead Administrator applicants to address these internal security practices in their applications to the Commission, which will be enforceable under the Commission's rules.

[11] Here, ''independent'' means the applicant is not affiliated with or a subsidiary of another CLA/Lead Administrator applicant. It also means that the applicant is a disinterested third-party outside of a prospective manufacturer's control that is applying for authority to use the FCC IoT Label.

[12] The *IoT Labeling Order* declined to require that a CLA be a non-profit, stating that a for-profit or non-profit organization could possess the requisite qualifications and carry out the CLA duties effectively. We note that Congress, from time to time, adopts appropriation riders that preclude federal agencies from entering into agreements with certain entities.

a. Applicant is not owned or controlled by or affiliated [13] with any entity identified on the Commission's Covered List, or is otherwise prohibited from participating in the IoT Labeling Program,[14] including being an entity identified on the Department of Commerce's Entity List or on the Department of Defense's List of Chinese Military Companies;

b. Applicant is not owned or controlled by or affiliated with any person or entity that has been suspended or debarred from receiving federal procurements or financial awards, to include all entities and individuals published as ineligible for award on the General Service Administration's System for Award Management;

c. Description of Applicant's organization structure; [15]

d. Implementation of controls to eliminate actual or potential conflicts of interests (both personal and organizational), particularly with regard to commercially sensitive information, to include but not limited to, remaining impartial and unbiased and prevent Applicant from giving preferential treatment to certain applications particularly with regard to applicants from entities with whom the CLA has a business relationship (*e.g.,* application line jumping or same level of scrutiny when reviewing the application) and from implementing heightened scrutiny of applications from entities not members or otherwise aligned with the CLA; [16]

e. Description of the process(es) Applicant will use to evaluate applications seeking authority to use the FCC IoT Label; [17]

f. Cybersecurity expertise and capabilities, in addition to industry knowledge of IoT generally, and IoT Labeling requirements;

g. Expert knowledge of NIST's cybersecurity guidance, including but not limited to NIST's recommended criteria and labeling program approaches for cybersecurity labeling of consumer IoT products;

h. Expert knowledge of FCC rules and procedures associated with product compliance testing and certification; [18]

i. Knowledge of Federal law and guidance governing the security and privacy of agency information systems; and

j. The ability to securely handle large volumes of information, including a description of Applicant's related internal security practices.

35. Applicants seeking the role of CLA must also commit to complying with the obligations of CLAs under the *IoT Labeling Order* and the Commission's rules, including but not limited to the following: [19]

a. Obtaining accreditation pursuant to all of the requirements associated with ISO/IEC 17065 with the forthcoming FCC program scope; [20]

b. The ability (*e.g.,* appropriate testing equipment, and personnel with the necessary technical expertise and training) to conduct post-market surveillance activities, such as audits, in accordance with ISO/IEC 17065;

c. Implementation of a process for receiving complaints alleging an IoT product does not support the cybersecurity criteria conveyed by the Cyber Trust Mark and referring those complaints to the Lead Administrator;

d. Collaborating with the Lead Administrator and other stakeholders to develop those items to be submitted to the Commission within 90 days of election of the Lead Administrator, and listed in 47 CFR 8.221(a)(4); and

e. Being an active participant in the consumer education campaign led by and in coordination with the Lead Administrator.

36. In addition to the above requirements for CLA applications, Lead Administrator applicants must demonstrate the following:

a. Description of Applicant's previous experience in IoT cybersecurity; [21]

b. Description of Applicant's previous roles, if any, in IoT labeling; [22]

c. Description of Applicant's capacity (*e.g.,* available resources, systems, infrastructure etc.), and commitment to execute the following Lead Administrator duties: [23]

i. Interfacing with the Commission on behalf of CLAs, which includes but is not limited to, submitting to the Bureau all complaints alleging a product bearing the FCC IoT Label does not meet the requirements of the Commission's labeling program;

ii. Conducting stakeholder outreach, coordinating with CLAs and other stakeholders, and moderating stakeholder meetings;

iii. Accepting, reviewing, and approving or denying applications from labs seeking recognition as a lab authorized to perform the conformity testing necessary to support an application for authority to affix the FCC IoT Label, and maintaining a publicly available list of Lead Administrator-recognized labs and a publicly available list of labs that have lost their recognition;

iv. Within 90 days of selection as Lead Administrator, in collaboration with the CLAs and other stakeholders (*e.g.,* cyber experts from industry, government, and academia) submitting to the Bureau:

(a) Recommendations identifying and/or developing the technical standards and testing procedures for the Commission to consider with regard to at least one class of IoT products eligible for the IoT Labeling Program;

(b) A recommendation on how often a given class of IoT products must renew their request for authority to bear the FCC IoT Label, which may be dependent on the type of product, and that such a recommendation be submitted in connection with the relevant standards recommendations for an IoT product or class of IoT products;

[13] For purposes of the Commission's IoT labeling program, an *affiliate* is defined as a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. The term *own* means to own an equity interest (or the equivalent thereof) of more than 10 percent.

[14] The *Order* includes this catchall for entities otherwise prohibited from participating in the program, to include those listed in 47 CFR 8.204 and those considered a ''foreign adversary'' country as defined by the Department of Commerce.

[15] In describing its organizational structure, an Applicant may describe its relevant expertise, processes, and key personnel that would support the CLA IoT Labeling Program requirements and responsibilities.

[16] In addition to demonstrating the relevant controls in place to avoid conflicts of interest, Applicants may also provide prior experience in avoiding personal and organizational conflict (*e.g.,* history of, processes for, working with, certification labs on an equitable basis.

[17] Applicants may describe existing data systems, personnel and other resources, processes (*e.g.,* record-keeping etc.) in place or to be developed, for reviewing, accepting or denying applications to use the FCC IoT label in accordance with ISO/IEC 17065.

[18] For example, Applicants may describe their experience with the FCC's Equipment Authorization Program or another FCC-run compliance program.

[19] CLAs must also comply with all requirements enumerated in 47 CFR 8.220.

[20] *E.g.,* For purposes of conditional approval, applicants may meet this requirement by demonstrating they are certified to ISO/IEC 17065 under another scope. Alternatively, Applicants may outline a plan to receive ISO/IEC 17065 accreditation within six months of the effective date of the standards and testing procedures to be adopted under the forthcoming FCC program scope and demonstrate that their current or planned product testing processes align with ISO/IEC 17065. Each CLA must obtain 17065 accreditation to the FCC scope before it will be recognized by the Commission and authorized to begin processing applications to certify use of the FCC IoT Label.

[21] Where an Applicant describes previous experience or roles in IoT cybersecurity or IoT labeling, it may also describe how it expects to apply such previous experience to meet the Lead Administrator responsibilities.

[22] *E.g.,* Applicant may show a history of certifying IoT devices to a specific set of cybersecurity requirements. Alternatively, Applicant may show a history of certifying non-IoT devices to a designated cybersecurity scope.

[23] Applicant may demonstrate relevant past experience, or otherwise provide a detailed plan to meet, each of the duties listed.

(c) A recommendation on procedures for post market surveillance by the CLAs;

(d) Recommendations on the design of the FCC IoT Label, including but not limited to labeling design and placement (*e.g.,* size and white spaces, product packaging) and whether to include the product support end date on labels for certain products or category of products; and

(e) Recommendations with regard to updates to the registry including whether the registry should be in additional languages, and if so, to recommend specific languages for inclusion.

d. Recommending appropriate modifications to the IoT Labeling Program standards and testing procedures within 45 days of publication of updates or changes to the NIST guidelines, or adoption by NIST of new guidelines, to stay aligned with NIST guidelines;

e. Developing, in collaboration with CLAs and other stakeholders, a consumer education campaign, submitting the consumer education plan to the Bureau, and participating in consumer education;

f. Receiving complaints about the Labeling Program, including but not limited to consumer complaints about the registry and coordinating with manufacturers to resolve any technical problems associated with consumers accessing the information in the registry;

g. Facilitating coordination between CLAs; and

h. Submitting to the Commission any other reports upon request of the Commission or as required by Commission rule.

i. Any additional information Applicant believes demonstrates why they should be designated the Lead Administrator.

C. Required Certification Statements

37. All applications MUST include the following certification statements under penalty of perjury or they will be dismissed:

a. Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith, see 47 CFR 1.17, 8.220, 8.221.

b. Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to § 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862, because of a conviction for possession or distribution of a controlled substance. *See* 47 CFR 1.2002(b) for the definition of ''party to the application'' as used in this certification.

c. The Applicant certifies that it is not delinquent on any debts to the Commission, see 47 CFR 1.1910.

d. Applicant acknowledges that willful false statements made on the application or on any attachments are punishable by fine and/or imprisonment (18 U.S.C. 1001) and/or forfeiture (47 U.S.C. 503).

D. The Application Must Be Signed and Dated

38. The Application must be signed and dated by the individual authorized to sign on behalf of the Applicant. FAILURE TO SIGN THE APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION.

E. Application Submission

39. The Bureau expects CLA and Lead Administrator applications and supporting documentation to be filed confidentially. Each page of the application must be clearly and conspicuously labeled ''CONFIDENTIAL, NOT FOR PUBLIC INSPECTION.'' Applicant must file an original and one copy of each filing and supporting materials with the Office of the Secretary. All filings must reference PS Docket No. 23–239 and be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. Filings can be sent by hand or messenger delivery by commercial overnight courier, or First-Class or overnight U.S. Postal Service mail.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight deliveries (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 sent to 45 L Street NE, Washington, DC 20554.

40. An electronic version of the application and supporting material is required to be submitted to FCC staff as a .pdf file via email to *CyberTrustMark@fcc.gov. The document must be password protected and the password communicated in a separate email to CyberTrustMark@fcc.gov.* Submissions may be broken into multiple emails when necessary.

41. Applications should be received by the Commission as soon as possible, but no later than October 1, 2024. Applicants requiring additional time may request an extension of time for up to 10 additional calendar days to complete their applications. Applications received after October 1, 2024 from an entity that has not been approved an extension of time, will not be accepted and will be dismissed. Procedures for submitting applications are set forth below.

F. Additional Instructions To Assist With CLA and/or Lead Administrator Applications

- *Instructions.* General filing instructions can be found in Appendix A of the Commission's Public Notice, DA–24–900, released September 10, at this link: *https://docs.fcc.gov/public/attachments/DA-24-900A1.pdf.*
- *Frequently Asked Questions (FAQs).* The FAQs are available at *https://www.fcc.gov/CyberTrustMark.*
- *FCC Notice Required by the Paperwork Reduction Act.* The FCC Notice Required by the Paperwork Reduction Act can be found in Appendix D of the Commission's Public Notice, DA–24–900, released September 10, at this link: *https://docs.fcc.gov/public/attachments/DA-24-900A1.pdf.*
- *Privacy Act Statement.* The Privacy Act Statement can be found in Appendix E of the Commission's Public Notice, DA–24–900, released September 10, at this link: *https://docs.fcc.gov/public/attachments/DA-24-900A1.pdf.*
- *Requirement for an FCC Registration Number (FRN).* We remind all applicants that they must have an FRN to file their applications. An FRN is the 10-digit number assigned to all individuals and entities that transact business with the Commission, and it must be provided any time an applicant submits or updates their application.
- *Applicant Does Not Have an FRN.* If an applicant does not have an FRN, the applicant must obtain an FRN through the Commission Registration System (CORES) web page at *https://apps.fcc.gov/cores/userLogin.do.*

○ For additional assistance, submit a help request at *https://www.fcc.gov/wireless/available-support-services* or call the FRN Help Desk at (877) 480–3201 (Monday–Friday, 8 a.m.–6 p.m. ET).

○ If the applicant has further questions, an email can be sent to *CyberTrustMark@FCC.gov.*

• *Applicant has an FRN.* If an applicant has an FRN, the applicant must use that FRN with its application.

○ The applicant should not obtain a new FRN if Applicant already has an FRN.

○ An applicant can identify its FRN by accessing records the Commission's Registration Systems (CORES) and click ''Search''. Individuals can search by name, or contact related information. Business organizations can search by name, Employer Identification Number (EIN), or contact-related information.

V. Next Steps

42. After the application filing window closes October 1, 2024, the Bureau will review and evaluate properly filed applications. *The Bureau's selection of CLAs and a Lead Administrator will be announced by public notice.* The Public Notice will describe the next steps for selected entities, including but not limited to the execution of a licensing agreement and/or other appropriate documentation governing the details of the CLAs' and Lead Administrator's responsibilities and relationship to the Commission.

VI. Procedural Matters

43. Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as amended (RFA), requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that ''the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.'' Accordingly, we have prepared a Supplemental Final Regulatory Flexibility Analysis (Supplemental FRFA) concerning the possible impact of the rule changes contained in this document on small entities. The Supplemental FRFA is set forth in Appendix C the Commission's Public Notice, DA–24–900, released September 10, at this link: *https://docs.fcc.gov/public/attachments/DA-24-900A1.pdf.*

44. *Paperwork Reduction Act.* This document contains modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. It 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 new or modified information collection requirements contained in this proceeding. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4), we previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees.

45. In this present document, we have assessed the effects of requiring CLAs to develop and implement a cybersecurity risk management plan identifying the cyber risks that the entity faces, the controls used to mitigate those risks, and the steps taken to ensure that these controls are applied effectively to their operations. The plans must also describe how the CLA employs its organizational resources and processes to ensure the confidentiality, integrity, and availability of its information and information systems and find that Since applying to be a CLA is voluntary, small entities who do not apply to be a CLA will not be subject to any new or modified reporting, recordkeeping, or other compliance obligations. Small entities that choose to apply to be a CLA, and whose applications are approved by the Bureau, will incur recordkeeping and reporting as well as other obligations to comply with the requirements we adopt in this document. We find that, for the FCC's IoT Labeling Program to have meaning for consumers, CLA requirements must be uniform for both small businesses and other entities. Thus, significance of program integrity, and building confidence among consumers that devices and products containing the Cyber Trust Mark label can be trusted to be cyber secure, necessitates adherence by all entities participating in the IoT Labeling Program to the same rules regardless of size.

VII. Ordering Clauses

46. Accordingly, *it is ordered* that pursuant to the authority contained in sections 1, 2, 4(i), 4(n), 302, 303(r), 312, 333, and 503 of the Communications Act of 1934, as amended, this document *is* hereby *adopted*.

47. *It is further ordered* that the amendments of the Commission's Rules as set forth in Appendix B are *adopted*, effective 30 days after publication in the **Federal Register**, except for the amendment to 47 CFR 8.220(f)(14). The amendment to 47 CFR 8.220(f)(14), which may contain modified information collection requirements, will not become effective until OMB completes any review that the Public Safety and Homeland Security Bureau determines is required under the Paperwork Reduction Act. The Public Safety and Homeland Security Bureau will announce effective dates for this section by publication in the **Federal Register** and by subsequent Public Notice.

48. *It is further ordered* that the Commission's Office of the Secretary *shall send* a copy of this document, including the Supplemental Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

49. *It is further ordered* that the Office of the Managing Director, Performance Program Management, *shall send* a copy of this document in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 8

Communications, Consumer protection, Cybersecurity, Electronic products, Internet, Labeling, Product testing and certification, Telecommunications.

Federal Communications Commission.

Marlene Dortch,

Secretary.

Final Rule

For the reasons set forth above, part 8 of title 47 of the Code of Federal Regulations is amended as follows:

PART 8—SAFEGUARDING AND SECURING THE INTERNET

■ 1. The authority citation for part 8 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 163, 201, 202, 206, 207, 208, 209, 216, 217, 257, 301, 302a, 303, 304, 307, 309, 312, 316, 332, 403, 501, 503, 522, 1302, 1753.

Subpart B—Cybersecurity Labeling Program for IoT Products

■ 2. Amend § 8.220 by adding paragraphs (f)(12) and (13) to read as follows:

§ 8.220 Requirements for CLAs.

* * * * *

(f) * * *

(12) A CLA shall share the Lead Administrator's expenses incurred as a result of the Lead Administrator's performance of its duties under the FCC IoT Labeling Program.

(i) The Lead Administrator expenses subject to sharing by CLAs are those expenses determined to be reasonable by the Public Safety and Homeland Security Bureau and the Office of Managing Director.

(ii) A CLA shall share Lead Administrator expenses pursuant to a methodology agreed to by the CLAs and the Lead Administrator subject to ongoing oversight by the Commission.

(13) A CLA shall maintain the confidentiality of non-public information received as part of an application for authority to use the FCC IoT Label, and will implement appropriate administrative, technical, procedural, and physical safeguards to protect the confidentiality of information received by the CLA and protect against the unauthorized disclosure and unauthorized use of non-public information received as a result of its participation in the FCC IoT Labeling Program.

* * * * *

■ 3. Delayed indefinitely, amend § 8.220 by adding paragraph (f)(14) to read as follows:

§ 8.220 Requirements for CLAs.

* * * * *

(f) * * *

(14) A CLA shall create, update, and implement a cybersecurity risk management plan identifying the cyber risks that the entity faces, the controls used to mitigate those risks, and the steps taken to ensure that these controls are applied effectively to their operations. The plan must also describe how the CLA employs its organizational resources and processes to ensure the confidentiality, integrity, and availability of its information and information systems. The CLA's cybersecurity risk management plan must be available to the Commission upon request.

* * * * *

■ 4. Amend § 8.221 by adding paragraphs (a)(11) through (14) to read as follows:

§ 8.221 Requirements for the Lead Administrator.

(a) * * *

(11) Create, update, and implement a cybersecurity risk management plan identifying the cyber risks that the entity faces, the controls used to mitigate those risks, and the steps taken to ensure that these controls are applied effectively to their operations. The plan must also describe how the Lead Administrator employs its organizational resources and processes to ensure the confidentiality, integrity, and availability of its information and information systems. The Lead Administrator's cybersecurity risk management plan must be available to the Commission upon request;

(12) Submit to the Public Safety and Homeland Security Bureau and the Office of the Managing Director, an estimate of its forward-looking costs including, separately, program stand-up costs and ongoing program costs to perform the Lead Administrator duties for the Lead Administrator's upcoming calendar year, which will be reviewed by the Cybersecurity Labeling Administrators, Public Safety and Homeland Security Bureau, and the Office of the Managing Director for reasonableness, and if reasonable, will be used to estimate the overall CLA cost sharing obligation;

(13) Implement internal controls adequate to ensure its operations maintain best practices to protect against improper payments and to prevent fraud, waste, and abuse in its handling of funds; and

(14) Submit to the Public Safety and Homeland Security Bureau and the Office of the Managing Director, an annual, independently audited, statement of program expenditures and monies received from the CLAs due before the end of the Lead Administrator's calendar year.

* * * * *

[FR Doc. 2024–23844 Filed 10–18–24; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 22–405; FCC 24–105; FR ID 250466]

Rules for FM Terrestrial Digital Audio Broadcasting Systems

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) adopts rules to allow digital FM broadcast radio stations to operate with different power levels on the upper and lower digital sidebands, by notification to the Commission. The rule changes will facilitate greater digital FM radio coverage without interfering with adjacent-channel FM broadcast stations. The intended effect is to advance the broader adoption of digital FM broadcasting by authorizing digital FM broadcasters to implement such asymmetric sideband operation by simple notification to the Commission, rather than by requesting experimental authorization as is the current practice.

DATES: This final rule is effective November 20, 2024, except for the amendments in instruction 4 (47 CFR 74.404) and instruction 5 (47 CFR 74.406), which are delayed indefinitely. The Commission will announce the effective date of the rule changes to 47 CFR 73.404 and 73.406 in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Albert Shuldiner, Chief, Media Bureau, Audio Division, (202) 418–2721, *Albert.Shuldiner@fcc.gov;* Thomas Nessinger, Senior Counsel, Media Bureau, Audio Division, (202) 418–2709, *Thomas.Nessinger@fcc.gov.* For additional information concerning the Paperwork Reduction Act (PRA) information collection requirements contained in this document, contact Cathy Williams at (202) 418–2918, *Cathy.Williams@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's First Report and Order (First R&O), MB Docket No. 22–405; FCC 24–105, adopted on September 24, 2024, and released on September 25, 2024. The full text of this document will be available via the FCC's Electronic Comment Filing System (ECFS), *https://www.fcc.gov/cgb/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).

Paperwork Reduction Act of 1995 Analysis

This document may contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. All such new or modified information collections will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA, 44 U.S.C. 3507(d). OMB, the general public, and other Federal agencies are invited to comment on any new or modified information collection requirements contained in this proceeding. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002 (Pub. L. 107–198, 116 Stat 729 (2002) (codified at 44 U.S.C. 3506(c)(4)). the Commission previously sought specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees. In the First R&O, the Commission assessed the effects of the required collection of information on these small entities.

Congressional Review Act

The Commission 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 the First R&O to Congress and the Government Accountability Office (GAO) pursuant to 5 U.S.C. 801(a)(1)(A).

Synopsis

1. *Introduction.* In a 2022 document, the Commission's Media Bureau (Bureau) consolidated into one rulemaking proceeding two separate Petitions for Rulemaking, both proposing changes to the rules that the petitioners urged would improve digital FM signal quality and minimize the effect of the digital FM station signal on adjacent channel FM transmissions. Media Bureau Seeks Comment on Petitions for Rulemaking Proposing Amendments to FM Broadcast Digital Radio Rules, Public Notice, DA 22–1226 (MB Nov. 28, 2022) (FM Digital Comment PN). In the first petition, filed December 9, 2019, petitioners National Association of Broadcasters (NAB), Xperi Corporation (Xperi), and National Public Radio (NPR) (collectively Asymmetric Petitioners), requested blanket authorization to set digital power at different levels on each digital sideband, thus allowing a digital FM station to protect, for example, an analog FM station on a lower first-adjacent channel, while enabling an increase in digital power on the upper sideband where there is no adjacent analog FM station or a more distant adjacent station. In the second petition, filed October 26, 2022, NAB and Xperi requested that the FCC update the methodology stations use to determine maximum FM digital power levels. In the Order and notice of proposed rulemaking (NPRM), FCC 23–61, 88 FR 57033 (Aug. 22, 2023), the Commission granted these petitions and sought comment on whether the rule changes proposed by the petitioners would serve the public interest, by providing FM digital stations with the ability to increase power and, concomitantly, increase coverage area, building penetration, and provide a more robust digital signal. The Commission additionally sought comment on: whether such rule changes would cause or increase interference to analog FM stations adjacent to a digital FM station; whether the proposed rule changes would have other adverse effects on incumbent FM stations; whether and to whom notice of increased digital FM power should be provided; and whether additional interference remediation procedures should be introduced.

2. Broadcasters, engineers, and listeners filed comments and reply comments in response to the NPRM. Additionally, commenters such as the Aerospace Industries Association; Air Line Pilots Association, International; Garmin International, Inc.; and the General Aviation Manufacturers Association filed comments expressing concern about higher digital power levels at the upper end of the FM broadcast band causing interference to users in the adjacent Aeronautical Radio Navigation Spectrum (ARNS), from 108.0–117.95 MHz. The commenters state that preliminary industry studies suggest that further testing is needed; to that end, aviation industry commenters are working with NAB and Xperi, but state that comprehensive testing will take additional time. See Supplemental Comments of Air Line Pilots Ass'n, Int'l; Airlines for America; Aviation Spectrum Res., Inc.; The Boeing Co.; Garmin; and GAMA, filed Apr. 1, 2024, at 2–4. *See also* Letter from First Officer Chris Sidor, Air Line Pilots Ass'n, Int'l, *et al.,* to Marlene H. Dortch, Secretary, FCC, MB Docket No. 22–405, at 3 (filed Sept. 19, 2024) (providing testing updates); Letter from Ashruf El-Dinary, Xperi Inc., to Marlene H. Dortch, Secretary, FCC, MB Docket No. 22–405 (filed Sept. 23, 2024). Accordingly, in the interest of a complete record, the Commission deferred action on the proposal relating to maximum FM digital power levels, and in the First R&O acts only on the proposals relating to the Asymmetric Sideband Petition, with appropriate safeguards for stations on Channels 296–300.

3. *Background.* The FM digital radio system inserts redundant digital sidebands above and below a station's existing analog signal. The Commission's existing rules assume that digital power is the same on both digital sidebands, *i.e.,* symmetric sideband operation. Currently, an FM station that wishes to employ asymmetric sideband operation, using different power on each digital sideband, must apply for an experimental authorization and renew that authorization annually. The request for experimental authorization must include a showing that the digital sideband signal contours will not overlap adjacent stations' protected contours. NAB, Xperi, and NPR (Asymmetric Petitioners), in the Asymmetric Sideband Petition, assert that with asymmetric sidebands a digital FM station can limit the power of one digital sideband to protect the adjacent analog FM station on that side while concurrently increasing the power of the other sideband in order to expand its overall digital coverage and improve its building penetration. Asymmetric Sideband Petition at 8–9. Similarly, a station could reduce power on the sideband causing interference to another station and maintain the desired power level on the other digital sideband. See NPRM, 38 FCC Rcd at 7169, para. 26. The Asymmetric Petitioners conducted a study that they state demonstrates that many more digital FM stations could increase power on at least one sideband above the current limit of −14 dBc. Out of 10,875 digital FM stations studied in 2017, petitioners contend that 6,120 could increase power on both sidebands to −10 dBc under the current rules, whereas if asymmetric sidebands were allowed, an additional 3,496 stations could increase one sideband to −10 dBc, with another 532 being able to increase one sideband's power to between −14 and −10 dBc. Asymmetric Petitioners also argue that the need to request experimental authorization, and the temporary nature of such authorizations, discourages use of asymmetric sidebands, which in turn limits digital FM stations to the power level needed to protect the adjacent-channel analog FM station that is most susceptible to digital interference. The Asymmetric Petitioners thus requested that the Commission amend its rules to allow FM stations to operate with asymmetric digital sidebands, without having to request experimental authorization to do so, in order to remove unnecessary regulatory barriers and promote broader adoption of terrestrial digital FM broadcasting. Asymmetric Sideband Petition at 8–11.

4. *Discussion.* The Commission concluded that the record contains considerable support for asymmetric sideband operation, and thus adopted the relevant proposals set forth in the NPRM, with some modifications to the rules that were proposed. (In addition, as proposed in the NPRM, 38 FCC Rcd 7158, n.65, to conform to the publishing conventions of the National Archives and Records Administration's Office of the Federal Register, the Commission added paragraph numbers to the list of definitions in 47 CFR 73.310(a) and (b). The definitions numbered and restated in the First R&O are identical to the current definitions.) The Commission therefore authorized digital FM stations, except stations operating on Channels 296–300, to originate digital transmissions at different power levels on the upper and lower digital sidebands without having to request

experimental authorization, consistent with the requirements set forth herein. As further discussed below, a digital FM station need only notify the Commission of asymmetric sideband operation by filing notification on Form 2100, Schedule 335–FM—FM Digital Notification (Schedule 335–FM) in the Bureau's Licensing and Management System (LMS) database.

5. *Asymmetric Sideband Operation Authorization.* The Commission agreed with the commenters and found that asymmetric sidebands will promote the adoption of digital radio without increasing the risk of interference to existing analog broadcasts. Those commenters that addressed this proposal generally supported it. Some expressed approval of the proposal as being an affirmative step toward broader adoption of digital radio, with some specifically stating that eliminating the need for prior experimental authorization will encourage more stations to adopt FM digital operation. Many commenters opine that asymmetric operation will reduce interference to adjacent-channel analog FM stations, with some offering anecdotal or experimental evidence to support these claims. The Commission's current policy requiring the same power on both the upper and lower digital sidebands limits an FM station's digital power to that needed to protect the adjacent-channel analog FM station most susceptible to interference, regardless of whether there is a need to limit power on the other sideband. Asymmetric Petitioners contended, and commenters agreed, that allowing calculation of the maximum allowable digital FM power on a per-sideband basis allows such stations to optimize their digital signal coverage while still protecting analog FM stations on adjacent channels. The Commission agreed and, based on the record presented, found that it is in the public interest to allow asymmetric sideband operation, except on Channels 296–300, without the need for an experimental authorization.

6. *Notice.* The Commission further found that allowing a digital FM station to report its asymmetric sideband operation through a simple notification removes a regulatory barrier, compared to the current procedure of applying for an experimental license to operate asymmetrically, and having to file for annual renewals of that authorization. At the same time, the Commission believed it is important for it to track asymmetric operation in order to address any potential interference problems that may arise and to allow stations to identify if their adjacent-channel stations are using asymmetric sidebands. The Commission found that a simple notification should provide the correct balance between its desire to streamline the regulatory burden on stations adopting asymmetric operations and the need to be able to identify stations employing this functionality. The need to track stations employing asymmetric sideband operation includes identifying those stations that discontinue such operation. The Commission therefore similarly required that stations permanently terminating asymmetric sideband operation notify the Commission of such termination on Schedule 335–FM. The Commission also noted that this is consistent with the approach it takes for initial authorization of digital broadcasting. FM broadcast licensees have never needed to file a separate application for authorization to initiate hybrid digital operation; all that has been required is notification to the Commission. The Commission found the public interest would be similarly served by declining to require a separate application to initiate asymmetric sideband operation and allow stations to commence asymmetric sideband operation based on a simple notification.

7. To provide notification to the Commission, stations choosing asymmetric sideband operation will be required to file a revised Schedule 335–FM. The filing of Schedule 335–FM with the Commission does not trigger the release of a separate Public Notice in LMS, but like all LMS forms is searchable and thus available to members of the public using the LMS ''Search'' function. The Commission concluded this approach will provide the public with real time information on which stations have adopted asymmetric operations.

8. Some commenters sought further modification to the proposal regarding notice of asymmetric band operation. One advocated for the Commission to ''maintain a readily accessible record of information'' on every station increasing power, suggesting that this would include stations employing asymmetric sideband operation, arguing that listeners may find it difficult to identify digital-to-analog FM interference, and that such a public record of stations altering their digital power profile would assist in identifying interfering stations. Another believed that Schedule 335–FM should be modified to allow the notifying station to provide the effective radiated power (ERP) of the digital signal on both the upper and lower digital sidebands, as well as the total digital ERP. This commenter disagreed with the NPRM's proposal to modify § 73.406(d)(7) through (8) of the Commission's rules to require licensees to file Schedule 335–FM with a short statement of the reason(s) for discontinuing digital operation, including a return to symmetric sideband operation from asymmetric operation. It believed that specifying a reason is unnecessary because such operations ''are not mandatory, are a voluntary business choice of the individual station, and the decision may be competitively sensitive.''

9. The Commission concurred with the latter commenter that Schedule 335–FM should be modified to require a party giving notification of asymmetric sideband operation to indicate the digital ERP on both upper and lower digital sidebands, as well as the total digital ERP. The Commission believed that requiring these data to be included in Schedule 335–FM should suffice to advise broadcasters and the public, through LMS, about digital operations. It thus found it unnecessary to adopt the suggestion that it implement a separate database of FM stations broadcasting in hybrid digital mode and the per-sideband digital power of such stations. The Commission concurred with the objection to the proposed requirement of providing a reason for discontinuation, agreeing that it is unnecessary given the voluntary nature of asymmetric sideband operation. It thus adopted the tentative conclusion that Schedule 335–FM notification should be required for any digital FM station that reverts to symmetric sideband operation from asymmetric sideband operation, but did not adopt the proposal to require any such notification of return to symmetric sideband operation to be accompanied by a short statement of the reason(s) for this action.

10. *Reporting on Schedule 335–FM.* After the effective date of the rules adopted in the First R&O, licensees will be required to use Schedule 335–FM to provide notice to the Commission. This will serve as a replacement for many of the current requests for experimental authorization and informal requests. As noted above, licensees will be required to use Schedule 335–FM to notify the Commission of the commencement or discontinuance of asymmetric sideband operation as a replacement for requests for experimental authorization. A station adopting asymmetric sideband operation must notify the Commission upon commencement of such operation by filing Schedule 335–FM. The Commission directed the Bureau to inform the digital FM station within 30 days of filing Schedule 335–FM if its asymmetric sideband operation is non-

rule compliant. The station may commence asymmetric sideband operation upon submitting Schedule 335–FM and may continue such operation unless it receives notice of noncompliance during that 30-day period. Similarly, a digital FM station must notify the Bureau on Schedule 335–FM within 30 days of discontinuing asymmetric sideband operation.

11. The Commission also made an administrative change to the procedures used by licensees seeking to increase digital power above −14 dBc. Those requests, previously submitted by informal request, will be submitted using Schedule 335–FM. This minor administrative change will help streamline processing of these requests and will further the Commission's efforts to transition all broadcast filings to the Bureau's Licensing and Management System (LMS).

12. The 2010 MB DAB Order (Digital Audio Broadcasting Systems And Their Impact on the Terrestrial Radio Broadcast Service, Order, 25 FCC Rcd 1182 (MB 2010)), increased the allowable total power level of an FM station's digital sidebands from the previous maximum of −20 dBc to −14 dBc. 2010 MB DAB Order, 25 FCC Rcd at 1189, para. 16. The −14 dBc power level is for both FM digital sidebands combined; when both sidebands are operating at the same power level, each sideband would operate at −17 dBc, or 3 dB lower than the combined symmetrical digital sideband power, representing one-half of the total allowed digital ERP for each sideband. The same order allowed FM stations, except for grandfathered superpowered stations, to seek additional authorization to increase total digital power above −14 dBc, up to −10 dBc, through an informal request including a showing that such power increase would comply with the formula set forth in the 2010 MB DAB Order, and therefore would not cause harmful interference to adjacent analog FM stations. As noted, in this First R&O the Commission did not revise the formula that determines the maximum permissible digital power a station may use. However, for purposes of administrative efficiency, the Commission modified the current informal process used to request an increase in total digital power above −14 dBc. After the effective date of the rules adopted in the First R&O, digital FM stations must use Schedule 335–FM to request an increase in total digital ERP above −14 dBc, using table 1 to § 73.404(f) adopted in the First R&O, and will also report certain digital power decreases on Schedule 335–FM. Table 1 is based on the table set forth in the 2010 MB DAB Order, 25 FCC Rcd at 1190, para. 20, adapted for use on a per-sideband basis. Certifications of compliance with table 1 to new 47 CFR 73.404(f) must be based on the most restrictive analog field strength of the proponent at any nearby first-adjacent-channel station's 60 dBμ contour. See 2010 MB DAB Order, 25 FCC Rcd at 1190, para. 20. Although the table has been modified, the information submitted by the station is the same as it is currently. After the effective date of the First R&O, a digital FM station will report the following actions (or request authority in the case of an increase of total digital ERP above −14 dBc) by submitting Schedule 335–FM: the initiation of hybrid digital operation; the initiation of asymmetric sideband operation at any power level, as well as the discontinuance of asymmetric sideband operation; an increase of total digital ERP above −14 dBc; or a decrease in total digital ERP from a level above −14 dBc to a level at or below −14 dBc; in other words, an FM digital station not currently operating with total digital ERP above −14 dBc need not report further digital power reductions. A station choosing to operate with total digital ERP between −14 dBc and −10 dBc must still attach to its Schedule 335–FM submission an exhibit demonstrating that the proposed FM digital ERP is permitted for each digital sideband, using table 1 to 73.404(f), adopted in the First R&O. As is the case with the current informal request process, a digital FM station choosing to operate with total digital ERP above −14 dBc may initiate such operation upon approval from the Commission.

13. *Changes to ''per-sideband'' table.* Although the Asymmetric Petitioners support the Asymmetric Sideband Petition they co-authored with NPR, they identified shortcomings in the tables presented in the NPRM to determine the maximum allowable ERP of each digital sideband. Asymmetric Petitioners point out that total sideband power is necessarily calculated on a per-sideband basis, computing lower and upper digital sideband power by calculating the field strength of the digital FM station's F(50, 10) contour at its overlap with the 60 dBμ F(50, 50) contour of, respectively, the lower and upper first-adjacent analog stations. The Asymmetric Petitioners contend that the tables in paragraphs 9 and 26 of the NPRM are mis-labeled and thus are incorrect, as are their counterparts in Appendix A to the NPRM, the then-proposed new tables to § 73.404, paragraphs (e) and (f). In their comments, they submitted corrected tables as well as corrections to the proposed rule change to § 73.404.

14. The Commission agreed with Asymmetric Petitioners to the extent that the column headings of the tables in the NPRM were mis-labeled, and further agreed that the maximum permissible FM digital ERP is better displayed on a per-sideband basis, as the combination of the sideband ERPs adds up to the full digital ERP. The Asymmetric Petitioners proposed a per-sideband table, but their proposed table was calculated based upon adoption of the proposals in the NPRM to update the methodology used to determine maximum FM digital power. As no commenters objected to the use of a per-sideband table, and as the Commission did not adopt at this time the proposals to update the methodology for determining FM digital power levels, the Commission modified and adopted Xperi and NAB's corrected ''Maximum permissible FM digital ERP per-sideband'' table to comport with the current limits on FM digital ERP, as follows:

IBOC Station's F(50,10) field strength at the upper or lower first-adjacent station's analog 60 dBμ F(50,50) contour	Maximum permissible FM digital ERP for the respective (upper or lower) sideband
51.2 dBμ and above	−17 dBc.
50.7 dBμ to 51.1 dBμ	−16 dBc.
50.3 dBμ to 50.6 dBμ	−15 dBc.
49.6 dBμ to 50.2 dBμ	−14 dBc.
49.5 dBμ or less	−13 dBc.

If, in a subsequent Order, the Commission modifies the formula used to determine the maximum permissible digital power level, it will adjust this table at that time.

15. *Interference Mitigation and Remediation.* The Commission found that the interference mitigation and remediation procedures set forth in the 2010 MB DAB Order are sufficient to remedy any reports of inter-station interference as a result of asymmetric sideband operation, given that reduction of power on one sideband necessarily reduces the potential for interference and therefore makes such interference less likely. The Commission reserved further consideration of modified interference mitigation and remediation procedures in the FM digital power increase context, and anticipates addressing such concerns in a future Report and Order in this proceeding.

16. *Pending Proceedings.* The Commission adopted the proposal that any licensees with asymmetric sideband operation under experimental authorizations that are compliant with the rules adopted in this First R&O may file Schedule 335–FM notification at any time after the effective date of the rules adopted in this First R&O and before the existing experimental authority expires. NPRM, 38 FCC Rcd at 7171, para. 30. No commenter opposed this proposal. Therefore, after the rules adopted in this First R&O take effect and the changes to Schedule 335–FM are approved by the Office of Management and Budget and there is an announcement of such approval published in the **Federal Register**, any station currently employing asymmetric sideband operation under experimental authorization that is compliant with the rules adopted in this First R&O may transition to non-experimental asymmetric sideband operation by notifying the Commission through Schedule 335–FM at any time prior to expiration of the experimental authorization. Although the Commission does not require that stations currently operating with power greater than −14 dBc under existing special temporary authorization file Schedule 335–FM, it encourages such stations to update their records in LMS using Schedule 335–FM in order that their sideband power levels are properly reflected in LMS. Any station seeking a power increase above −14 dBc in the future must request authority to do so using Schedule 335–FM.

Procedural Matters

Final Regulatory Flexibility Analysis

17. As required by the Regulatory Flexibility Act of 1980, as amended (RFA) an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the Modifying Rules for FM Terrestrial Digital Audio Broadcasting Systems, (NPRM), released on August 1, 2023. Modifying Rules for FM Terrestrial Digital Audio Broadcasting Systems, Notice of Proposed Rulemaking, 38 FCC Rcd 7158 (2023). The Federal Communications Commission (Commission) sought written public comment on the proposals in the NPRM, including comment on the IRFA. No comments were filed addressing the IRFA. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA. 5 U.S.C. 604.

A. Need For, and Objectives of, the Report and Order

18. In the First Report and Order, the Commission found that it is in the public interest to allow FM broadcast stations transmitting a hybrid analog-digital signal to operate with different digital effective radiated power (ERP) on the upper and lower digital sidebands, upon notification to the Commission on FCC Form 2100, Schedule 335–FM. This replaces the current procedure whereby a digital FM station must apply for an experimental authorization to operate with different digital ERP on the upper and lower digital sidebands (asymmetric sideband operation); this experimental authority must be renewed annually.

19. The FM digital radio system inserts redundant digital sidebands above and below a station's existing analog signal. The Commission's existing rules assume that digital power is the same on both digital sidebands, *i.e.,* symmetric sideband operation. The advantage to asymmetric sideband operation is that it allows a digital FM station to operate with lower power on the digital sideband closer to a first-adjacent-channel analog FM station, thus reducing the potential for interference to that station, while enabling the digital FM station to increase power to the digital sideband where there is no or only a very distant analog FM station to protect from interference. For example, a Class A digital FM station on Channel 251 might have a Class A analog FM station on Channel 250 within 75 kilometers of the digital station, while being several hundred kilometers from the nearest analog FM station on Channel 252. In such a situation, the digital FM station would reduce digital ERP on the lower digital sideband, protecting the analog station on Channel 250, while increasing power and, therefore, signal coverage on the upper digital sideband where there is no adjacent channel station to protect. The total digital ERP transmitted over the two digital sidebands would be the same as it would be if both sidebands were transmitting at the same digital ERP (symmetric sideband operation), thus there would be no increase in the total digital energy emitted by the digital FM station.

20. The Commission in the First Report and Order adopted its proposal to allow digital FM stations wishing to use asymmetric sideband operation to do so by notifying the Commission using FCC Form 2100, Schedule 335–FM, and modified that schedule by including fields to report the digital ERP being transmitted on each digital sideband, as well as the total digital ERP. It made an exception, however, for digital FM stations operating on Channels 296–300 (107.1–107.9 MHz), at the top of the FM broadcast band, which must continue to seek experimental authorization for asymmetric sideband operation. This was deemed necessary to protect users in the lower frequencies of the Aeronautical Radio Navigation Spectrum (ARNS) from possible interference resulting from higher power on an upper digital sideband. The Commission further concludes that a station permanently discontinuing asymmetric operation need not disclose its reasons for doing so. It also implemented the proposal that any FM licensees operating facilities under experimental or special temporary authorizations that are compliant with the rules adopted in this proceeding may transition to asymmetric sideband operation by filing Schedule 335–FM notifications after the effective date of the rules adopted in the First Report and Order. Commenters generally supported the Commission's proposal to allow asymmetric sideband operation upon simple notice to the Commission, though some raised concerns regarding notifications, interference remediation, and the transition to asymmetric sideband operation. The Commission observed that adopting rules simplifying the process of initiating asymmetric sideband operation is likely to reduce inter-station interference rather than exacerbate it, and thus concluded that existing interference mitigation and remediation procedures are sufficient at the present time, but also concluded that Form 2100, Schedule 335–FM should be amended to provide fields for the notifying station to indicate the

digital ERP transmitted on each digital sideband, as well as the total digital ERP.

21. This minor administrative change will help streamline processing of these requests and will further the Commission's efforts to transition all broadcast filings to the Bureau's Licensing and Management System (LMS).

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

22. There were no comments filed that specifically addressed the proposed rules and policies presented in the IRFA.

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

23. 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. 5 U.S.C. 604(a)(3). The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

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

24. The RFA directs the 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. 5 U.S.C. 604(a)(4). The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small government jurisdiction.'' 5 U.S.C. 601(6). In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. 5 U.S.C. 601(3). 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. 15 U.S.C. 632.

25. *Radio Stations.* This industry is comprised of ''establishments primarily engaged in broadcasting aural programs by radio to the public.'' U.S. Census Bureau, 2017 NAICS Definition, ''515112 Radio Stations.'' 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 firms having $47 million or less in annual receipts as small. U.S. Census Bureau data for 2017 show that 2,963 firms operated in this industry during that year. Of this number, 1,879 firms operated with revenue of less than $25 million per year. Based on this data and the SBA's small business size standard, we estimate a majority of such entities are small entities.

26. The Commission estimates that as of June 30, 2024, there were 4,413 licensed commercial AM radio stations and 6,620 licensed commercial FM radio stations, for a combined total of 11,033 commercial radio stations. Broadcast Station Totals as of June 30, 2024, Public Notice, DA 24–644 (rel. July 3, 2024) (July 2024 Broadcast Station Totals PN), *https://docs.fcc.gov/public/attachments/DA-24-644A1.pdf.* Of this total, 11,032 stations (or 99.99%) had revenues of $47 million or less in 2023, according to Commission staff review of the BIA Kelsey Inc. Media Access Pro Database (BIA) on July 3, 2024, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission estimates that as of June 30, 2024, there were 4,356 licensed noncommercial (NCE) FM radio stations, 1,965 low power FM (LPFM) stations, and 8,906 FM translators and boosters. The Commission however does not compile, and otherwise does not have access to financial information for these radio 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 radio station licensees, the Commission presumes that all of these entities qualify as small entities under the above SBA small business size standard.

27. We note, however, that in assessing whether a business concern qualifies as ''small'' under the above definition, business (control) affiliations must be included. The Commission's estimate, therefore, likely overstates the number of small entities that might be affected by its action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, another element of the definition of ''small business'' requires that an entity not be dominant in its field of operation. The Commission is unable at this time to define or quantify the criteria that would establish whether a specific radio or television broadcast station is dominant in its field of operation. Accordingly, the estimate of small businesses to which the rules may apply does not exclude any radio or television station from the definition of a small business on this basis and is therefore possibly over-inclusive. An additional element of the definition of ''small business'' is that the entity must be independently owned and operated. Because it is difficult to assess these criteria in the context of media entities, the estimate of small businesses to which the rules may apply does not exclude any radio or television station from the definition of a small business on this basis and similarly may be over-inclusive.

E. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

28. The First Report and Order adopts procedures that will create new reporting, recordkeeping, and compliance obligations for small digital FM stations that operate with asymmetric power on the digital sidebands. Specifically, it replaces the current requirement that digital FM stations request experimental or special temporary authorization for asymmetric sideband operation with a new, simplified notification procedure on existing FCC Form 2100, Schedule 335–FM. This form will be modified to collect the total digital ERP and the digital ERP on each of the upper and lower digital sidebands used by a digital FM station. Form 2100, Schedule 335–FM, will now be the means by which a small, digital FM station will report (or request authority in the case of an increase of total digital ERP above −14 dBc) the following actions: the initiation of hybrid digital operation; the initiation of asymmetric sideband operation at any power level, as well as the permanent discontinuance of asymmetric sideband operation; an increase of total digital ERP above −14 dBc; or a decrease in total digital ERP from a level above −14 dBc to a level below −14 dBc. Form 2100, Schedule 335–FM will also be amended to provide a digital FM station proposing to increase total digital ERP above −14 dBc to certify that it complies with the power levels set forth in table 1 to amended § 73.404(f) (regulating In Band On Channel Digital Audio Broadcast Operations), which is based on the current formula used to calculate acceptable power levels, but adapted to calculate those levels on a per-sideband basis. As is currently required, a station choosing to increase total digital ERP to a level between −14 dBc and −10 dBc must still attach to its Schedule 335–FM submission an exhibit demonstrating that the proposed FM digital ERP is permitted for each digital sideband, using newly adopted table 1 to 73.404(f). However, the

Commission will continue to require that small and other entities request experimental authorization for a digital FM station on Channels 296–300 seeking to engage in asymmetric sideband operation to avoid any potential issues regarding interference with the ARNS.

29. Requiring small and other entities to use FCC Form 2100, Schedule 335–FM for the provision of the digital ERP is minimally burdensome, as this form will collect the same or similar information the notifying FM station would use to request asymmetric sideband operation and is less burdensome than preparing an application for experimental authorization and renewing such authorization annually. Small entities will likely use the same processes and professional staff to comply with the FCC Form 2100, Schedule 335–FM requirements. Accordingly, although there is not sufficient evidence quantifying the compliance cost of the adopted rule changes, the Commission anticipates the approaches it has taken to implement the requirements will have minimal cost implications and should significantly reduce compliance requirements for small entities that may have smaller staff and fewer resources.

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

30. The RFA requires an agency to provide, ''a description of the steps the agency has taken to minimize the significant economic impact on small entities . . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.'' 5 U.S.C. 604(a)(6).

31. In the First Report and Order, the Commission considered a number of alternatives that will minimize the impact of the revised rules. Specifically, the Commission adopted measures to simplify the implementation of asymmetric sideband operation for digital FM stations, by notification through Form 2100, Schedule 335–FM rather than application for experimental authorization and annual renewal. The Commission sought to weigh the impact of these measures on small and other entities against the public interest benefits gained from them and has determined that the benefits outweigh the costs. As some commenters have observed, the burden of filing an experimental application and annual renewals has likely discouraged many digital FM stations from implementing asymmetric sideband operation, and has therefore impeded the implementation of such operation and its corresponding benefits, including expanded signal coverage and interference protection. The Commission concludes that these benefits outweigh the burdens imposed by the current procedures, and justify the simplified process adopted in the First Report and Order.

32. The Commission also observes that adopting rules simplifying the process of initiating asymmetric sideband operation is likely to reduce inter-station interference rather than exacerbate it, and thus concludes that existing interference notification and remediation procedures are sufficient at the present time, but also concludes that Form 2100, Schedule 335–FM should be amended to provide space for the notifying station to indicate the digital ERP transmitted on each digital sideband, as well as the total digital ERP. While the provision of these items of information are a minimal additional burden, they consist of information that is readily available to the broadcaster and will assist other FM stations in evaluating interference complaints.

33. The use of Form 2100, Schedule 335–FM will simplify required station submissions, and harmonizes such submissions with the recent transition of the Media Bureau's application filing system to LMS. The Commission also considered whether a station permanently discontinuing asymmetric sideband operation should be required to include a short statement disclosing its reasons for doing so when notifying the Commission, and determined such information was not necessary based on commenter input. This decision will eliminate an added burden to certain stations, as well as allow them to preserve the confidentiality of their business decision making. The Commission further concludes that digital FM stations currently using asymmetric sideband operation under experimental or special temporary authorizations shall be able to continue operation upon notification using Form 2100, Schedule 335–FM, provided such notification is submitted before the experimental authorization or STA expires. This option has been determined to be the least burdensome alternative, as compared to other options such as filing a one-time application with annual renewal. Finally, to avoid any potential issues regarding interference with the ARNS, the Commission will continue to require experimental authorization for a digital FM station on Channels 296–300 seeking to engage in asymmetric sideband operation. This will impact relatively few digital FM stations, and has been deemed necessary to protect ARNS users pending the results of testing by aviation industry stakeholders and the broadcast industry proponents of the new procedures.

G. Report to Congress

34. The Commission will send a copy of the First Report and Order, including this FRFA, in a report to Congress pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A). In addition, the Commission will send a copy of the First Report and Order, including this FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the First Report and Order and FRFA (or summaries thereof) will also be published in the **Federal Register**.

35. *Paperwork Reduction Act Analysis.* This First Report and Order may contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA). Public Law 104–13, 109 Stat 163 (1995) (codified at 44 U.S.C. 3501–3520). All such new or modified information collections will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA. 44 U.S.C. 3507(d). OMB, the general public, and other Federal agencies are invited to comment on any new or modified information collection requirements contained in this proceeding. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, 116 Stat 729 (2002) (codified at 44 U.S.C. 3506(c)(4)), the Commission previously sought specific comment on how it might further reduce the information collection burden for small business concerns with fewer than 25 employees. We have assessed the effects of the required collection of information on these small entities.

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

Ordering Clauses

37. Accordingly, *it is ordered* that, pursuant to the authority contained in sections 1, 4(i), 4(j), 301, 302a, 303, 307, 308, 309, 316, 319, and 324 of the

Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 301, 302a, 303, 307, 308, 309, 316, 319, and 324 the foregoing First Report and Order *is adopted*, and the Commission's rules are hereby *amended* as set forth herein.

38. *It is further ordered* that the First Report and Order and the amendments to the Commission's rules *shall be effective* 30 days after publication of a summary in the **Federal Register**, except that the amendments to §§ 73.404 and 73.406, which may contain new or modified information collection requirements, will not become effective until OMB completes review of any information collection requirements that the Media Bureau determines is required under the Paperwork Reduction Act. The Commission directs the Media Bureau to announce the effective date of the rule changes to §§ 73.404 and 73.406 by subsequent Public Notice.

39. *It is further ordered* that the Office of the Managing Director, Performance and Program Management, *shall send* a copy of the First Report and Order in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A).

40. *It is further ordered* that the Commission's Office of the Secretary *shall send* a copy of this First Report and Order, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 73

Communications equipment, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

Marlene Dortch,

Secretary.

Final Rules

For the reasons discussed in this preamble, the Federal Communications Commission amends 47 CFR part 73 to read 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 § 73.310, revise paragraphs (a) and (b) to read as follows:

§ 73.310 FM technical definitions.

(a) *Frequency modulation.* The following definitions pertain to frequency modulation, as defined in § 73.310(a)(17).

(1) *Antenna height above average terrain (HAAT).* HAAT is calculated by: determining the average of the antenna heights above the terrain from 3 to 16 kilometers (2 to 10 miles) from the antenna for the eight directions evenly spaced for each 45° of azimuth starting with True North (a different antenna height will be determined in each direction from the antenna): and computing the average of these separate heights. In some cases less than eight directions may be used. (*See* § 73.313(d).) Where circular or elliptical polarization is used, the antenna height above average terrain must be based upon the height of the radiation of the antenna that transmits the horizontal component of radiation.

(2) *Antenna power gain.* The square of the ratio of the root-mean-square (RMS) free space field strength produced at 1 kilometer in the horizontal plane in millivolts per meter for 1 kW antenna input power to 221.4 mV/m. This ratio is expressed in decibels (dB). If specified for a particular direction, antenna power gain is based on that field strength in the direction only.

(3) *Auxiliary facility.* An auxiliary facility is an antenna separate from the main facility's antenna, permanently installed on the same tower or at a different location, from which a station may broadcast for short periods without prior Commission authorization or notice to the Commission while the main facility is not in operation (*e.g.,* where tower work necessitates turning off the main antenna or where lightning has caused damage to the main antenna or transmission system) (*See* § 73.1675).

(4) *Center frequency.* The term ''center frequency'' means:

(i) The average frequency of the emitted wave when modulated by a sinusoidal signal.

(ii) The frequency of the emitted wave without modulation.

(5) *Composite antenna pattern.* The composite antenna pattern is a relative field horizontal plane pattern for 360 degrees of azimuth, for which the value at a particular azimuth is the greater of the horizontally polarized or vertically polarized component relative field values. The composite antenna pattern is normalized to a maximum of unity (1.000) relative field.

(6) *Composite baseband signal.* A signal which is composed of all program and other communications signals that frequency modulates the FM carrier.

(7) *Effective radiated power.* The term ''effective radiated power'' means the product of the antenna power (transmitter output power less transmission line loss) times:

(i) The antenna power gain, or

(ii) the antenna field gain squared. Where circular or elliptical polarization is employed, the term effective radiated power is applied separately to the horizontal and vertical components of radiation. For allocation purposes, the effective radiated power authorized is the horizontally polarized component of radiation only.

(8) *Equivalent isotropically radiated power (EIRP).* The term ''equivalent isotropically radiated power (also known as ''effective radiated power above isotropic) means the product of the antenna input power and the antenna gain in a given direction relative to an isotropic antenna.

(9) *FM Blanketing.* Blanketing is that form of interference to the reception of other broadcast stations which is caused by the presence of an FM broadcast signal of 115 dBμ (562 mV/m) or greater signal strength in the area adjacent to the antenna of the transmitting station. The 115 dBμ contour is referred to as the blanketing contour and the area within this contour is referred to as the blanketing area.

(10) *FM broadcast band.* The band of frequencies extending from 88 to 108 MHz, which includes those assigned to noncommercial educational broadcasting.

(11) *FM broadcast channel.* A band of frequencies 200 kHz wide and designated by its center frequency. Channels for FM broadcast stations begin at 88.1 MHz and continue in successive steps of 200 kHz to and including 107.9 MHz.

(12) *FM broadcast station.* A station employing frequency modulation in the FM broadcast band and licensed primarily for the transmission of radiotelephone emissions intended to be received by the general public.

(13) *Field strength.* The electric field strength in the horizontal plane.

(14) *Free space field strength.* The field strength that would exist at a point in the absence of waves reflected from the earth or other reflecting objects.

(15) *Frequency departure.* The amount of variation of a carrier frequency or center frequency from its assigned value.

(16) *Frequency deviation.* The peak difference between modulated wave and the carrier frequency.

(17) *Frequency modulation.* A system of modulation where the instantaneous radio frequency varies in proportion to the instantaneous amplitude of the modulating signal (amplitude of modulating signal to be measured after pre-emphasis, if used) and the

instantaneous radio frequency is independent of the frequency of the modulating signal.

(18) *Frequency swing.* The peak difference between the maximum and the minimum values of the instantaneous frequency of the carrier wave during modulation.

(19) *Multiplex transmission.* The term ''multiplex transmission'' means the simultaneous transmission of two or more signals within a single channel. Multiplex transmission as applied to FM broadcast stations means the transmission of facsimile or other signals in addition to the regular broadcast signals.

(20) *Percentage modulation.* The ratio of the actual frequency deviation to the frequency deviation defined as 100% modulation, expressed in percentage. For FM broadcast stations, a frequency deviation of ±75kHz is defined as 100% modulation.

(b) *Stereophonic sound broadcasting.* The following definitions pertain to stereophonic sound broadcasting, as defined in § 73.310(b)(8).

(1) *Cross-talk.* An undesired signal occurring in one channel caused by an electrical signal in another channel.

(2) *FM stereophonic broadcast.* The transmission of a stereophonic program by a single FM broadcast station utilizing the main channel and a stereophonic subchannel.

(3) *Left (or right) signal.* The electrical output of a microphone or combination of microphones placed so as to convey the intensity, time, and location of sounds originating predominately to the listener's left (or right) of the center of the performing area.

(4) *Left (or right) stereophonic channel.* The left (or right) signal as electrically reproduced in reception of FM stereophonic broadcasts.

(5) *Main channel.* The band of frequencies from 50 to 15,000 Hz which frequency-modulate the main carrier.

(6) *Pilot subcarrier.* A subcarrier that serves as a control signal for use in the reception of FM stereophonic sound broadcasts.

(7) *Stereophonic separation.* The ratio of the electrical signal caused in sound channel A to the signal caused in sound channel B by the transmission of only a channel B signal. Channels A and B may be any two channels of a stereophonic sound broadcast transmission system.

(8) *Stereophonic sound.* The audio information carried by plurality of channels arranged to afford the listener a sense of the spatial distribution of sound sources. Stereophonic sound broadcasting includes, but is not limited to, biphonic (two channel), triphonic (three channel) and quadrophonic (four channel) program services.

(9) *Stereophonic sound subcarrier.* A subcarrier within the FM broadcast baseband used for transmitting signals for stereophonic sound reception of the main broadcast program service.

(10) *Stereophonic sound subchannel.* The band of frequencies from 23 kHz to 99 kHz containing sound subcarriers and their associated sidebands.

■ 3. In § 73.402, add paragraph (i) to read as follows:

§ 73.402 Definitions.

* * * * *

(i) *Asymmetric sideband operation.* For digital FM stations, the use of different power levels on the upper and lower digital sidebands in a hybrid or extended hybrid DAB system.

■ 4. Delayed indefinitely, in § 73.404, add paragraphs (e) and (f) to read as follows:

§ 73.404 IBOC DAB operation.

* * * * *

(e) Except stations operating on Channels 296–300 (107.1–107.9 MHz), FM stations may transmit hybrid IBOC signals with asymmetric power on the digital sidebands, as defined in § 73.402(i). Stations operating on Channels 296–300 (107.1–107.9 MHz) may seek an experimental authorization to transmit hybrid IBOC signals with asymmetric power on the digital sidebands.

(f) All FM stations transmitting hybrid IBOC signals may operate with total digital effective radiated power of up to −14 dBc. No station may operate its digital carriers with a total effective radiated power in excess of −10 dBc. A station planning to operate with a total digital effective radiated power in excess of −14 dBc must certify compliance with table 1 to this paragraph (f) by calculating the F(50,10) signal strength of its analog signal at the first adjacent station's F(50,50) 60 dBμ contour. Compliance with this table must be established for the upper and lower IBOC digital sidebands separately. All calculations must be made using the standard FCC contour prediction methodology.

TABLE 1 TO PARAGRAPH (f)—MAXIMUM PERMISSIBLE FM DIGITAL ERP PER SIDEBAND

IBOC station's F(50,10) field strength at the upper or lower first-adjacent station's analog 60 dBμ F(50,50) contour	Maximum permissible FM digital ERP for the respective (upper or lower) sideband
51.2 dBμ and above	−17 dBc.
50.7 dBμ to 51.1 dBμ	−16 dBc.
50.3 dBμ to 50.6 dBμ	−15 dBc.
49.6 dBμ to 50.2 dBμ	−14 dBc.
49.5 dBμ or less	−13 dBc.

■ 5. Delayed indefinitely, in § 73.406, add paragraphs (d)(5) and (6) to read as follows:

§ 73.406 Notification.

* * * * *

(d) * * *

(5) Any digital FM station taking any of the following actions must notify the Commission of such action on Form 2100, Schedule 335–FM:

(i) Upon initiation of hybrid digital operation;

(ii) Upon initiation of asymmetric sideband operation at any power level. For FM stations employing asymmetric sideband operation as defined in § 73.402(i), the notification must include a certification that the proposed digital sideband power on each sideband conforms to the Maximum Permissible FM Digital ERP set forth in table 1 to § 73.404(f), and that the total digital sideband power will not exceed the total power if the digital sideband operation were symmetric. The notifying station may commence asymmetric sideband operation upon filing Form 2100, Schedule 335–FM, and may continue such operation unless notified by the Commission that such operation is not rule-compliant;

(iii) Discontinuing asymmetric sideband operation and reverting to symmetric sideband operation. The digital FM station must file Form 2100, Schedule 335–FM within 30 days of discontinuing asymmetric sideband operation; or

(iv) Decreasing total digital Effective Radiated Power from a level above −14

dBc to a level at or below −14 dBc. The digital FM station must file Form 2100, Schedule 335–FM within 30 days of decreasing power.

(6) Any digital FM station seeking authority to increase total digital Effective Radiated Power above −14 dBc must submit Form 2100, Schedule 335–FM. The submission must include a certification that the proposed FM digital Effective Radiated Power is permitted, using the table set forth in table 1 to § 73.404(f). Certifications must be based on the most restrictive analog field strength of the proponent at any nearby first-adjacent channel station's 60 dBμ contour. The station choosing to operate with total digital ERP above −14 dBc may initiate such operation upon approval from the Commission.

[FR Doc. 2024–24105 Filed 10–18–24; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket Nos. 090206140–91081–03 and 120405260–4258–02; RTID 0648–XE399]

Revised Reporting Requirements Due to Catastrophic Conditions for Federal Seafood Dealers, Individual Fishing Quota Dealers, and Charter Vessels and Headboats in Portions of Florida

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

ACTION: Temporary rule; determination of catastrophic conditions.

SUMMARY: In accordance with the regulations implementing the individual fishing quota (IFQ) program, Federal dealer reporting, and Federal charter vessel and headboat (for-hire vessel) reporting specific to the reef fish fishery in the Gulf of Mexico (Gulf), coastal migratory pelagic (CMP) fisheries in the Gulf and Atlantic, snapper-grouper fishery in the South Atlantic, and dolphin and wahoo fishery in the Atlantic, the Regional Administrator (RA), NMFS Southeast Region, has determined that Hurricane Milton has caused catastrophic conditions in the Gulf and the Atlantic for certain Florida counties. This temporary rule authorizes, in the affected area described in this temporary rule, any Federal dealer or for-hire electronic reporting program participant who does not have access to electronic reporting to delay reporting, and any IFQ dealer to use paper-based forms, if necessary, for basic required administrative functions, *e.g.,* landing transactions. This temporary rule is intended to facilitate continuation of IFQ and electronic reporting operations during the period of catastrophic conditions.

DATES: The RA is authorizing Federal dealers, for-hire electronic reporting program participants, and IFQ dealers in the affected area to use revised reporting methods from October 16, 2024, through November 15, 2024.

FOR FURTHER INFORMATION CONTACT: IFQ Customer Service, Britni Lavine, telephone: 866–425–7627, email: *nmfs.ser.catchshare@noaa.gov.* Federal dealer reporting, Fisheries Monitoring Branch, telephone: 305–361–4581. NMFS Southeast For-Hire Integrated Electronic Reporting Program: 1–833–707–1632.

SUPPLEMENTARY INFORMATION: The reef fish fishery of the Gulf is managed under the Fishery Management Plan (FMP) for the Reef Fish Resources of the Gulf of Mexico (Reef Fish FMP), prepared by the Gulf of Mexico Fishery Management Council (Gulf Council). The CMP fishery is managed under the FMP for CMP Resources in the Gulf of Mexico and Atlantic Region (CMP FMP), prepared by the Gulf Council and South Atlantic Fishery Management Council (South Atlantic Council). The snapper-grouper fishery in the South Atlantic is managed under the FMP for the Snapper-Grouper Fishery of the South Atlantic Region, prepared by the South Atlantic Council. The dolphin and wahoo fishery in the Atlantic is managed under the FMP for the Dolphin and Wahoo Fishery of the Atlantic, prepared by the South Atlantic Council. The Secretary implemented these FMPs through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The Generic Dealer Amendment established Federal dealer reporting requirements for federally permitted dealers in the Gulf and South Atlantic (79 FR 19490, April 9, 2014). The Headboat Reporting Framework Action established the Southeast Region Headboat Survey (SRHS) electronic reporting program (79 FR 6097, February 3, 2014). The final rule implementing the South Atlantic For-Hire Reporting Amendment included reporting requirements for South Atlantic snapper-grouper, Atlantic dolphin and wahoo, and CMP owners and operators of South Atlantic and applicable Atlantic for-hire vessels (85 FR 10331, February 24, 2020). Amendment 26 to the Reef Fish FMP established an IFQ program for the commercial red snapper component of the Gulf reef fish fishery (71 FR 67447, November 22, 2006). Amendment 29 to the Reef Fish FMP established an IFQ program for the commercial grouper and tilefish components of the Gulf reef fish fishery (74 FR 44732, August 31, 2009). Regulations implementing these Gulf and South Atlantic dealer reporting requirements, IFQ programs, and for-hire reporting requirements require that Federal dealers, IFQ dealers, and for-hire reporting program participants have access to a computer and internet. However, these regulations also specify that during catastrophic conditions, as determined by the RA, the RA may waive or modify the reporting time requirements for Federal dealers and authorize IFQ dealers to use paper-based forms to complete administrative functions for the duration of the catastrophic conditions. The RA must determine that catastrophic conditions exist, specify the duration of the catastrophic conditions, and specify which participants or geographic areas are deemed affected.

Hurricane Milton made landfall in the U.S. in Sarasota County, Florida, in the Gulf as a Category 3 hurricane on October 9, 2024. Strong winds and flooding from this hurricane impacted communities along coastal Florida in both the Gulf and South Atlantic. This resulted in power outages and damage to homes, businesses, and infrastructure. As a result, the RA has determined that catastrophic conditions exist in the Gulf for the Florida counties of Citrus, Hernando, Pasco, Pinellas, Hillsborough, Manatee, Sarasota, and Charlotte. For the South Atlantic, the RA has determined that catastrophic conditions also exist for the Florida counties of Brevard, Indian River, and Saint Lucie.

Through this temporary rule, the RA is authorizing Federal dealers, SRHS program participants, and South Atlantic Federal for-hire operators to delay electronic reporting to NMFS and IFQ dealers in the affected area to use paper-based forms, from October 16, 2024, through November 15, 2024. NMFS will provide additional notification to affected dealers via NOAA Weather Radio, Fishery Bulletins, and other appropriate means. NMFS will continue to monitor and re-evaluate the areas and duration of the catastrophic conditions, as necessary.

Dealers may delay electronic reporting of trip tickets to NMFS during catastrophic conditions. Dealers are to report all landings to NMFS as soon as possible. Assistance for Federal dealers

in affected area is available from the NMFS Fisheries Monitoring Branch at 1–305–361–4581.

SRHS program participants may delay electronic reporting of logbooks to NMFS during catastrophic conditions. SRHS participants are to report all logbooks to NMFS as soon as possible.

South Atlantic Federal for-hire operators may delay electronic reporting of logbooks and ''Did Not Fish'' reports to NMFS during catastrophic conditions. South Atlantic Federal for-hire operators are to report all landings or Did Not Fish reports to NMFS as soon as possible. Assistance for Federal for-hire operators in the affected area is available from the NMFS Southeast For-Hire Integrated Electronic Reporting Program at 1–833–707–1632, Monday through Friday, between 8 a.m. and 4:30 p.m., Eastern Time. The electronic systems for submitting information to NMFS will continue to be available to all Federal for-hire operators, and for-hire operators are encouraged to continue using these systems, if accessible.

NMFS previously provided Federal IFQ dealers with the necessary paper forms and instructions for submission in the event of catastrophic conditions. Paper forms are also available from the RA upon request. The electronic systems for submitting information to NMFS will continue to be available to all dealers, and dealers in the affected area are encouraged to continue using these systems, if accessible. The administrative program functions available to IFQ participants in the area affected by catastrophic conditions will be limited under the paper-based system. There will be no mechanism for transfers of IFQ shares or allocation under the paper-based system in effect during catastrophic conditions. Assistance in complying with the requirements of the paper-based system will be available via the NMFS Catch Share Support line, 1–866–425–7627 Monday through Friday, between 8 a.m. and 4:30 p.m., Eastern Time.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is consistent with the regulations in 50 CFR 622.5(c)(1)(iii), 622.21(a)(3)(iii), 622.22(a)(3)(iii), 622.26(b)(3) (2020), 622.176(b)(3), 622.271(b)(3), and 622.374(b)(3) (2020), which were 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 final rules implementing the Gulf IFQ programs, the Gulf and South Atlantic Federal dealer reporting requirements, and Gulf and South Atlantic for-hire vessel reporting requirements, and the SRHS reporting requirements have already been subject to notice and public comment. These rules authorize the RA to determine when catastrophic conditions exist, and which participants or geographic areas are deemed affected by catastrophic conditions. The final rules also authorize the RA to provide timely notice to affected participants via publication of notification in the **Federal Register**, NOAA Weather Radio, Fishery Bulletins, and other appropriate means. All that remains is to notify the public that catastrophic conditions exist, that Federal dealers and may use paper forms, and that Federal dealers, South Atlantic for-hire permit holders, and SRHS participants may submit delayed reports. Such procedures are also contrary to the public interest because of the need to immediately implement this action because affected dealers continue to receive these species in the affected area and fishermen continue to operate, and need a means of completing their landing transactions and logbook reports. With the power outages and damages to infrastructure that have occurred in the affected area due to Hurricane Milton, numerous businesses are unable to complete landings transactions, fishing reports, and dealer reports electronically. In order to continue with their businesses, IFQ dealers need to be aware they can report using the paper forms, and Federal dealers, South Atlantic for-hire permit holders, and SRHS participants need to be aware that they can delay reporting.

For the aforementioned reasons, there is 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: October 16, 2024.

Karen H. Abrams,

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

[FR Doc. 2024–24276 Filed 10–16–24; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 231215–0305; RTID 0648–XE378]

Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer From Maine to Massachusetts

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

ACTION: Temporary rule; quota transfer.

SUMMARY: NMFS announces that the State of Maine is transferring a portion of its 2024 commercial summer flounder quota to the Commonwealth of Massachusetts. This adjustment to the 2024 fishing year quota is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) quota transfer provisions. This announcement informs the public of the revised 2024 commercial quotas for Maine and Massachusetts.

DATES: Effective October 18, 2024, through December 31, 2024.

FOR FURTHER INFORMATION CONTACT: Matthew Rigdon, Fishery Management Specialist, (978) 281–9336.

SUPPLEMENTARY INFORMATION: Regulations governing the summer flounder fishery are found in 50 CFR 648.100 through 648.111. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102, and the final 2024 allocations were published on December 21, 2023 (88 FR 88266).

The final rule implementing Amendment 5 to the FMP, as published in the **Federal Register** on December 17, 1993 (58 FR 65936), provided a mechanism for transferring summer flounder commercial quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider three criteria in the evaluation of requests for quota transfers or combinations: (1) the transfers or combinations would not preclude the

overall annual quota from being fully harvested; (2) the transfers address an unforeseen variation or contingency in the fishery; and (3) the transfers are consistent with the objectives of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Regional Administrator has determined these three criteria have been met for the transfer approved in this notification.

Maine is transferring 4,000 pounds (lb; 1,814 kilograms (kg)) of summer flounder to Massachusetts through a mutual agreement between the states. This transfer was requested to help address an overage of the Massachusetts 2024 summer flounder quota. The revised summer flounder quotas for 2024 are: Maine, 180 lb (82 kg); and Massachusetts, 619,561 lb (281,028 kg).

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 648.102(c)(2)(i) through (iv), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act and is exempted from review under Executive Order 12866.

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

Dated: October 16, 2024.

Karen H. Abrams,

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

[FR Doc. 2024–24320 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 89, No. 203
Monday, October 21, 2024

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

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 303

RIN 3064–AG04

Regulations Implementing the Change in Bank Control Act; Extension of Comment Period

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: On August 19, 2024, the FDIC published in the **Federal Register** a proposed rule that would amend its filing requirements and processing procedures for notices filed under the Change in Bank Control Act (CBCA). The proposed rule provided for a 60-day comment period, which closes on October 18, 2024. The FDIC has determined that an extension of the comment period until November 18, 2024, is appropriate. This action will allow interested parties additional time to analyze the proposal and prepare comments.

DATES: The comment period for the proposed rule published at 89 FR 67002 (August 19, 2024) is extended. Comments must be received on or before November 18, 2024.

ADDRESSES: You may submit comments on this document using any of the following methods:

- *Agency Website: https://www.fdic.gov/resources/regulations/federal-register-publications/.* Follow the instructions for submitting comments on the agency website.
- *Email: comments@fdic.gov.* Include RIN 3064–AG04 in the subject line of the message.
- *Mail:* James P. Sheesley, Assistant Executive Secretary, Attention: Comments—RIN 3064–AG04, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand delivered to the guard station at the rear of the 550 17th Street NW building (located on F Street) on business days between 7 a.m. and 5 p.m.
- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to *https://www.fdic.gov/resources/regulations/federal-register-publications/.* Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of the notice will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT: Annmarie Boyd, Senior Counsel, 202–898–3714, *aboyd@fdic.gov;* Gregory S. Feder, Counsel, 202–898–8724, *gfeder@fdic.gov;* Nicholas A. Simons, Senior Attorney, 202–898–6785, *nsimons@fdic.gov,* Legal Division; Derek Sturtevant, Senior Review Examiner, 202–898–3693, *dsturtevant@fdic.gov,* Division of Risk Management Supervision, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: On August 19, 2024, the FDIC published in the **Federal Register** at 89 FR 67002 a proposed rule amending its filing requirements and processing procedures for notices filed under the CBCA. The proposed rule would remove the exemption from the notice requirement for acquisitions of voting securities of a depository institution holding company with an FDIC-supervised subsidiary institution for which the Board of Governors of the Federal Reserve System reviews a notice under the CBCA and make conforming definitional changes. The proposed rule stated that the comment period would close on October 18, 2024. However, to provide additional opportunity for the public to prepare comments to address the matters raised by the proposed rule, the FDIC is extending the comment period for the CBCA-related proposed rule from October 18, 2024, to November 18, 2024.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on October 16, 2024.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–24316 Filed 10–17–24; 11:15 am]

BILLING CODE 6714–01–P

Notices

Federal Register
Vol. 89, No. 203
Monday, October 21, 2024

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

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2024–0053]

Notice of Request for Approval of an Information Collection; A Survey of Livestock Producer Perceptions of Predators and Predator Damage Management Methods

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: New information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request approval of a new information collection associated with a study to understand livestock producers' perceptions of predator damage management methods and their willingness to continue using such methods.

DATES: We will consider all comments that we receive on or before December 20, 2024.

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

- *Federal eRulemaking Portal:* Go to *www.regulations.gov.* Enter APHIS–2024–0053 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2024–0053, Regulatory Analysis and Development, PPD, APHIS, Station 2C–10.16, 4700 River Road, Unit 25, Riverdale, MD 20737–1238.

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

FOR FURTHER INFORMATION CONTACT: For information on this predator damage management study, contact Dr. Megan Cross, Social Scientist, National Wildlife Research Center, WS, APHIS, 4101 La Porte Ave., Fort Collins, CO 80521; (970) 266–6366; email: *Megan.Cross@usda.gov.* For more information on the information collection process, contact Mr. Joseph Moxey, APHIS' Paperwork Reduction Act Coordinator; (301) 851–2533; email: *joseph.moxey@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: A Survey of Livestock Producer Perceptions of Predators and Predator Damage Management Methods.

OMB Control Number: 0579–XXXX.

Type of Request: Approval of a new information collection.

Abstract: Under the Act of March 2, 1931 (7 U.S.C. 8351), the Secretary of Agriculture is authorized to conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. Additionally, the Secretary of Agriculture is authorized to conduct activities to control nuisance mammals and birds (except for urban rodent control) and those mammals and bird species that are reservoirs for zoonotic disease. This authority has been delegated to the Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS). Two responsibilities of the Deputy Administrator of Wildlife Services are to assist Federal, State, local, and foreign agencies and individuals regarding wildlife damage and control and conduct research to develop wildlife damage management methods (7 CFR 371.6).

Depredation of livestock by large predators, such as wolves, bears, and mountain lions, is a significant source of human-wildlife conflict and economic losses in the United States. Protecting livestock from predators is a complex and challenging endeavor, with each situation requiring an evaluation of relevant legal, social, economic, biological, and technical aspects. While no single management technique is appropriate in every situation, various stakeholder groups are increasingly calling for the use of nonlethal predator damage management techniques. Congress has appropriated funding to Wildlife Services since 2020 to support the use of nonlethal predator damage management methods. Wildlife Services is using the money to test several nonlethal predator damage management methods on livestock operations in 12 States (Arizona, California, Colorado, Idaho, Michigan, Minnesota, Montana, New Mexico, Oregon, Washington, Wisconsin, and Wyoming).

Through the APHIS WS National Wildlife Research Center, a Federal institution devoted to resolving human-wildlife conflict, APHIS would like to conduct a survey of livestock producers who: (1) Experienced livestock loss from predators; (2) worked with Wildlife Services to try and mitigate losses; and (3) allowed WS State Directors to share their contact information within APHIS. The information collected from these livestock producers is critical to improving WS Nonlethal Initiative programs, identifying any barriers to the continued use of nonlethal predator damage management methods, and determining whether livestock producers' attitudes towards predators and nonlethal predator damage management have changed. APHIS anticipates that, among other things, results of the study may inform whether nonlethal predator damage management methods are a viable and acceptable alternative to the use of methods that result in the death of large predators from the perspective of livestock producers.

The information collection activity associated with this study consists of a multi-item questionnaire administered to livestock producers who have received predator damage management services from WS Nonlethal Initiative programs and are located in one of the 12 States (Arizona, California, Colorado, Idaho, Michigan, Minnesota, Montana, New Mexico, Oregon, Washington, Wisconsin, or Wyoming).

We are asking the Office of Management and Budget (OMB) to approve our use of this information collection activity for 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our

information collection. These comments will help us:

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

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

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

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

Estimate of burden: The public burden for this collection of information is estimated to average 0.164 hours per response.

Respondents: Livestock producers who have received predator damage management services from WS Nonlethal Initiative programs and are located in one of the 12 States (Arizona, California, Colorado, Idaho, Michigan, Minnesota, Montana, New Mexico, Oregon, Washington, Wisconsin, or Wyoming).

Estimated annual number of respondents: 200.

Estimated annual number of responses per respondent: 8.

Estimated annual number of responses: 1,608.

Estimated total annual burden on respondents: 265 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

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

Done in Washington, DC, this 15th day of October 2024.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2024–24215 Filed 10–18–24; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2021–0076]

Importation of Acer spp. (Acer buergerianum, A. palmatum, and A. pseudosieboldianum) Dwarf Plants From the Republic of Korea Into the Continental United States

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are notifying the public that we are removing three *Acer* spp. (*Acer buergerianum, A. palmatum,* and *A. pseudosieboldianum*) dwarf plants from the Republic of Korea from our lists of taxa of plants for planting whose importation into the United States is not authorized pending pest risk analysis, thereby allowing the importation of such *Acer* spp. into the continental United States, subject to certain conditions. We are taking this action in response to a request from this country and after determining that the plants can be imported, under certain conditions, without resulting in the introduction into, or the dissemination within, the United States of a plant pest.

DATES: Imports may be authorized beginning October 21, 2024.

FOR FURTHER INFORMATION CONTACT: Dr. Narasimha Chary Samboju, Senior Regulatory Policy Specialist, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737–1236; (301) 851–2038.

SUPPLEMENTARY INFORMATION:

Background

Under the regulations in ''Subpart H—Plants for Planting'' (7 CFR 319.37–1 through 319.37–23, referred to below as the regulations), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture prohibits or restricts the importation of plants for planting (including living plants, plant parts, seeds, and plant cuttings) to prevent the introduction of quarantine pests into the United States. *Quarantine pest* is defined in § 319.37–2 of the regulations as a plant pest or noxious weed that is of potential economic importance to the United States and not yet present in the United States, or present but not widely distributed and being officially controlled. Section 319.37–4 of the regulations provides that certain taxa of plants for planting are not authorized for importation into the United States pending pest risk analysis (NAPPRA) to prevent the introduction of quarantine pests into the United States.

Paragraph (e) of § 319.37–4 describes the process for removing taxa from the NAPPRA lists.[1] After receiving a request to remove taxa from the NAPPRA lists, APHIS will conduct a pest risk analysis (PRA) in response to such a request and make the PRA available for public review and comment. Following the close of the comment period, we will review all comments received and announce our decision regarding the request in a subsequent notice.

On January 31, 2022, we published in the **Federal Register** (87 FR 4832–4833, Docket No. APHIS–2021–0076) a notice[2] in which we proposed to revise the NAPPRA lists to allow the importation of three *Acer* spp. (*Acer buergerianum, A. palmatum,* and *A. pseudosieboldianum*) dwarf plants from the Republic of Korea (South Korea) into the continental United States, subject to the conditions required for all approved dwarf plants imported under the APHIS Artificially Dwarfed Plants program[3] as well as additional conditions outlined in a risk management document (RMD) accompanying the notice.

We solicited comments on the notice for 60 days ending on April 1, 2022. We received three comments by that date, all from private citizens. The issues raised by the commenters are addressed below.

All three commenters expressed concern that importing non-native plants, or plants from regions with plant pests, may introduce foreign pests, or otherwise endanger plants native to the United States.

We understand the commenters' concerns but find no basis for changing our recommendations based on the comments. As the documentation associated with the initial notice for comment shows, APHIS thoroughly and sufficiently assessed potential risks from this importation and proposed conditions adequate to mitigate the possible risks. Our methodology for the pest risk assessment that accompanied the initial notice included careful examination of scientific literature, port-of-entry pest interception data, and information provided by the Government of the Republic of Korea.

[1] To view the NAPPRA lists, go to: *https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/plants-and-plant-products-permits/plants-for-planting/ct_nappra.*

[2] To view the notice, supporting documents, and the comments we received, go to *https://www.regulations.gov/document/APHIS-2021-0076-0001.*

[3] To view the requirements of the APHIS Artificially Dwarfed Plants program, go to: *https://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/plants_for_planting.pdf.*

From these sources, we developed a list of pests with quarantine significance for the continental United States that occur in the Republic of Korea (on any host) and are associated with the three *Acer* spp. (anywhere in the world). We are therefore confident the pest risk assessment is thorough and accurate.

Based on the pest risk assessment, we prepared the RMD to identify phytosanitary measures that could be applied to the three *Acer* spp. to mitigate the risk of introducing these pests into the United States. As the commenters did not raise any specific concerns with the information presented in the RMD, we continue to consider the mitigations in the RMD to be sufficient to ensure that pests are not introduced into the United States through this pathway.

One of the commenters also stated that, while the PRA considers risks associated with known pests, it does not consider pest species that may present a risk in the future.

APHIS continuously monitors foreign countries for quarantine pests. If a new quarantine pest relevant to the importation of these species of *Acer* from the Republic of Korea arises in the future, APHIS will reassess the associated pest risk and may revise the import restrictions accordingly.

Therefore, in accordance with § 319.37–4(e), and based on the reasons outlined in the initial notice, the PRA accompanying the initial notice, and this second notice, we are removing *A. buergerianum, A. palmatum,* and *A. pseudosieboldianum* dormant, bare-rooted dwarf plants from the Republic of Korea from the NAPPRA lists, thereby allowing the importation of such *Acer* spp. into the continental United States, subject to the pest mitigation measures required for all approved dwarf plants imported under the APHIS Artificially Dwarfed Plants program [4] as well as the additional commodity specific risk management measures described in the RMD accompanying the initial notice.[5]

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the recordkeeping and burden requirements associated with this action are included under the Office of Management and Budget control number 0579–0049.

E-Government Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this notice, please contact Mr. Joseph Moxey, APHIS' Paperwork Reduction Act Coordinator, at (301) 851–2533.

Authority: 7 U.S.C. 1633, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

Done in Washington, DC, this 15th day of October 2024.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2024–24200 Filed 10–18–24; 8:45 am]

BILLING CODE 3410–34–P

[4] See footnote 3.

[5] See footnote 2.

DEPARTMENT OF AGRICULTURE

Forest Service

Newspapers Used for Publication of Legal Notices by the Intermountain Region, Utah, Idaho, Nevada, and Wyoming

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of newspapers of record.

SUMMARY: This notice lists the newspapers that will be used by the ranger districts, national forests and regional office of the Intermountain Region to publish legal notices required under Title 36 of the Code of Federal Regulations (CFR). The intended effect of this action is to inform interested members of the public which newspapers the Forest Service will use to publish notices of proposed actions and notices of decision. This will provide the public with constructive notice of Forest Service proposals and decisions; provide information on the procedures to comment, object, or appeal; and establish the date that the Forest Service will use to determine if comments or appeals/objection were timely.

DATES: The list of newspapers will remain in effect for one year from the date of publication, when another notice will be published in the **Federal Register**.

ADDRESSES: Jennifer Purvine, Regional Objections Coordinator, Intermountain Region, 324 25th Street, Ogden, UT 84401.

FOR FURTHER INFORMATION CONTACT: Jennifer Purvine, Regional Litigation and Administrative Review Coordinator, Intermountain Region, by phone at 385–262–5117 or by email at *Jennifer.Purvine@usda.gov.*

SUPPLEMENTARY INFORMATION: The administrative procedures at 36 CFR parts 214, 218, and 219 require the Forest Service to publish notices in a newspaper of general circulation. The content of the notices is specified in 36 CFR parts 214, 218, and 219. In general, the notices will identify: the decision or project, by title or subject matter; the name and title of the official making the decision; how to obtain additional information; and where and how to file comments or appeals/objection. The date the notice is published will be used to establish the official date for the beginning of the comment or appeal/objection period.

The newspapers to be used are as follows:

Regional Forester, Intermountain Region

Regional Forester decisions affecting National Forests in Idaho: *Idaho Statesman*
Regional Forester decisions affecting National Forests in Nevada: *Reno Gazette-Journal*
Regional Forester decisions affecting National Forests in Wyoming: *Casper Star-Tribune*
Regional Forester decisions affecting National Forests in Utah: *Salt Lake Tribune*
Regional Forester decisions that affect all National Forests in the Intermountain Region: *Salt Lake Tribune*

Ashley National Forest

Ashley Forest Supervisor decisions: *Vernal Express*
District Ranger decisions for Duchesne, Roosevelt: *Uintah Basin Standard*
Flaming Gorge District Ranger for decisions affecting Wyoming: *Rocket Miner*
Flaming Gorge and Vernal District Ranger for decisions affecting Utah: *Vernal Express*

Boise National Forest

Boise Forest Supervisor decisions: *Idaho Statesman*
Cascade District Ranger decisions: *The Star-News*
Emmett District Ranger decisions: *Emmett Messenger Index*
District Ranger decisions for Idaho City and Mountain Home Districts: *Idaho Statesman*
Lowman District Ranger decisions: *The Idaho World*

Bridger-Teton National Forest

Bridger-Teton Forest Supervisor and District Ranger decisions: *Casper Star-Tribune*

Caribou-Targhee National Forest

Caribou-Targhee Forest Supervisor decisions for the Caribou portion: *Idaho State Journal*
Caribou-Targhee Forest Supervisor decisions for the Targhee portion: *Post Register*
District Ranger decisions for Ashton, Dubois, Island Park, Palisades and Teton Basin: *Post Register*
District Ranger decisions for Montpelier, Soda Springs and Westside: *Idaho State Journal*

Dixie National Forest

Dixie Forest Supervisor decisions: *The Spectrum*
District Ranger decisions for Cedar City and Pine Valley: *The Spectrum*
District Ranger decisions for Escalante and Powell: *The Insider*
Decisions affecting the former Teasdale Ranger District area of the Dixie National Forest, now managed by the Fishlake National Forest, Fremont River District Ranger: *The Richfield Reaper*

Fishlake National Forest

Fishlake Forest Supervisor and District Ranger decisions: *The Richfield Reaper*

Humboldt-Toiyabe National Forest

Humboldt-Toiyabe Forest Supervisor decisions that encompass all or portions of both the Humboldt and Toiyabe National Forests: *Reno Gazette-Journal*
Humboldt-Toiyabe Forest Supervisor decisions for the Humboldt portion: *Elko Daily Free Press*
Humboldt-Toiyabe Forest Supervisor decisions for the Toiyabe portion: *Reno Gazette-Journal*
Austin-Tonopah District Ranger decisions: *Reno Gazette-Journal*
Bridgeport District Ranger decisions: *Reno Gazette-Journal*
Carson District Ranger decisions: *Reno Gazette-Journal*
Ely District Ranger decisions: *The Ely Times*
Mountain City, Ruby Mountains and Jarbidge District Ranger decisions: *Elko Daily Free Press*
Santa Rosa District Ranger decisions: *Humboldt Sun*
Spring Mountains National Recreation Area District Ranger decisions: *Las Vegas Review Journal*

Manti-La Sal National Forest

Manti-La Sal Forest Supervisor decisions: *ETV News* (Emery Telcom)
Ferron District Ranger decisions: *ETV News* (Emery Telcom)
Moab District Ranger decisions: *The Times-Independent*
Monticello District Ranger decisions: *San Juan Record*
Price District Ranger decisions: *ETV News* (Emery Telcom)
Sanpete District Ranger decisions: *Sanpete Messenger*

Payette National Forest

Payette Forest Supervisor decisions: *Idaho Statesman*
Council District Ranger decisions: *The Record Reporter*
District Ranger decisions for Krassel, McCall, and New Meadows: *Star-News*
Weiser District Ranger decisions: *Weiser Signal American*

Salmon-Challis National Forest

Salmon-Challis Forest Supervisor decisions for the Salmon portion: *The Recorder-Herald*
Salmon-Challis Forest Supervisor decisions for the Challis portion: *The Challis Messenger*
District Ranger decisions for Lost River, Middle Fork and Challis-Yankee Fork: *The Challis Messenger*
District Ranger decisions for Leadore, North Fork and Salmon-Cobalt: *The Recorder-Herald*

Sawtooth National Forest

Sawtooth Forest Supervisor decisions: *Times-News*
District Ranger decisions for Fairfield and Minidoka: *Times-News*
Ketchum District Ranger decisions: *Idaho Mountain Express*
Sawtooth National Recreation Area: *The Challis Messenger*

Uinta-Wasatch-Cache National Forest

Forest Supervisor decisions for the Uinta portion, including the Vernon Unit: *Provo Daily Herald*
Forest Supervisor decisions for the Wasatch-Cache portion: *Salt Lake Tribune*
Forest Supervisor decisions for the entire Uinta-Wasatch-Cache: *Salt Lake Tribune*
District Ranger decisions for the Heber-Kamas, Pleasant Grove and Spanish Fork Ranger Districts: *Provo Daily Herald*
District Ranger decisions for Evanston-Mountain View: *Uinta County Herald*
District Ranger decisions for Salt Lake: *Salt Lake Tribune*
District Ranger decisions for Logan: *Logan Herald Journal*
District Ranger decisions for Ogden: *Standard Examiner*

Keith Lannom,

Associate Deputy Chief, National Forest System.

[FR Doc. 2024–24193 Filed 10–18–24; 8:45 am]

BILLING CODE 3411–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Iowa Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of public meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Iowa Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold series of public business meetings via Zoom on Thursday November 14, 2024 from 3:00 p.m.–4:00 p.m.; Thursday December 12, 2024 from 3:00 p.m.–4:00 p.m.; Thursday January 9, 2025 from 3:00 p.m.–4:00 p.m. and Thursday February 13, 2025 from 3:00 p.m.–4:00 p.m. Central Time. The purpose of the meetings is for Committee members to have discussion and potential votes regarding the Iowa draft report.

DATES:

- Thursday, November 17, 2024 from 3:00 p.m.–4:00 p.m. Central Time
- Thursday, December 12, 2024 from 3:00 p.m.–4:00 p.m. Central Time
- Thursday, January 9, 2025 from 3:00 p.m.–4:00 p.m. Central Time
- Thursday, February 13, 2025 from 3:00 p.m.–4:00 p.m. Central Time

ADDRESSES: The meeting will be held via Zoom.

November 14th, December 12th, 2024 and January 9th, and February 13th 2025 Business Meetings

—*Registration Link: https://www.zoomgov.com/webinar/register/WN_kDEmPTAGSf6SRFIkdrEuzA*
—Join by Phone (Audio Only) 1–833–435–1820 USA Toll Free: Meeting ID: 161 597 4723

FOR FURTHER INFORMATION CONTACT: Mallory Trachtenberg, Designated Federal Officer, at *mtrachtenberg@usccr.gov* or 1–202–809–9618.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines,

according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available. To request additional accommodations, please email Corrine Sanders, Support Specialist, at *csanders@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Mallory Trachtenberg, *mtrachtenberg@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 809–9618.

Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Iowa Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *mtrachtenberg@usccr.gov.*

Agenda

I. Welcome and Roll Call
II. Discussion and Potential Votes: Iowa Draft Report
III. Public Comment
IV. Adjournment

Dated: October 16, 2024.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2024–24268 Filed 10–18–24; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Nebraska Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Nebraska Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a business meeting via web conference. The purpose of the meetings will be to discuss their draft report on the effects of the Covid-19 pandemic on education in the state.

DATES:

- Thursday, November 14, 2024 from 11:30 a.m.–1:00 p.m. Central Time
- Thursday, December 12, 2024 from 11:30 a.m.–1:00 p.m. Central Time

ADDRESSES: The meetings will be held via Zoom.

November 14th Meeting:

- *Registration Link* (*Audio/Visual*): *https://www.zoomgov.com/webinar/register/WN_XtCobYziRsiMcOfumQGs1g*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Meeting ID: 161 746 3524

December 12th Meeting:

- *Registration Link* (*Audio/Visual*): *https://www.zoomgov.com/webinar/register/WN_fJFE2bkIQRy1PKE-2ifIBQ*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Meeting ID: 160 917 2654

FOR FURTHER INFORMATION CONTACT: Victoria Moreno, DFO, at *vmoreno@usccr.gov* or by phone at 434–515–0204.

SUPPLEMENTARY INFORMATION: Members of the public may listen to the discussions through the above call-in numbers (audio only) or online registration links (audio/visual). An open comment period at each meeting will be provided to allow members of the public to make a statement as time allows. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Individuals who are deaf, deafblind, and/or hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and meeting ID number.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meetings. Written comments may be emailed to Victoria at *vmoreno@usccr.gov.*

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meetings. Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Nebraska Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

I. Welcome and Roll Call
II. Chair's Comments
III. Committee Business
IV. Public Comment
V. Adjournment

Dated: October 16, 2024.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2024–24263 Filed 10–18–24; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Briefing of the Utah Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public briefing.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Utah Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public briefing via Zoom at 3:00 p.m. MT on Tuesday, October 29, 2024. The purpose of the briefing is to hear testimony on the topic, *The Civil Rights Implications of Disparate Outcomes in Utah's K–12 Education System.*

DATES: Tuesday, October 29, 2024, from 3 p.m.–5 p.m. Mountain Time.

ADDRESSES: The briefing will be held via Zoom Webinar.

Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_Sn6uI3BBQ8KhG4Tn89zZCw.

Join by Phone (Audio Only): (833) 435–1820 USA Toll-Free; Meeting ID: 160 176 0244.

FOR FURTHER INFORMATION CONTACT: David Barreras, Designated Federal Officer, at *dbarreras@usccr.gov* or (202) 656–8937.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls

they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Closed captioning will be available by selecting ''CC'' in the meeting platform. To request additional accommodations, please email *lschiller@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received within 30 days following the meeting. Written comments may be emailed to David Barreras at *dbarreras@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 656–8937.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit, as they become available, both before and after the meeting. Records of the meeting will be available via the file sharing website, *www.box.com.* Persons interested in the work of this Committee are directed to the Commission's website, *www.usccr.gov,* or may contact the Regional Programs Coordination Unit at the above phone number.

Agenda

I. Welcome & Roll Call
II. Panelist Presentations & Committee Q&A
III. Public Comment
IV. Closing Remarks
V. Adjournment

Exceptional Circumstance: Pursuant to 41 CFR 102–3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting due to the availability of staff and the Committee.

Dated: October 16, 2024.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2024–24300 Filed 10–18–24; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Office of the Under Secretary for Economic Affairs

Performance Review Board Membership

AGENCY: Office of the Under Secretary for Economic Affairs, Department of Commerce.

ACTION: Notice.

SUMMARY: The Office of the Under Secretary for Economic Affairs (OUSEA) announces the appointment of members who will serve on the OUSEA Performance Review Board (PRB). The PRB is responsible for reviewing the appraisals and ratings recommended by the senior employees' supervisors and written responses from the senior employee, if any, as well as any other reviews requested, to ensure that recommended ratings are supported and appropriate in the OUSEA, Bureau of Economic Analysis (BEA), and the US Census Bureau. The PRB provides recommendations to the Appointing Authority regarding the objectives and operation of the SES, SL, and ST performance appraisal and reward systems, as required. The purpose of the PRB is to provide fair and impartial review of senior executive service and senior professional performance ratings, bonus and pay adjustment recommendations and Presidential Rank Award nominations. The term of each PRB member will expire on December 31, 2026.

DATES: The date of service of appointees to the OUSEA Performance Review Board is based upon publication of this notice.

FOR FURTHER INFORMATION CONTACT: Latasha Ellis, SES Program Manager, Executive Resources Office, Human Resources Division, Census Bureau, 4600 Silver Hill Road, Washington, DC 20233, 301–763–9662, email.

SUPPLEMENTARY INFORMATION: These appointments are announced in accordance with 5 U.S.C., 4314(c)(4).

The names and position titles of the members of the PRB are set forth below:

- Patricia Abaroa, Deputy Director, BEA
- Vipin Arora, Director, BEA and PRB Chair
- Luis J. Cano, Chief Information Officer, Census Bureau
- Paul Farello, Associate Director for International Economics, BEA
- Douglas Follansbee, Chief Financial Officer, BEA
- Laura K. Furgione, Chief Administrative Officer, Census Bureau
- Fernandez Boards, Chief Financial Officer, Census Bureau
- Benjamin Bolitzer, Deputy Chief Economist, OUSEA
- Ron S. Jarmin, Deputy Director, Census Bureau
- Christa D. Jones, Chief of Staff, Census Bureau
- Ditas Katague, Associate Director for Communications, Census Bureau
- Rodrick Owens, Chief of Congressional Affairs, Census Bureau
- Edith J. McCloud, Senior Advisor to the Director, Office of Civil Rights
- John Ingley, Director of Program Integration Office, NOAA
- Timothy Olson, Associate Director for Field Operations, Census Bureau
- Nick Orsini, Associate Director for Economic Programs, Census Bureau
- Mauricio Ortiz, Associate Director for Regional Economics, BEA
- Deborah Stempowski, Associate Director for Decennial Census, Census Bureau
- Victoria Velkoff, Associate Director for Demographic Programs, Census Bureau
- David Wasshausen, Associate Director for National Economic Accounts, BEA
- Oliver Wise, Chief Data Officer, OUSEA
- David R. Ziaya, Chief, Office of Program, Performance and Stakeholder Performance, and Stakeholder Integration, Census Bureau

Dated: September 26, 2024.

Vipin Arora,

Director, Bureau of Economic Analysis.

[FR Doc. 2024–24183 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–MN–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–979, C–570–980]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Notice of Initiation of Changed Circumstances Reviews, and Consideration of Revocation of the Antidumping and Countervailing Duty Orders, in Part

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

SUMMARY: Based on a request from Lutron Electronics Co., Inc. (Lutron), the U.S. Department of Commerce (Commerce) is initiating changed circumstances reviews (CCRs) to consider the possible revocation, in part, of the antidumping duty (AD) and countervailing duty (CVD) orders on crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from the People's Republic of China (China) with respect to certain small, low-wattage, off-grid crystalline silicon photovoltaic (CSPV) cells as described below.

DATES: Applicable October 21, 2024.

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

NW, Washington, DC 20230; telephone: (202) 482–3148.

SUPPLEMENTARY INFORMATION:

Background

On December 7, 2012, Commerce published the AD and CVD orders on solar cells from China.[1] On August 28, 2024, Lutron, a domestic producer, importer and exporter of subject merchandise, requested, through CCRs, revocation of the *Orders,* in part, with respect to certain small, low-wattage, off-grid CSPV cells, pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b).[2] Within its CCRs request, Lutron included a letter from the American Alliance for Solar Manufacturing (the Alliance), a domestic interested party in this proceeding, in which the Alliance stated that it did not oppose the partial revocation of the *Orders* proposed by Lutron.[3] No interested parties filed comments opposing the CCRs request.

Scope of the Orders

The merchandise covered by these *Orders* is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.

These *Orders* cover crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Merchandise under consideration may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, modules, laminates, panels, building-integrated modules, building-integrated panels, or other finished goods kits. Such parts that otherwise meet the definition of merchandise under consideration are included in the scope of the *Orders.*

Excluded from the scope of the *Orders* are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of the *Orders* are crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cell. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Additionally, excluded from the scope of the *Orders* are panels with surface area from 3,450 mm^2 to 33,782 mm^2 with one black wire and one red wire (each of type 22 AWG or 24 AWG not more than 206 mm in length when measured from panel extrusion), and not exceeding 2.9 volts, 1.1 amps, and 3.19 watts. For the purposes of this exclusion, no panel shall contain an internal battery or external computer peripheral ports.

Also excluded from the scope of the *Orders* are:

1. Off grid CSPV panels in rigid form with a glass cover, with the following characteristics:

(A) a total power output of 100 watts or less per panel;

(B) a maximum surface area of 8,000 cm^2 per panel;

(C) do not include a built-in inverter;

(D) must include a permanently connected wire that terminates in either an 8 mm male barrel connector, or a two-port rectangular connector with two pins in square housings of different colors;

(E) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and

(F) must be in individual retail packaging (for purposes of this provision, retail packaging typically includes graphics, the product name, its description and/or features, and foam for transport); and

2. Off grid CSPV panels without a glass cover, with the following characteristics:

(A) a total power output of 100 watts or less per panel;

(B) a maximum surface area of 8,000 cm^2 per panel;

(C) do not include a built-in inverter;

(D) must include visible parallel grid collector metallic wire lines every 1–4 millimeters across each solar cell; and

(E) each panel is

1. permanently integrated into a consumer good;

2. encased in a laminated material without stitching, or

3. has all of the following characteristics: (i) the panel is encased in sewn fabric with visible stitching, (ii) includes a mesh zippered storage pocket, and (iii) includes a permanently attached wire that terminates in a female USB–A connector.

In addition, the following CSPV panels are excluded from the scope of the *Orders:*

1. Off-grid CSPV panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water:

(A) A total power output of no more than 80 watts per panel;

(B) A surface area of less than 5,000 cm^2 per panel;

(C) Do not include a built-in inverter;

(D) Do not have a frame around the edges of the panel;

(E) Include a clear glass back panel; and

(F) Must include a permanently connected wire that terminates in a two-port rectangular connector.

Modules, laminates, and panels produced in a third country from cells produced in China are covered by the *Orders;* however, modules, laminates, and panels produced in China from cells produced in a third country are not covered by the *Orders.*

Additionally excluded from the scope of these *Orders* are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8mm diameter male barrel connector.

Also excluded from the scope of the *Orders* are off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty* Order, 77 FR 73018 (December 7, 2012); *see also Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Countervailing Duty Order,* 77 FR 73017 (December 7, 2012) (collectively, *Orders*).

[2] *See* Lutron's Letter, ''Lutron Electronics Co., Inc.'s Request for Changed Circumstances Reviews and Request to Combine Initiation and Preliminary Results,'' dated August 28, 2024 (CCR Request).

[3] *Id.* at Exhibit 2 and 3.

assembled into a fully completed off-grid hydropanel whose function is conversion of water vapor into liquid water:

(A) A total power output of no more than 180 watts per panel at 155 degrees Celsius;

(B) A surface area of less than 16,000 square centimeters (cm^2) per panel;

(C) Include a keep-out area of approximately 1,200 cm^2 around the edges of the panel that does not contain solar cells;

(D) Do not include a built-in inverter;

(E) Do not have a frame around the edges of the panel;

(F) Include a clear glass back panel;

(G) Must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector;

(H) Include a thermistor installed into the permanently connected wire before the two-port connector; and

(I) Include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction box.

Merchandise covered by these *Orders* is currently classified in the Harmonized Tariff System of the United States (HTSUS) under subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, 8507.20.8091, 8541.42.0010, and 8541.43.0010. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the *Orders* are dispositive.

Proposed Partial Revocation of the Orders

The products subject to the proposed revocation are certain small, low-wattage, off-grid CSPV cells that are permanently attached to an aluminum extrusion that controls natural light, whether or not assembled into a fully completed automation device that controls natural light.

Lutron requests that the following language be added to the scope of the *Orders* to implement the requested exclusion:

Also excluded from the scope of these investigations are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:

1. A total power output of 20 watts or less per panel;
2. A maximum surface area of 1,000 cm^2 per panel;
3. Does not include a built-in inverter for powering third party devices.[4]

Initiation of CCRs and Consideration of Revocation of the Orders, in Part

Pursuant to section 751(b)(1) of the Act, when Commerce receives information concerning, or a request from an interested party [5] for a review of, a final affirmative determination that resulted in an AD or CVD order, which shows changed circumstances sufficient to warrant a review of an order, Commerce shall conduct a CCR of the order.[6] In accordance with 19 CFR 351.216(d), Commerce determines that the information submitted by Lutron and the letter of no opposition to partial revocation of the *Orders* with respect to the products described by Lutron constitute a sufficient basis to conduct CCRs of the *Orders*.[7]

Section 782(h)(2) of the Act and 19 CFR 351.222(g)(1)(i) provide that Commerce may revoke an order (in whole or in part) if it determines that producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the order, in whole or in part. In its administrative practice, Commerce has interpreted ''substantially all'' to mean producers accounting for at least 85 percent of the total U.S. production of the domestic like product covered by the order.[8] One domestic interested party, the Alliance, stated that it does not object to the partial revocation of the *Orders* proposed by Lutron.

However, because the Alliance did not indicate whether it accounts for substantially all of the U.S. production of the domestic like product covered by the *Orders,* we are not combining this notice of initiation with a preliminary determination, pursuant to 19 CFR 351.221(c)(3)(ii).[9] Rather, we will provide interested parties with an opportunity to address the issue of domestic industry support with respect to the partial revocation of the *Orders,* as explained below. After examining comments, if any, concerning domestic industry support, we will issue the preliminary results of these CCRs.

Public Comment

Interested parties are invited to provide comments and/or factual information regarding these CCRs, including comments on industry support and the proposed partial revocation language. Comments and factual information may be submitted to Commerce no later than 14 days after the date of publication of this notice. Rebuttal comments and rebuttal factual information may be filed with Commerce no later than seven days after the comments and/or factual information are filed.[10] All submissions must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS).[11] An electronically filed document must be received successfully in its entirety by ACCESS, by 5 p.m. Eastern Time on the due dates set forth in this notice. Note that Commerce has temporarily modified certain requirements for serving documents containing business proprietary information, until further notice.[12]

Preliminary and Final Results of the CCRs

Commerce intends to publish in the **Federal Register** a notice of the preliminary results of these CCRs in accordance with 19 CFR 351.221(b)(4) and (c)(3)(i). Commerce will set forth its preliminary factual and legal conclusions in that notice. Pursuant to 19 CFR 351.221(b)(4)(ii), interested parties will have an opportunity to comment on the preliminary results. Unless extended, Commerce will issue the final results of these CCRs in accordance with the time limits set forth in 19 CFR 351.216(e).

Notification to Interested Parties

This initiation notice is published in accordance with section 751(b)(1) of the Act, 19 CFR 351.216(b) and 19 CFR 351.221(c)(3).

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[4] *See* Lutron's Letter at 3.

[5] Lutron stated in its CCR Request that it is a U.S. importer of solar panels. As such, Lutron is an interested party pursuant to section 771(9)(A) of the Act and 19 CFR 351.102(b)(29)(i).

[6] *See* 19 CFR 351.216(d).

[7] *See* CCR Request at Exhibit 2.

[8] *See, e.g., Certain Cased Pencils from the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review, and Intent To Revoke Order in Part,* 77 FR 42276 (July 18, 2012), unchanged in *Certain Cased Pencils from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review, and Determination To Revoke Order, in Part,* 77 FR 53176 (August 31, 2012).

[9] In the event that Commerce determines an expedited action is warranted, 19 CFR 351.221(c)(3)(ii) permits Commerce to combine the notices of initiation and preliminary results.

[10] Submissions of rebuttal factual information must comply with 19 CFR 351.301(b)(2).

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

[12] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023).

Dated: October 15, 2024.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2024–24297 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Rescission of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: Based upon the timely withdrawal of all review requests, the U.S. Department of Commerce (Commerce) is rescinding the administrative reviews covering the periods of review and the antidumping duty (AD) and countervailing duty (CVD) orders identified in the table below.

DATES: Applicable October 21, 2024.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–4735.

SUPPLEMENTARY INFORMATION:

Background

Based upon timely requests for review, Commerce initiated administrative reviews of certain companies for the periods of review and the AD and CVD orders listed in the table below, pursuant to 19 CFR 351.221(c)(1)(i).[1] All requests for these reviews have been timely withdrawn.[2]

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested the review withdraw their review requests within 90 days of the date of publication of the notice of initiation for the requested review. All parties withdrew their requests for the reviews listed in the table below within the 90-day deadline. No other parties requested administrative reviews of these AD/CVD orders for the periods noted in the table. Therefore, in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding, in their entirety, the administrative reviews listed in the table below.

	Period of review
AD Proceedings	
Germany:	
Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel, A–428–845	6/1/2023–5/31/2024
Common Alloy Aluminum Sheet, A–428–849	4/1/2023–3/31/2024
Greece: Large Diameter Welded Pipe, A–484–803	5/1/2023–4/30/2024
India:	
Common Alloy Aluminum Sheet, A–533–895	4/1/2023–3/31/2024
Quartz Surface Products, A–533–889	6/1/2023–5/31/2024
Indonesia: Common Alloy Aluminum Sheet, A–560–835	4/1/2023–3/31/2023
Italy: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel, A–475–838	6/1/2023–5/31/2024
Japan: Carbon and Alloy Steel Cut-To-Length Plate, A–588–875	5/1/2023–4/30/2023
Republic of Korea: Polyester Staple Fiber, A–580–839	5/1/2023–4/30/2024
Republic of Türkiye: Certain Pasta, A–489–805	7/1/2023–6/30/2024
Romania: Common Alloy Aluminum Sheet, A–485–809	4/1/2023–3/31/2024
Spain: Common Alloy Aluminum Sheet, A–469–820	4/1/2023–3/31/2024
Taiwan: Certain Circular Welded Carbon Steel Pipes and Tubes, A–583–008	5/1/2023–4/30/2024
The People's Republic of China:	
Alloy and Certain Carbon Steel Threaded Rod, A–570–104	4/1/2023–3/31/2024
Aluminum Extrusions, A–570–967	5/1/2023–4/30/2024
Certain Crystalline Silicon Photovoltaic Products, A–570–010	2/1/2023–1/31/2024
Certain Vertical Shaft Engines Between 225CC and 999CC, and Parts Thereof, A–570–119	3/1/2023–2/29/2024
Difluoromethane (R–32), A–570–121	3/1/2023–2/29/2024
Certain Vertical Shaft Engines Between 99cc and up to 225cc, and Parts Thereof, A–570–124	5/1/2023–4/30/2024
Pure Magnesium, A–570–832	5/1/2023–4/30/2024
Stainless Steel Sheet and Strip, A–570–042	4/1/2023–3/31/2024
CVD Proceedings	
India:	
Barium Chloride, C–533–909	6/17/2022–12/31/2023
Quartz Surface Products, C–533–890	1/1/2023–12/31/2023
Morocco: Phosphate Fertilizers, C–714–001	1/1/2023–12/31/2023
Socialist Republic of Vietnam:	
Certain Steel Nails, C–552–819	1/1/2023–12/31/2023
Passenger Vehicle and Light Truck Tires, C–552–829	1/1/2023–12/31/2023
The People's Republic of China:	
Aluminum Extrusions, C–570–968	1/1/2023–12/31/2023
Carbon and Alloy Steel Threaded, C–570–105	1/1/2023–12/31/2023
Carbon and Alloy Steel Threaded Rod, C–570–105	1/1/2023–12/31/2023
Certain Vertical Shaft Engines Between 225CC and 999CC, and Parts Thereof, C–570–120	1/1/2023–12/31/2023
Certain Vertical Shaft Engines Between 99CC and 225CC, and Parts Thereof, C–570–125	1/1/2023–12/31/2023
Stainless Steel Sheet and Strip, C–570–043	1/1/2023–12/31/2023

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 24780 (April 9, 2024); *Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 38867 (May 8, 2024); *Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 49844 (June 12, 2024); *Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 86 FR 55567 (July 5, 2024); and *Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 66035 (August 14, 2024).

[2] The letters withdrawing the review requests may be found in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.*

	Period of review
Certain Chassis and Subassemblies Thereof, C–570–136	1/1/2023–12/31/2023

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping and/or countervailing duties on all appropriate entries during the periods of review noted above for each of the listed administrative reviews at rates equal to the cash deposit of estimated antidumping or countervailing duties, as applicable, required at the time of entry, or withdrawal of merchandise from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this recission notice in the **Federal Register** for rescinded administrative reviews of AD/CVD orders on countries other than Canada and Mexico. For rescinded administrative reviews of AD/CVD orders on Canada or Mexico, Commerce intends to issue assessment instructions to CBP no earlier than 41 days after the date of publication of this recission notice in the **Federal Register**.

Notification to Importers

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

Notification Regarding Administrative Protective Order (APO)

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

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: October 15, 2024.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2024–24296 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–853]

Crystalline Silicon Photovoltaic Products, Whether or Not Assembled Into Modules, From the People's Republic of Taiwan: Notice of Initiation of Changed Circumstances Review, and Consideration of Revocation of the Antidumping Order, in Part

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

SUMMARY: Based on a request from Lutron Electronics Co., Inc. (Lutron), the U.S. Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) to consider the possible revocation, in part, of the antidumping duty (AD) order on crystalline silicon photovoltaic products (solar products) from Taiwan with respect to certain small, low-wattage, off grid crystalline silicon photovoltaic (CSPV) cells as described below.

DATES: Applicable October 21, 2024.

FOR FURTHER INFORMATION CONTACT: Mark Hoadley, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3148.

SUPPLEMENTARY INFORMATION:

Background

On February 18, 2015, Commerce published the AD order on solar products from Taiwan.[1] On August 28, 2024, Lutron, a domestic producer, importer and exporter of subject merchandise, requested, through a CCR, revocation of the *Order,* in part, with respect to certain small, low-wattage, off-grid CSPV cells, pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b).[2] Within its Lutron's CCR request, Lutron included a letter from the American Alliance for Solar Manufacturing (the Alliance), a domestic interested party in this proceeding, in which the Alliance stated that it did not oppose the partial revocation of the *Order* proposed by Lutron.[3] No interested parties filed comments opposing the CCR request.

Scope of the Order

The merchandise covered by the *Order* is crystalline silicon photovoltaic cells, and modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials.

Subject merchandise includes crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Modules, laminates, and panels produced in a third-country from cells produced in Taiwan are covered by the *Order*. However, modules, laminates, and panels produced in Taiwan from cells produced in a third-country are not covered by the *Order*.

Excluded from the scope of the *Order* are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS). Also excluded from the scope of the *Order* are crystalline silicon photovoltaic cells, not exceeding 10,000mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that

[1] *See Certain Crystalline Silicon Photovoltaic Products from Taiwan: Antidumping Duty Order,* 80 FR 8596 (February 18, 2015) (*Order*).

[2] *See* Lutron's Letter, ''Lutron Electronics Co., Inc.'s Request for Changed Circumstances Reviews and Request to Combine Initiation and Preliminary Results,'' dated August 28, 2024 (CCR Request).

[3] *Id.* at Exhibit 2 and 3.

consumes the electricity generated by the integrated crystalline silicon photovoltaic cells. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Further, also excluded from the scope of the *Order* are any products covered by the existing antidumping and countervailing duty orders on crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China (PRC).[4]

Also excluded from the scope of the *Order* are modules, laminates, and panels produced in the PRC from crystalline silicon photovoltaic cells produced in Taiwan that are covered by an existing proceeding on such modules, laminates, and panels from the PRC.

Additionally, excluded from the scope of these orders are solar panels that are: (1) less than 300,000mm^2 in surface area; (2) less than 27.1 watts in power; (3) coated across their entire surface with a polyurethane doming resin; and (4) joined to a battery charging and maintaining unit (which is an acrylonitrile butadiene styrene (ABS) box that incorporates a light emitting diode (LED)) by coated wires that include a connector to permit the incorporation of an extension cable . The battery charging and maintaining unit utilizes high-frequency triangular pulse waveforms designed to maintain and extend the life of batteries through the reduction of lead sulfate crystals. The above-described battery charging and maintaining unit is currently available under the registered trademark ''SolarPulse.''

Merchandise covered by the *Order* is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 8501.61.0000, 8507.20.8030, 8507.20.8040, 8507.20.8060, 8507.20.8090, 8541.40.6020, 8541.40.6030, and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the *Order* is dispositive.

[4] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 77 FR 73018 (December 7, 2012); *see also Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Countervailing Duty Order*, 77 FR 73017 (December 7, 2012).

Proposed Partial Revocation of the Order

The products subject to the proposed revocation are certain small, low-wattage, off-grid CSPV cells that are permanently attached to an aluminum extrusion that controls natural light, whether or not assembled into a fully completed automation device that controls natural light.

Lutron requests that the following language to be added to the scope of the *Order* to implement the requested exclusion:

> Also excluded from the scope of these investigations are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:
>
> 1. A total power output of 20 watts or less per panel;
>
> 2. A maximum surface area of 1,000 cm^2 per panel;
>
> 3. Does not include a built-in inverter for powering third party devices.[5]

Initiation of CCR and Consideration of Revocation of the Order, in Part

Pursuant to section 751(b)(1) of the Act, when Commerce receives information concerning, or a request from an interested party [6] for a review of, a final affirmative determination that resulted in an AD order, which shows changed circumstances sufficient to warrant a review of an order, Commerce shall conduct a CCR of the order.[7] In accordance with 19 CFR 351.216(d), Commerce determines that the information submitted by Lutron and the letter of no opposition to partial revocation of the *Order* with respect to the products described by Lutron constitute a sufficient basis to conduct a CCR of the *Order*.[8]

Section 782(h)(2) of the Act and 19 CFR 351.222(g)(1)(i) provide that Commerce may revoke an order (in whole or in part) if it determines that producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the order, in whole or in part. In its administrative practice, Commerce has interpreted ''substantially all'' to mean producers accounting for at least 85 percent of the total U.S. production of the domestic like product covered by the order.[9] One domestic interested party, the Alliance, stated that it does not object to the partial revocation of the *Order* proposed by Lutron.

However, because the Alliance did not indicate whether it accounts for substantially all of the U.S. production of the domestic like product covered by the *Order,* we are not combining this notice of initiation with a preliminary determination, pursuant to 19 CFR 351.221(c)(3)(ii).[10] Rather, we will provide interested parties with an opportunity to address the issue of domestic industry support with respect to the partial revocation of the *Order,* as explained below. After examining comments, if any, concerning domestic industry support, we will issue the preliminary results of this CCR.

Public Comment

Interested parties are invited to provide comments and/or factual information regarding this CCR, including comments on industry support and the proposed partial revocation language. Comments and factual information may be submitted to Commerce no later than 14 days after the date of publication of this notice. Rebuttal comments and rebuttal factual information may be filed with Commerce no later than seven days after the comments and/or factual information are filed.[11] All submissions must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS).[12] An electronically filed document must be received successfully in its entirety by ACCESS, by 5 p.m. Eastern Time on the due dates set forth in this notice. Note that Commerce has temporarily modified certain requirements for serving documents containing business proprietary information, until further notice.[13]

[5] *See* Lutron's Letter at 3.

[6] Lutron stated in its CCR Request that it is an U.S. importer of solar panels. As such, Lutron is an interested party pursuant to section 771(9)(A) of the Act and 19 CFR 351.102(b)(29)(ii).

[7] *See* 19 CFR 351.216(d).

[8] *See* CCR Request at Exhibit 2.

[9] *See, e.g., Certain Cased Pencils from the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review, and Intent To Revoke Order in Part,* 77 FR 42276 (July 18, 2012), unchanged in *Certain Cased Pencils from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review, and Determination To Revoke Order, in Part,* 77 FR 53176 (August 31, 2012).

[10] In the event that Commerce determines an expedited action is warranted, 19 CFR 351.221(c)(3)(ii) permits Commerce to combine the notices of initiation and preliminary results.

[11] Submissions of rebuttal factual information must comply with 19 CFR 351.301(b)(2).

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

[13] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023).

Preliminary and Final Results of the CCR

Commerce intends to publish in the **Federal Register** a notice of the preliminary results of this CCR in accordance with 19 CFR 351.221(b)(4) and (c)(3)(i). Commerce will set forth its preliminary factual and legal conclusions in that notice. Pursuant to 19 CFR 351.221(b)(4)(ii), interested parties will have an opportunity to comment on the preliminary results. Unless extended, Commerce will issue the final results of this CCR in accordance with the time limits set forth in 19 CFR 351.216(e).

Notification to Interested Parties

This initiation notice is published in accordance with section 751(b)(1) of the Act, 19 CFR 351.216(b) and 19 CFR 351.221(c)(3).

Dated: October 15, 2024.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2024–24299 Filed 10–18–24; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–010, C–570–011]

Crystalline Silicon Photovoltaic Products, Whether or Not Assembled Into Modules, From the People's Republic of China: Notice of Initiation of Changed Circumstances Reviews, and Consideration of Revocation of the Antidumping and Countervailing Duty Orders, in Part

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

SUMMARY: Based on a request from Lutron Electronics Co., Inc. (Lutron), the U.S. Department of Commerce (Commerce) is initiating changed circumstances reviews (CCRs) to consider the possible revocation, in part, of the antidumping duty (AD) and countervailing duty (CVD) orders on crystalline silicon photovoltaic products (solar products) from the People's Republic of China (China) with respect to certain small, low-wattage, off-grid crystalline silicon photovoltaic (CSPV) cells as described below.

DATES: Applicable October 21, 2024.

FOR FURTHER INFORMATION CONTACT: Mark Hoadley, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3148.

SUPPLEMENTARY INFORMATION:

Background

On February 18, 2015, Commerce published the AD and CVD orders on solar products from China.[1] On August 28, 2024, Lutron, a domestic producer, importer and exporter of subject merchandise, requested, through CCRs, revocation of the *Orders,* in part, with respect to certain small, low-wattage, off-grid CSPV cells, pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b).[2] Within its Lutron's CCRs request, Lutron included a letter from the American Alliance for Solar Manufacturing (the Alliance), a domestic interested party in this proceeding, in which the Alliance stated that it did not oppose the partial revocation of the *Orders* proposed by Lutron.[3] No interested parties filed comments opposing the CCR request.

Scope of the Orders

The merchandise covered by these *Orders* is modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials. For purposes of these *Orders,* subject merchandise includes modules, laminates and/or panels assembled in China consisting of crystalline silicon photovoltaic cells produced in a customs territory other than China.

Subject merchandise includes modules, laminates and/or panels assembled in China consisting of crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Excluded from the scope of the *Orders* are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS).

Also excluded from the scope of these *Orders* are modules, laminates and/or panels assembled in China, consisting of crystalline silicon photovoltaic cells, not exceeding 10,000 mm^2 in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cells. Where more than one module, laminate and/or panel is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all modules, laminates and/or panels that are integrated into the consumer good.

Further, also excluded from the scope of these *Orders* are any products covered by the existing antidumping and countervailing duty orders on crystalline silicon photovoltaic cells, whether or not assembled into modules, laminates and/or panels, from China.

Additionally, excluded from the scope of these *Orders* are solar panels that are: (1) less than 300,000 mm^2 in surface area; (2) less than 27.1 watts in power; (3) coated across their entire surface with a polyurethane doming resin; and (4) joined to a battery charging and maintaining unit (which is an acrylonitrile butadiene styrene (ABS) box that incorporates a light emitting diode (LED)) by coated wires that include a connector to permit the incorporation of an extension cable. The battery charging and maintaining unit utilizes high-frequency triangular pulse waveforms designed to maintain and extend the life of batteries through the reduction of lead sulfate crystals. The above-described battery charging and maintaining unit is currently available under the registered trademark ''SolarPulse.''

Also excluded from the scope of these *Orders* are off-grid crystalline silicon photovoltaic panels without a glass cover with the following characteristics: (1) total power output of 500 watts or less per panel; (2) maximum surface area of 8,000 cm^2 per panel; (3) unit does not include a built-in inverter; (4) unit has visible parallel grid collector metallic wire lines every 2–40 millimeters across each solar panel (depending on model); (5) solar cells are encased in laminated frosted PET material without stitching; (6) the panel is encased in polyester fabric with visible stitching which includes a Velcro-type storage pocket and unit closure, or encased within a Neoprene clamshell (depending on model); and (7) includes LED indicator.

[1] *See Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Antidumping Duty Order; and Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order,* 80 FR 8592 (February 18, 2015) (*Orders*).

[2] *See* Lutron's Letter, ''Lutron Electronics Co., Inc.'s Request for Changed Circumstances Reviews and Request to Combine Initiation and Preliminary Results,'' dated August 28, 2024 (CCR Request).

[3] *Id.* at Exhibit 2 and 3.

Additionally excluded from the scope of these *Orders* are off-grid small portable crystalline silicon photovoltaic panels, with or without a glass cover, with the following characteristics: (1) a total power output of 200 watts or less per panel; (2) a maximum surface area of 16,000 cm^2 per panel; (3) no built-in inverter; (4) an integrated handle or a handle attached to the package for ease of carry; (5) one or more integrated kickstands for easy installation or angle adjustment; and (6) a wire of not less than 3 meters either permanently connected or attached to the package that terminates in an 8mm diameter male barrel connector.

Merchandise covered by these orders is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 8501.61.0000, 8507.20.8030, 8507.20.8040, 8507.20.8060, 8507.20.8090, 8541.40.6015, 8541.40.6020, 8541.40.6030, 8541.40.6035 and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of these *Orders* is dispositive.

Proposed Partial Revocation of the Orders

The products subject to the proposed revocation are certain small, low-wattage, off-grid CSPV cells that are permanently attached to an aluminum extrusion that controls natural light, whether or not assembled into a fully completed automation device that controls natural light,

Lutron requests that the following language be added to the scope of the *Orders* to implement the requested exclusion:

> Also excluded from the scope of these investigations are off-grid CSPV panels in rigid form, with or without a glass cover, permanently attached to an aluminum extrusion that is an integral component of an automation device that controls natural light, whether or not assembled into a fully completed automation device that controls natural light, with the following characteristics:
>
> 1. A total power output of 20 watts or less per panel;
>
> 2. A maximum surface area of 1,000 cm^2 per panel;
>
> 3. (C) Does not include a built-in inverter for powering third party devices.[4]

Initiation of CCRs and Consideration of Revocation of the Orders, in Part

Pursuant to section 751(b)(1) of the Act, when Commerce receives information concerning, or a request from an interested party [5] for a review of, a final affirmative determination that resulted in an AD or CVD order, which shows changed circumstances sufficient to warrant a review of an order, Commerce shall conduct a CCR of the order.[6] In accordance with 19 CFR 351.216(d), Commerce determines that the information submitted by Lutron and the letter of no opposition to partial revocation of the *Orders* with respect to the products described by Lutron constitute a sufficient basis to conduct CCRs of the *Orders*.[7]

Section 782(h)(2) of the Act and 19 CFR 351.222(g)(1)(i) provide that Commerce may revoke an order (in whole or in part) if it determines that producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the order, in whole or in part. In its administrative practice, Commerce has interpreted ''substantially all'' to mean producers accounting for at least 85 percent of the total U.S. production of the domestic like product covered by the order.[8] One domestic interested party, the Alliance, stated that it does not object to the partial revocation of the *Orders* proposed by Lutron.

However, because the Alliance did not indicate whether it accounts for substantially all of the U.S. production of the domestic like product covered by the *Orders,* we are not combining this notice of initiation with a preliminary determination, pursuant to 19 CFR 351.221(c)(3)(ii).[9] Rather, we will provide interested parties with an opportunity to address the issue of domestic industry support with respect to the partial revocation of the *Orders,* as explained below. After examining comments, if any, concerning domestic industry support, we will issue the preliminary results of these CCRs.

Public Comment

Interested parties are invited to provide comments and/or factual information regarding these CCRs, including comments on industry support and the proposed partial revocation language. Comments and factual information may be submitted to Commerce no later than 14 days after the date of publication of this notice. Rebuttal comments and rebuttal factual information may be filed with Commerce no later than seven days after the comments and/or factual information are filed.[10] All submissions must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS).[11] An electronically filed document must be received successfully in its entirety by ACCESS, by 5 p.m. Eastern Time on the due dates set forth in this notice. Note that Commerce has temporarily modified certain requirements for serving documents containing business proprietary information, until further notice.[12]

Preliminary and Final Results of the CCRs

Commerce intends to publish in the **Federal Register** a notice of the preliminary results of these CCRs in accordance with 19 CFR 351.221(b)(4) and (c)(3)(i). Commerce will set forth its preliminary factual and legal conclusions in that notice. Pursuant to 19 CFR 351.221(b)(4)(ii), interested parties will have an opportunity to comment on the preliminary results. Unless extended, Commerce will issue the final results of these CCRs in accordance with the time limits set forth in 19 CFR 351.216(e).

Notification to Interested Parties

This initiation notice is published in accordance with section 751(b)(1) of the Act, 19 CFR 351.216(b) and 19 CFR 351.221(c)(3).

Dated: October 15, 2024.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2024–24298 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–DS–P

[4] *See* CCR Request at 3.

[5] Lutron stated in its CCR Request that it is an U.S. importer of solar panels. As such, Lutron is an interested party pursuant to section 771(9)(A) of the Act and 19 CFR 351.102(b)(29)(i).

[6] *See* 19 CFR 351.216(d).

[7] *See* CCR Request at Exhibit 2.

[8] *See, e.g., Certain Cased Pencils from the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review, and Intent To Revoke Order in Part,* 77 FR 42276 (July 18, 2012), unchanged in *Certain Cased Pencils from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review, and Determination To Revoke Order, in Part,* 77 FR 53176 (August 31, 2012).

[9] In the event that Commerce determines an expedited action is warranted, 19 CFR 351.221(c)(3)(ii) permits Commerce to combine the notices of initiation and preliminary results.

[10] Submissions of rebuttal factual information must comply with 19 CFR 351.301(b)(2).

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

[12] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE389]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) will convene an online meeting of its Ad Hoc Equity and Environmental Justice Committee (EEJC) to discuss the NMFS Equity and Environmental Justice (EEJ) Strategy Regional Implementation Plan (Regional Plan) and ongoing Pacific Council EEJ projects. This meeting is open to the public.

DATES: The online meeting will be held Wednesday, November 6, 2024, from 1 p.m. to 5 p.m., Pacific Time. The scheduled ending time for this meeting is an estimate. The meeting will adjourn when business for the day is completed.

ADDRESSES: This meeting will be held online. Specific meeting information, including directions on how to join the meeting and system requirements will be provided in the meeting announcement on the Pacific Council's website (see *https://www.pcouncil.org*). You may send an email to Mr. Kris Kleinschmidt (*kris.kleinschmidt@noaa.gov*) or contact him at (503) 820–2412 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Katrina Bernaus, Staff Officer, Pacific Council; telephone: (503) 820–2420.

SUPPLEMENTARY INFORMATION: The EEJC will have an organizational meeting to discuss the NMFS EEJ Strategy Regional Implementation Plan and review work on other Pacific Council EEJ projects, as appropriate. This committee was formed by the Pacific Council at its April 2023 meeting to assist the Pacific Council in addressing EEJ issues and, in particular, to advise the Pacific Council on working with NMFS on the Regional Implementation Plan and the geographic strategic plan. No management actions will be decided by the EEJC. A detailed agenda for the webinar will be available on the Pacific Council's website prior to the meeting.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (*kris.kleinschmidt@noaa.gov;* (503) 820–2412) at least 10 days prior to the meeting date.

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

Dated: October 16, 2024.

Alyssa Weigers,

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

[FR Doc. 2024–24248 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE390]

North Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of hybrid meeting.

SUMMARY: The North Pacific Fishery Management Council (Council) Bering Sea Fishery Ecosystem Plan Climate Change Taskforce (CCTF) will meet November 6, 2024.

DATES: The meeting will be held on Wednesday, November 6, 2024 through Thursday, November 7, 2024, from 9 a.m. to 4 p.m., Alaska Time.

ADDRESSES: For members attending in Juneau, the in-person component of the meeting will be held at the Juneau Federal Building, 709 W 9th St., Juneau, AK 99801. If you are attending virtually, join the meeting online through the link at *https://meetings.npfmc.org/Meeting/Details/3063.*

Council address: North Pacific Fishery Management Council, 1007 W 3rd Ave, Suite 400, Anchorage, AK 99501–2252; telephone: (907) 271–2809. Instructions for attending the meeting are given under **SUPPLEMENTARY INFORMATION**, below.

FOR FURTHER INFORMATION CONTACT: Dr. Diana Stram, Council staff; phone: (907) 271–2809 and email: *diana.stram@noaa.gov.* For technical support, please contact our administrative staff; email: *npfmc.admin@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Agenda

Wenesday, November 6, 2024 Through Thursday, November 7, 2024

The agenda will include: (a) reflect on climate scenarios workshop; (b) recap of workplan, process and outcomes; (c) CCTF recommendations moving forward; (d) final report drafting and review; and (e) other business. The agenda is subject to change, and the latest version will be posted at *https://meetings.npfmc.org/Meeting/Details/3063* prior to the meeting, along with meeting materials.

Connection Information

You can attend the meeting online using a computer, tablet, or smart phone; or by phone only. Connection information will be posted online at: *https://meetings.npfmc.org/Meeting/Details/3063.*

Public Comment

Public comment letters will be accepted and should be submitted electronically to *https://meetings.npfmc.org/Meeting/Details/3063.*

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

Dated: October 16, 2024.

Alyssa Weigers,

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

[FR Doc. 2024–24249 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE392]

South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of a public meeting.

SUMMARY: The South Atlantic Fishery Management Council (SAFMC; Council) will hold a meeting of the Snapper Grouper Commercial Sub-Committee.

DATES: The Snapper Grouper Commercial Sub-Committee meeting will be held via webinar on November

5, 2024. The meeting will be held from 9 a.m. until 12:30 p.m. EST.

ADDRESSES:

Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Registration is required. Webinar registration, an online public comment form, and briefing book materials will be available two weeks prior to the meeting at: *https://safmc.net/workgroups/.*

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Michael Schmidtke, Fishery Scientist, SAFMC; phone: (843) 571–4366 or toll free: (866) SAFMC–10; fax: (843) 769–4520; email: *mike.schmidtke@safmc.net.*

SUPPLEMENTARY INFORMATION: The Snapper Grouper Commercial Sub-Committee will discuss current issues in the commercial sector of the snapper grouper fishery, as well as potential timelines and prioritizations for actions addressing these issues. The Sub-Committee will develop recommendations for the Council about future commercial management actions.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for auxiliary aid should be directed to the Council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: October 16, 2024.

Alyssa Weigers,

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

[FR Doc. 2024–24247 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Trademark Post Registration

The United States Patent and Trademark Office (USPTO) will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The USPTO invites comments on this information collection renewal, which helps the USPTO assess the impact of its information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on July 25, 2024 during a 60-day comment period (89 FR 60405). This notice allows for an additional 30 days for public comment.

Agency: United States Patent and Trademark Office, Department of Commerce.

Title: Trademark Post Registration.

OMB Control Number: 0651–0055.

Needs and Uses: The United States Patent and Trademark Office (USPTO) administers the Trademark Act (Act), 15 U.S.C. 1501 *et seq.,* which provides for the federal registration of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. Individuals and businesses that use or intend to use such marks in commerce may file an application to register their marks with the USPTO.

This information collection covers various communications submitted by individuals and businesses to the USPTO after the registration of a trademark. One type of communication is a request to amend a registration to delete goods or services that are no longer being used by the owner. Registered marks remain on the register for 10 years and can be renewed, but will be cancelled unless the owner files with the USPTO a declaration attesting to the continued use (or excusable non-use) of the mark in commerce, and a renewal application, with specific deadlines. Owners may also request to amend or divide a registration, respond to a post-registration office action, and surrender a registration.

The regulations implementing the Act are set forth in 37 CFR part 2. These regulations mandate that each register entry include the mark, the goods and/or services in connection with which the mark is used, ownership information, dates of use, and certain other information. The information in this information collection is used to maintain the quality of the trademark register. The register may be accessed by an individual or by businesses to determine the availability of a mark. By keeping the register current and accurate, parties may reduce the possibility of initiating use of a mark previously adopted by another.

This information collection also incorporates responses to office actions related to ex parte expungements and reexaminations and Director-initiated expungements and reexaminations (accounted for under Reponses to Office Actions for Post-Registration Matters (PTO–2302). Ex parte expungement and reexamination proceedings were established by the Trademark Modernization Act of 2020 (TMA), Public Law 116–260 (Dec. 27, 2020), to cancel, either in whole or in part, registered marks for which the required use in commerce was not made. The burden estimates for responses to office actions regarding ex parte expungements or reexaminations and Director-initiated expungements and reexaminations were previously contained in OMB Control No. 0651–0086 (Changes to Implement Provisions of the Trademark Modernization Act), but are being transferred into this information collection for efficiency. All the burdens associated with responses to office actions from 0651–0086 are now being accounted for under IC No. 7 (Response to Office Action for Post-Registration Matters) in this information collection. The 60-day notice, published for this information collection, already accounted for the burdens being transferred.

Forms:

- PTO–1563 (Declaration of Use of Mark in Commerce Under Section 8)
- PTO–1573 (Declaration of Incontestability of a Mark Under Section 15)
- PTO–1583 (Combined Declaration of Use and Incontestability Under Sections 8 and 15)
- PTO–1597 (Section 7 Request)
- PTO–1963 (Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9)
- PTO–2302 (Response to Office Action for Post-Registration Matters)
- PTO–2309 (Surrender of Registration for Cancellation)
- PTO–2310 (Request to Divide Registration)
- PTO–2311 (Section 12(c) Affidavit)

Type of Review: Extension and revision of a currently approved information collection.

Affected Public: Private sector.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Estimated Number of Annual Respondents: 271,793 respondents.

Estimated Number of Annual Responses: 271,793 responses.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately between 12 minutes (0.20 hours) and 50 minutes (0.83 hours) to complete. This includes the time to gather the necessary information, create the document, and

submit the completed request to the USPTO.

Estimated Total Annual Respondent Burden Hours: 162,987 hours.

Estimated Total Annual Respondent Non-Hourly Cost Burden: $103,718,072.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view Department of Commerce, USPTO information collections currently under review by OMB.

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, 0651–0055.

Further information can be obtained by:

- *Email: InformationCollection@uspto.gov.* Include ''0651–0055 information request'' in the subject line of the message.
- *Mail:* Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

Justin Isaac,

Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

[FR Doc. 2024–24251 Filed 10–18–24; 8:45 am]

BILLING CODE 3510–16–P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meetings

TIME AND DATE: Wednesday, October 23, 2024—10:00 a.m. (See **MATTERS TO BE CONSIDERED**).

PLACE: The meeting will be held remotely, and in person at 4330 East West Highway, Bethesda, Maryland, 20814.

STATUS: Commission Meeting—Open to the Public

MATTERS TO BE CONSIDERED:

Decisional Matter: Notice of Proposed Rulemaking—Requirements for Neck Floats

To attend the meeting remotely, please use the following link: https://cpsc.webex.com/cpsc/j.php?MTID=m0f3fefc193fcb23633327ffa320d3a04

CONTACT PERSON FOR MORE INFORMATION: Alberta E Mills, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, 301–504–7479 (Office) or 240–863–8938 (Cell).

Dated: October 16, 2024.

Alberta E. Mills,

Commission Secretary.

[FR Doc. 2024–24362 Filed 10–17–24; 11:15 am]

BILLING CODE P

DEPARTMENT OF DEFENSE

Office of the Secretary

Finding of No Significant Impact and Final Environmental Assessment for DARPA's Reefense Program, Baker Point, Florida

AGENCY: Defense Advanced Research Projects Agency (DARPA), Department of Defense (DoD).

ACTION: Notice of availability.

SUMMARY: DARPA announces the availability of a Finding of No Significant Impact (FONSI) and a Final Environmental Assessment (EA) for the Reefense Program at Baker Point, Florida. The environmental review process led to the conclusion that the proposed action will not have a significant effect on the human environment. Therefore, an Environmental Impact Statement will not be prepared.

ADDRESSES: The Final EA and FONSI are available online through the project website at *https://hsrl.rutgers.edu/research/darpa-reefense.*

FOR FURTHER INFORMATION CONTACT: Dr. Catherine Campbell, 703–526–2044 (Voice), *Catherine.Campbell@darpa.mil* (Email).

SUPPLEMENTARY INFORMATION: Notification of the availability of the Draft EA was published in the **Federal Register** (89 FR 37184) on May 6, 2024. The public review period began on May 6, 2024 and concluded on June 5, 2024. Legal notices were published in the Panama City News Herald on May 9 and May 12, 2024. DARPA received two comments: one from a private individual and one from the Environmental Protection Agency, Region 4. Comments received during this public review were considered when preparing the Final EA. DARPA's proposed action analyzed in the EA is for the installation of bio-hybrid oyster reef structures to test whether such structures can attenuate wave energy more effectively than traditional hardscape solutions to protect coastal shorelines and infrastructure. Components would consist of reef module breakwaters, mosaic oyster habitat structures, and intertidal vegetation planting. These structures, or modules, created using cutting-edge scientific advances, are intended to create a self-sustaining oyster reef to attenuate wave energy and, thus, protect upland infrastructure by mitigating damage related to coastal flooding, erosion, and storm surge. The geographic scope analyzed in the EA is a proposed action area of approximately one acre located off the coast of Baker Point, Florida that is adjacent to Tyndall Air Force Base and within East Bay of the St. Andrew Bay estuary. The analysis within the EA yielded no significant impacts to the resources analyzed and would not result in significant impacts overall. The EA and FONSI were prepared in accordance with the National Environmental Policy Act of 1969, as amended (42 United States Code 4321 *et seq.*) and Council on Environmental Quality implementing regulations (40 Code of Federal Regulations parts 1500–1508).

Dated: October 16, 2024.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2024–24291 Filed 10–18–24; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF EDUCATION

National Assessment Governing Board

Committee and Quarterly Board Meetings

AGENCY: National Assessment Governing Board, Department of Education.

ACTION: Notice of open and closed meetings.

SUMMARY: This notice sets forth the agenda, time, and instructions to access the National Assessment Governing Board's (hereafter referred to as the Board or Governing Board) standing committee meetings and quarterly Governing Board meeting. This notice provides information to members of the public who may be interested in attending the meetings and/or providing written comments related to the work of the Governing Board. The meetings will be held either in person and/or virtually, as noted below. Members of the public must register in advance to attend the meetings virtually. A registration link will be posted on the Governing Board's website, *www.nagb.gov,* five (5) business days prior to each meeting.

DATES: The Quarterly Board Meeting will be held on the following dates:

- November 14, 2024, from 9:45 a.m. to 3:15 p.m., ET
- November 15, 2024, from 8:00 a.m. to 2:00 p.m., ET

ADDRESSES: Royal Sonesta Capitol Hill, 20 Massachusetts Avenue NW, Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT: Angela Scott, Designated Federal Officer (DFO) for the Governing Board, 800 North Capitol Street NW, Suite 825, Washington, DC 20002, telephone: (202) 357–7502, fax: (202) 357–6945, email: *Angela.Scott@ed.gov*.

SUPPLEMENTARY INFORMATION:

Statutory Authority and Function: The Governing Board is established under the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621). Information on the Governing Board and its work can be found at *www.nagb.gov*. Notice of the meetings is required under section 1009(a)(2) of 5 U.S.C. chapter 10 (commonly known as the Federal Advisory Committee Act). The Governing Board formulates policy for the National Assessment of Educational Progress (NAEP) administered by the National Center for Education Statistics (NCES). The Governing Board's responsibilities include:

(1) selecting the subject areas to be assessed; (2) developing appropriate student achievement levels; (3) developing assessment objectives and testing specifications that produce an assessment that is valid and reliable, and are based on relevant widely accepted professional standards; (4) developing a process for review of the assessment which includes the active participation of teachers, curriculum specialists, local school administrators, parents, and concerned members of the public; (5) designing the methodology of the assessment to ensure that assessment items are valid and reliable, in consultation with appropriate technical experts in measurement and assessment, content and subject matter, sampling, and other technical experts who engage in large scale surveys; (6) measuring student academic achievement in grades 4, 8, and 12 in the authorized academic subjects; (7) developing guidelines for reporting and disseminating results; (8) developing standards and procedures for regional and national comparisons; (9) taking appropriate actions needed to improve the form, content use, and reporting of results of an assessment; and (10) planning and executing the initial public release of NAEP results.

Standing Committee Meetings

The Governing Board's standing committees will meet to conduct regularly scheduled work. Standing committee meeting agendas and meeting materials will be posted on the Governing Board's website, *www.nagb.gov,* no later than five (5) business days prior to the meetings. Minutes of prior standing committee meetings are available at *https://www.nagb.gov/governing-board/quarterly-board-meetings.html*.

Standing Committee Meetings

Wednesday, October 30, 2024

Executive Committee (Virtual Meeting)

2:00 p.m.–2:50 p.m. (ET), Open Session

2:50 p.m.–4:00 p.m. (ET), Closed Session

The Executive Committee will meet in open session on Wednesday, October 30, 2024, from 2:00 p.m.–2:50 p.m. to review the November 14–15, 2024, quarterly Board meeting agenda, receive updates from the Executive Director on Board priorities, and receive an update from the Assessment Development Committee. There will be a break from 2:50 p.m.–2:55 p.m. From 2:50 p.m.–4:00 p.m., the Executive Committee will meet in closed session to discuss the NAEP budget and contracts. The session must be closed to the public because the discussions pertain to the federal budget and acquisition process. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government in the Sunshine Act, 5 U.S.C. 552b.

Wednesday, November 13, 2024

Nominations Committee (In-Person Meeting)

4:30 p.m.–5:30 p.m. (ET), Closed Session

The Nominations Committee will meet in closed session on Wednesday, November 13, 2024, from 4:30 p.m. to 5:30 p.m. to discuss applications for Board vacancies for the 2024–2025 nominations cycle as well as the rating process and member assignments for reviewing the applications. The discussion pertains to information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy. As such, the discussions are protected by exemption 6 of the Government Sunshine Act, *5 U.S.C. 552b*.

Thursday, November 14, 2024

Executive Committee (In-person)

8:30 a.m.–9:30 a.m. (ET), Open Session

The Executive Committee will meet in open session on Thursday, November 14, 2024, from 8:30 a.m.–9:30 a.m. to receive remarks from the Board Chair and an update from the Executive Director, and to discuss issues related to the implementation of the Board's recently-adopted strategic vision.

Assessment Development Committee (In-Person Meeting)

3:30 p.m.–4:20 p.m. (ET), Closed Session

4:20 p.m.–5:30 p.m. (ET), Closed Session

The Assessment Development Committee will meet in closed session on Thursday, November 14, 2024, from 3:30 p.m.–4:20 p.m. to receive an overview of the current NAEP U.S. History and Civics Frameworks and Assessments. This review must be conducted in closed session because the content includes secure assessment items that have not been released to the public. Public disclosure of this information would significantly impede the implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government in the Sunshine Act, 5 U.S.C. 552b. The committee will then convene in open session from 4:20 p.m.–5:30 p.m. From 4:20 p.m. to 5:10 p.m., the committee will hear the initial discussions of the Social Studies Advisory Content Group. From 5:10 p.m. to 5:30 p.m., the committee will receive updates and engage in an open discussion.

Committee on Standards, Design and Methodology (In-Person Meeting)

3:30 p.m.–4:35 p.m. (ET), Closed Session

4:35 p.m.–5:30 p.m. (ET), Closed Session

The Committee on Standards, Design and Methodology will meet on Thursday, November 14, 2024, from 3:30 p.m. to 5:30 p.m. The committee will meet in closed session from 3:30 p.m. to 4:35 p.m., to receive a presentation on the findings of the dress rehearsal of the Automated Scoring of Reading items. The committee will transition to receive a presentation on findings from the Bridge study comparing the use of Chromebooks to Surface Pros from 4:35 p.m. to 5:30 p.m. These sessions must be closed because they will include findings and presentations of items that have not

been released to the public. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government in the Sunshine Act, 5 U.S.C. 552b.

Reporting and Dissemination Committee (In-Person Meeting)

3:30 p.m.–5:30 p.m. (ET) Open Session

The Reporting and Dissemination Committee will meet on Thursday, November 14, 2024, in open session from 3:30 p.m. to 5:30 p.m. The committee will open with remarks from new committee leadership from 3:30 to 3:45 p.m., followed by an update on Strategic Communications from 3:45 p.m. to 4:30 p.m., a discussion on the Release Plan for 2024 NAEP Reading and Mathematics Results from 4:35 p.m. to 5:15 p.m., and review and discussion of the Reporting Policy from 5:15 p.m. to 5:30 p.m.

Quarterly Governing Board Meeting

The plenary sessions of the Governing Board's November 2024 quarterly meeting will be held on the following dates and times:

Thursday, November 14, 2024

9:45 a.m.–3:15 p.m. (ET) (Hybrid Meeting)
9:45 a.m.–12:15 p.m. (ET), Open Session
12:30 p.m.–2:00 p.m. (ET), Closed Session
2:15 p.m.–3:15 p.m. (ET) Open Session

On Thursday, November 14, 2024, the plenary session of the quarterly Governing Board meeting will convene in open session from 9:45 a.m. to 12:15 p.m. and 2:15 p.m. to 3:15 p.m., and in closed session from 12:30 p.m. to 2:00 p.m. From 9:45 a.m. to 9:50 a.m., Beverly Perdue, Chair of the Governing Board, will welcome members, review and approve the November 14–15, 2024, quarterly Governing Board meeting agenda, and approve the minutes from the August 8–9, 2024, Governing Board meeting. From 9:50 a.m. to 10:20 a.m., new and reappointed Board members will be sworn into office, and make introductory remarks from 10:20 a.m. to 10:45 a.m. Other Board members will introduce themselves and welcome new members from 10:45 a.m.–11:15 a.m.

From 11:15 a.m. to 11:45 a.m., Lesley Muldoon, Governing Board Executive Director, will provide updates on the Board's work, followed by an update from NCES Commissioner Peggy Carr from 11:45 a.m. to 12:15 p.m. Following a fifteen-minute transitional break, the Board will meet in closed session from 12:30 p.m. to 2:00 p.m., to receive an update on the NAEP Budget and Contracting from NCES Commissioner Peggy Carr and NCES Associate Commissioner Dan McGrath. The briefing and discussions may impact current and future NAEP contracts and budgets and must be kept confidential to maintain the integrity of the federal acquisition process. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of section 552b(c) of title 5 of the United States Code.

The Board will meet in open session from 2:15 p.m. to 3:15 p.m. to discuss proposed revisions to the Assessment Framework Development Policy. The Thursday, November 14, 2024, session of the Governing Board meeting will adjourn at 3:15 p.m.

Friday, November 15, 2024

9:00 a.m.–2:00 p.m. (ET) (Hybrid Meeting)
9:00 a.m.–10:40 a.m. (ET), Closed Session
10:50 a.m.–2:00 p.m. (ET), Open Session

On Friday, November 15, 2024, the Governing Board meeting will convene in closed session from 9:00 a.m. to 10:40 a.m. and thereafter in open session from 10:50 a.m. to 2:00 p.m.

From 9:00 a.m. to 10:40 a.m., Governing Board members will receive a briefing on the 2024 NAEP Reading and Mathematics Assessment Report card results. This session must be closed because the presentation will include embargoed assessment data and results that cannot be released to the public at this time. Public disclosure of this confidential information would significantly impede implementation of the NAEP assessment program if conducted in open session. Such matters are protected by exemption 9(B) of the Government Sunshine Act, 5 U.S.C. 552b.

The Governing Board will reconvene in open session from 10:50 a.m. to 11:35 a.m., to discuss and take action on the release plan for the 2024 Nation's Report Card: Reading and Mathematics, Grades 4 and 8. From 11:45 a.m. to 12:15 p.m., members will receive updates on the work of the Board's standing committees.

From 12:15 p.m. to 1:30 p.m., members will discuss the draft Artificial Intelligence (AI) and NAEP Ethical Use Policy, followed by member discussion from 1:30 p.m. to 2:00 p.m. The Friday, November 15, 2024, session of the meeting will adjourn at 2:00 p.m.

Instructions for Accessing and Attending the Meetings

Registration: Members of the public may attend the November 14–15, 2024, meetings of the full Governing Board either in person or virtually. A link to the final meeting agenda and information on how to register for virtual attendance for the open sessions will be posted on the Governing Board's website, *www.nagb.gov,* no later than five (5) business days prior to the meeting. Registration is required to join the meeting virtually.

Public Comment: Written comments related to the work of the Governing Board and its standing committees may be submitted to the attention of the DFO, either via email to *Angela.Scott@ed.gov* or in hard copy to the address listed above. Written comments related to the November 14–15, 2024 Governing Board meeting should be submitted no later than close of business on November 6, 2024, and should reference the relevant agenda item.

Access to Records of the Meeting: Pursuant to 5 U.S.C. 1009, the public may inspect the meeting materials and other Governing Board records at 800 North Capitol Street NW, Suite 825, Washington, DC 20002, by emailing *Angela.Scott@ed.gov* to schedule an appointment. The official verbatim transcripts of the open meeting sessions will be available for public inspection no later than 30 calendar days following each meeting and will be posted on the Governing Board's website. Requests for the verbatim transcriptions may be made via email to the DFO.

Reasonable Accommodations: The meeting location is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (*e.g.,* interpreting service, assistive listening device, or materials in an alternate format), notify the DFO listed in this notice by close of business on November 6, 2024.

Electronic Access to this Document: The official version of this document is the document published in the **Federal Register**. Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* 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 Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the Adobe website. 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.

Authority: Pub. L. 107–279, title III, section 301—National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621).

Lesley Muldoon,

Executive Director, National Assessment Governing Board (NAGB), U. S. Department of Education.

[FR Doc. 2024–24274 Filed 10–18–24; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2024–SCC–0097]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Education Stabilization Fund—Elementary and Secondary School Emergency Relief Fund (ESSER I/ESSER II/ARP ESSER Fund) Recipient Data Collection Form

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before November 20, 2024.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Britt Jung, 202–453–6046.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Education Stabilization Fund—Elementary and Secondary School Emergency Relief Fund (ESSER I/ESSER II/ARP ESSER Fund) Recipient Data Collection Form.

OMB Control Number: 1810–0749.

Type of Review: A revision of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 14,652.

Total Estimated Number of Annual Burden Hours: 2,051,280.

Abstract: Under the COVID national health emergency, the legislative and executive branches of government came together to offer relief to those individuals and industries affected by the COVID–19 virus under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116–136) authorized on March 27, 2020, and expanded through the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, and the American Rescue Plan (ARP) Act. The Elementary and Secondary School Emergency Relief (ESSER) Fund awards grants to SEAs and for the purpose of providing local educational agencies (LEAs), including charter schools that are LEAs, with emergency relief funds to address the impact that Novel Coronavirus Disease 2019 (COVID–19) has had, and continues to have, on elementary and secondary schools across the Nation.

This information collection requests approval for a revision to a previously approved collection that includes annual reporting requirements to comply with the requirements of the ESSER program and obtain information on how the funds were used by State and Local Education Agencies. This revision includes updates to the reporting dates minor language updates that do not impact the burden of the collection. No new questions are being added.

The information will be reviewed by U.S. Department of Education (Department) employees to ensure that ESSER funds are used in accordance with applicable requirements under the CARES, CRRSA, and ARP Acts and will be shared with the public to promote transparency regarding the allocation and uses of funds. Furthermore, the information collected will be analyzed to provide aggregate statistics on SEA and LEA use of Education Stabilization Fund (ESF) funds to address the impacts of the COVID–19 virus on students and schools. The collection was used for a similar purpose in the first three years of its administration, with reporting made public in 2021, 2022, and 2024.

Dated: October 16, 2024.

Kun Mullan,

PRA Coordinator, Strategic Collections and Clearance Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2024–24272 Filed 10–18–24; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Notice of Availability of the Final Environmental Impact Statement for Department of Energy Activities in Support of Commercial Production of High-Assay Low-Enriched Uranium (HALEU)

AGENCY: Office of Nuclear Energy, Department of Energy.

ACTION: Notice of availability.

SUMMARY: The U.S. Department of Energy (DOE or the Department) announces the availability of the *Final Environmental Impact Statement for Department of Energy Activities in Support of Commercial Production of High-Assay Low-Enriched Uranium (HALEU)* (Final HALEU EIS) (DOE/EIS–0559). DOE prepared the Final HALEU EIS in accordance with the National Environmental Policy Act (NEPA) to evaluate the No Action Alternative and the Proposed Action to acquire, through procurement from commercial sources, HALEU enriched to at least 19.75 and less than 20 weight percent U–235 over a 10-year period of performance, and to facilitate the establishment of commercial HALEU fuel production. The Proposed Action addresses the Energy Act of 2020 for the acquisition of HALEU produced by a commercial entity using enrichment technology and

making it available for commercial use or demonstration projects.

DATES: DOE will issue a Record of Decision based on the Final HALEU EIS no sooner than 30 days after the publication of the U.S. Environmental Protection Agency Notice of Availability of the Final HALEU EIS in the **Federal Register**.

ADDRESSES: Communications regarding the Final HALEU EIS should be sent to Mr. James Lovejoy, HALEU EIS Document Manager, by mail to U.S. Department of Energy, Idaho Operations Office, 1955 Fremont Avenue, MS 1235, Idaho Falls, Idaho 83415; or by email to *HALEU-EIS@nuclear.energy.gov.* The Final HALEU EIS is available for viewing or download at *https://www.energy.gov/ne/haleu-environmental-impact-statement.*

FOR FURTHER INFORMATION CONTACT: For information regarding the DOE HALEU Availability Program, visit *https://www.energy.gov/ne/haleu-availability-program.* For information regarding the HALEU EIS, visit *https://www.energy.gov/ne/haleu-environmental-impact-statement,* or contact Mr. James Lovejoy at either the mailing address listed in the **ADDRESSES** section, via email at *HALEU-EIS@nuclear.energy.gov,* or by telephone: (208) 526–4519. For general information on DOE's NEPA process, contact Mr. Jason Anderson at the mailing address listed in the **ADDRESSES** section, via email at *HALEU-EIS@nuclear.energy.gov,* or by telephone: (208) 360–3437.

SUPPLEMENTARY INFORMATION:

Background

The Energy Act of 2020, codified at 42 U.S.C. 16281(a)(1), directs DOE ''to establish and carry out . . . a program to support the availability of HA–LEU for civilian domestic research, development, demonstration, and commercial use.'' Section 2001(a)(2)(D)(v) of the Energy Act more specifically directs DOE to consider using enrichment technology to make HALEU available for commercial use or demonstration projects, where such HALEU is produced in the United States by—(I) a United States-owned commercial entity operating United States-origin technology; (II) a United States-owned commercial entity operating a foreign-origin technology; or (III) a foreign-owned entity operating a foreign-origin technology, 42 U.S.C. 16281(a)(2)(D)(v).

The current U.S. commercial power reactor fuel cycle is based on low-enriched uranium (LEU) enriched to less than 5 percent of uranium-235 (U–235), but many advanced reactor designs require HALEU.

HALEU is defined as ''uranium having an assay greater than 5.0 weight percent and less than 20.0 weight percent of the uranium-235 isotope,'' 42 U.S.C. 16281(d)(4). In the United States, HALEU is currently made, in limited quantities, by blending down DOE stockpiles of highly enriched uranium (HEU) (enriched to 20 percent or greater), with natural uranium or lower enriched uranium (*i.e.,* ''downblending''). Anticipated demand from research reactors, isotope production facilities, and advanced nuclear reactors will require more HALEU to be manufactured for commercial purposes. DOE has limited capability to produce HALEU by downblending existing surplus stockpiles of HEU. A sufficient domestic commercial capability to produce HALEU through enrichment of natural uranium or LEU does not exist in the United States.

DOE projects that more than 40 metric tons (MT) of HALEU will be needed by 2030 with additional amounts required each year thereafter to deploy a new fleet of advanced reactors in a timeframe that supports the Administration's 2050 net-zero emissions target. The lack of an adequate domestic, commercial fuel supply could impede both reactor demonstrations and the development of future advanced reactor technologies.

As indicated by many commercial entities that responded to DOE's *Request for Information (RFI) Regarding Planning for Establishment of a Program to Support the Availability of High-Assay Low Enriched Uranium (HALEU) for Civilian Domestic Research, Development, Demonstration, and Commercial Use,* 86 FR 71055 (Dec. 14, 2021) (referred to as the ''RFI''), there are potential timing and coordination issues with developing that capability. Those interested in designing, building, and operating advanced reactor designs that use HALEU fuel are hesitant to invest in the technology without a firm source of HALEU fuel. Likewise, those interested in providing HALEU fuel are hesitant to invest in facilities without a firm demand. As described in multiple responses to the RFI, this is a ''chicken-and-egg'' dilemma.

This concern is a consistent theme in the industry responses to DOE's RFI. Responders emphasized the opportunity for DOE to be an agent for stability (both in assuring HALEU availability and market price certainty) during the initial phase of HALEU fuel production.

To address this issue, an initial public/private partnership is intended to accelerate development of a sustainable commercial HALEU supply capability. If successful, this partnership could provide the incentive for the private sector to incrementally expand the capacity in a modular fashion as a sustainable market develops.

In 2023 and early 2024, DOE published two Requests for Proposals (RFPs) specific to HALEU. One covers DOE's planned acquisition of HALEU as enriched uranium hexafluoride. The other is for deconversion services to deconvert enriched HALEU to other forms, such as metal or oxide, that will be used to fabricate fuels required by many advanced reactor developers. Under DOE's *Request for Proposals for High-Assay Low-Enriched Uranium (HALEU)—Enrichment Acquisition* (the ''Enrichment RFP''), DOE solicited responses from industry regarding DOE's proposal to acquire, through procurement from commercial sources, HALEU as uranium hexafluoride (UF_6) enriched to a minimum of 19.75 and less than 20 weight percent U–235.

The enriched UF_6 must be deconverted to other forms, like oxide or metal, before it can be fabricated into HALEU fuel or put to other use. Under DOE's *Request for Proposals for the High-Assay Low-Enriched Uranium (HALEU)—Deconversion Acquisition* (the ''Deconversion RFP''), DOE solicited responses from industry regarding DOE's proposal to acquire domestic HALEU deconversion services for HALEU and storage until future fuel fabrication.

DOE issued an additional RFP in June 2024, for acquisition of LEU from domestic sources offering new production capacity. During the preparation of this EIS, responses to these Requests for Proposals were being evaluated and awards had not been made.

Alternatives

The Final HALEU EIS evaluates potential environmental impacts for the Proposed Action and the No Action Alternative. The Proposed Action is to acquire, through procurement from commercial sources, HALEU enriched to at least 19.75 and less than 20 weight percent U–235 over a 10-year period of performance, and to facilitate the establishment of commercial HALEU fuel production. The Proposed Action addresses Section 2001(a)(2)(D)(v) of the Energy Act of 2020, codified at 42 U.S.C. 16281, for the acquisition of HALEU produced by a commercial entity using enrichment technology and making it available for commercial use or demonstration projects.

This Final HALEU EIS addresses the following activities facilitating the

commercialization of HALEU fuel production and acquisition of up to 290 MT of HALEU under the Proposed Action: (1) mining, extraction, and recovery of uranium ore producing triuranium octoxide (U_3O_8) (from in-situ recovery or conventional mining and milling sources); (2) uranium conversion from U_3O_8 to UF_6 for input to enrichment facilities; (3) enrichment in up to three steps (a) from natural uranium to LEU of no more than 5 weight percent U–235, (b) from LEU to HALEU greater than 5 and less than 10 weight percent U–235, and (c) to HALEU from 10 to less than 20 weight percent U–235; (4) HALEU deconversion from UF_6 to uranium oxide, metal, and other forms; (5) storage of HALEU; (6) transportation of uranium/HALEU between facilities; and (7) DOE acquisition of HALEU of at least 19.75 weight percent and less than 20 weight percent U–235. While not specifically a part of the Proposed Action, the following related actions could result from implementation of the Proposed Action: (1) fuel fabrication for a variety of fuel types; (2) HALEU-fueled reactor (demonstration and test, power, isotope production) operations; and (3) spent fuel storage and disposition. Although these are reasonably foreseeable activities that could result from implementation of the Proposed Action, many of the specifics (*e.g.,* locations, vendors, reactor designs, type of technology, fuel forms) are unknown or not developed. These activities are dependent upon decisions outside of the Proposed Action activities. Further, the extent to which these activities could happen and if so, where they would happen is unknown and highly speculative. Therefore, a detailed assessment of the impacts of these activities is not included in the EIS. DOE acknowledged and addressed the impacts from these reasonably foreseeable activities to the extent practicable in the Final HALEU EIS.

While the Final HALEU EIS provides information that could be used to identify impacts from the construction and operation of HALEU fuel cycle facilities, the selection of specific locations and facilities will not be a part of the Record of Decision for this EIS.

The No Action Alternative is the status quo, where DOE would not implement the Proposed Action and no sufficient domestic commercial supply of HALEU is available. Development of a domestic commercial supply of HALEU would be left to industry or industry would remain reliant on foreign supplies of HALEU.

The Proposed Action—to acquire, through procurement from commercial sources, HALEU enriched to at least 19.75 and less than 20 weight percent U–235 over a 10-year period of performance, and to facilitate the establishment of commercial HALEU fuel production—is DOE's Preferred Alternative.

Public Involvement

The Final HALEU EIS follows the March 2024 release of the Draft HALEU EIS (DOE/EIS–0059). The U.S. Environmental Protection Agency published its Notice of Availability on March 8, 89 FR 16765 (Mar. 8, 2024). DOE accepted comments through April 22, 2024. During the review and comment period, DOE held three virtual hearings, two virtual Tribal Listening Sessions, and one in-person Tribal Listening Session. DOE received comments from Federal and state agencies, Tribes, industry, nonprofit organizations, and the public. In preparing the Final HALEU EIS, DOE considered and responded to the comments received on the Draft HALEU EIS. Responses to all comment are included in Volume 3 of the Final HALEU EIS.

Signing Authority

This document of DOE was signed on October 16, 2024, by Dr. Michael Goff, Acting Assistant Secretary for Nuclear 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 DOE. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 16, 2024.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2024–24286 Filed 10–18–24; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 8402–004]

American Climate Partners; Notice of Intent To Prepare an Environmental Assessment

On October 12, 2023, American Climate Partners filed an application for surrender of the exemption for the Rapidan Mill Hydroelectric Project No. 8402. The project is located in Rapidan, on Rapidan River in Orange and Culpeper counties, Virginia. The project does not occupy federal lands.

The exemptee proposes to surrender its exemption. To decommission the project, the exemptee proposes to remove the equipment used to operate the turbine preventing future generation. No physical changes to any project features are planned and no ground disturbance would occur under this proposal. The dam would remain in place. After Commission jurisdiction ends, however, the exemptee indicates that the dam may be removed in collaboration with several other federal and state resource agencies. The Commission issued public notice of the proposed surrender on February 23, 2024.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) for the project.[1] The planned schedule for the completion of the EA is April 1, 2025. Revisions to the schedule may be made as appropriate. The EA will be issued and made available for review by all interested parties and a 30-day comment period. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

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 to 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.*

[1] In accordance with the Council on Environmental Quality's regulations, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1728462572. 40 CFR 1501.5(c)(4) (2024).

Any questions regarding this notice may be directed to Diana Shannon at 202–502–6136 or *diana.shannon@ferc.gov*.

Dated: October 15, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–24377 Filed 10–18–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL24–146–000]

LS Power Grid California, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On October 15, 2024, the Commission issued an order in Docket No. EL24–146–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether LS Power Grid California, LLC's Formula Rate Template and Protocols are unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. *LS Power Grid California, LLC,* 189 FERC ¶ 61,027 (2024).

The refund effective date in Docket No. EL24–146–000 established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL24–146–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR. 385.214 (2024), within 21 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFile'' link at *http://www.ferc.gov.* In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: October 15, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–24372 Filed 10–18–24; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–12325–01–OMS]

Good Neighbor Environmental Board

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: Under the Federal Advisory Committee Act, the Environmental Protection Agency (EPA) gives notice of a public meeting of the Good Neighbor Environmental Board (GNEB). The purpose of this meeting is for the Board to approve its first comment letter and discuss the second comment letter that will comprise the GNEB 21st report.

DATES: November 13, 2024, from 11 a.m. to 3 p.m. (EST).

ADDRESSES: The meeting will be held at the U.S. Environmental Protection Agency (EPA) headquarters located at 1200 Pennsylvania Avenue NW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Eugene Green at (202) 564–2432 or via email at *green.eugene@epa.gov.*

SUPPLEMENTARY INFORMATION: The Board is an independent Federal advisory committee chartered under the Federal Advisory Committee Act, 5 U.S.C. 10. Its mission is to advise the President and Congress of the United States on good neighbor practices along the U.S. border with Mexico. Its recommendations are focused on environmental infrastructure needs within the U.S. states contiguous to Mexico. A copy of the agenda will be posted at *www.epa.gov/faca/gneb.* The meeting will be held virtually and in-person in Washington, DC at 1200 Pennsylvania Avenue NW, Washington, DC 20460. The meeting is open to the public with limited seating available for in-person attendance and on a first come, first served basis. Members of the public wishing to participate or attend in-person must contact Eugene Green at *green.eugene@epa.gov* or 202–564–2432 by November 6, 2024, to register. Members of the public wishing to attend or participate virtually must contact Eugene Green using the information above by November 6, 2024, to receive a link to the meeting. The Federal Protective Service requires 48-hour notification for guests entering Federal Government spaces, therefore, it is imperative that the timeframe noted is met prior to the meeting.

Requests to make oral comments or submit written public comments to the board, also should be directed to Eugene Green at least five business days prior to the meeting (November 6, 2024). Requests for accessibility and/or accommodations for individuals with disabilities should be directed to Eugene Green at the phone number or email address listed above. To ensure adequate time for processing, please make requests for accommodations at least 10 business days (October 30, 2024) prior to the meeting.

Oscar Carrillo,

Program Analyst.

[FR Doc. 2024–24315 Filed 10–18–24; 8:45 am]

BILLING CODE P

FEDERAL COMMUNICATIONS COMMISSION

[DA 24–1065; FR ID 254307]

Media Bureau Announces Filing Window for New Noncommercial Educational Television Stations From December 4 Through December 11, 2024, and Sets Forth Filing Procedures and Requirements

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Media Bureau (Bureau) announces that an upcoming filing window for applications for new noncommercial educational (NCETV) station construction permits (NCETV Filing Window) will open at 12:01 a.m. EST on December 4, 2024, and close at 6:00 p.m. EST on December 11, 2024. In addition, effective 12:01 a.m. EST on December 3, 2024, the Commission will not accept rulemaking petitions for full power television stations to change channel, and minor and major change applications for full power and Class A television stations. These freezes will continue in effect until the close of the NCETV Filing Window on December 11, 2024 at 6 p.m. EST (Application Deadline).

DATES: The Media Bureau will conduct the NCETV Filing Window from December 4, 2024 through December 11, 2024.

FOR FURTHER INFORMATION CONTACT: Emily Harrison, *Emily.Harrison@fcc.gov,* (202) 418–1665, Kevin Harding, *Kevin.Harding@fcc.gov,* (202) 418–7077, or Mark Colombo, *Mark.Colombo@fcc.gov,* (202) 418–7611 of the Video Division, Media Bureau.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Media Bureau's *Public Notice,* in DA 24–1065, released on October 10, 2024. The full text of this document is available for download at *https://www.fcc.gov/document/media-bureau-announces-nce-filing-window-opportunity*. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to *FCC504@fcc.gov* or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

Synopsis

The NCETV Filing Window will open at 12:01 a.m. EST on December 4, 2024, and close at 6 p.m. EST on December 11, 2024. The NCETV Filing Window provides an opportunity for applications for new NCETV station construction permits. Applications in the NCETV Filing Window will be filed electronically via the Commission's Licensing and Management System (LMS) on FCC Form 2100, Schedule A–340 and no filing fee is required for this application. Instructions on completing Form 2100, Schedule A–340 are available at *https://www.fcc.gov/sites/default/files/lms-Form-2100-Schedule-A-340-NCE-construction-permit-application-instructions.pdf*.

In conjunction with the NCETV Filing Window, effective October 10, 2024, the Commission will not accept petitions to amend the Table of TV Allotments to allot new reserved noncommercial educational channels to communities. In addition, effective 12:01 a.m. EST on December 3, 2024, the Commission will not accept rulemaking petitions for full power television stations to change channel, and minor and major change applications for full power and Class A television stations. These freezes will continue in effect until the close of the NCETV Filing Window on December 11, 2024 at 6 p.m. EST.

Basic NCETV Eligibility Certifications

Nonprofit Educational Eligibility Qualifications. Applicants for NCETV stations must meet basic eligibility requirements set forth in section 73.621 of the Commission's rules (Rules) and established licensing policies that are not codified in its rules. In addition to the Bureau's Public Notice, applicants should refer to the Instructions to Schedule A–340 for guidance on basic eligibility requirements.

Section 73.621(a) of the Rules requires that a reserved channel be ''licensed only to nonprofit educational organizations . . . .'' Thus, Schedule A–340 requires that each applicant certify that it is either a nonprofit educational institution, a governmental entity other than a school, or a nonprofit educational organization. All nonprofit educational institutions, including public and private schools and colleges, should choose ''nonprofit educational institution'' under ''Legal Certifications/Eligibility'' on Schedule A–340. Government entities, including agencies and boards that do not operate a school, should choose ''governmental entity other than school.'' Nonprofit educational organizations that are neither schools nor government entities, such as private educational nonprofit corporations, should choose ''nonprofit educational organization, other than described above.'' If the applicant cannot answer ''Yes'' to any subpart of this question, the applicant is not eligible to hold an NCETV station authorization.

Television applicants other than governments and schools are eligible to hold NCETV authorizations only if the majority (more than 50 percent) of their governing board or leaders are representative of a broad cross section of community elements. Thus, if the applicant chooses ''nonprofit educational organization'' under the Eligibility certification, it is required to certify that persons in leadership positions, such as its officers, directors and members of its governing board, are broadly representative of the educational, cultural, and civic segments of the principal community to be served in order to establish their basic qualifications. Some examples of elements of the community are businesses; charities; civic, neighborhood and fraternal organizations; culture; education; environment; government; labor; military; minority and ethnic groups; organizations of and for the elderly, women, or youth; professions; and religion. For the governing board or leadership to be considered broadly representative, the applicant must have at least four different elements of the community among its leadership. And, as the Commission has stated, ''a local headquarters or residence must be a primary place of business or primary residence and not, for example, a Post office box, lawyer's office, branch office, or vacation home, which would not provide sufficient contact between the station's decision and policy makers and the area to be served.''

Applicants whose educational qualifications and proposed programming were previously approved by the Commission and intend to use the proposed station to advance a similar program may so certify by answering ''Yes'' to the second question in the ''Eligibility'' section on the Legal Certifications page of Schedule A–340 and indicate the file number of the most recent full power television NCETV application in which the Commission granted such approval. Applicants not previously approved or those applicants planning to advance a program dissimilar from one previously approved, *i.e.,* answering ''No,'' must establish their qualifications. The applicant must provide an exhibit showing that it has an educational objective and that the station will be used *primarily* for the advancement of an educational program that will further that objective in accordance with 47 CFR 73.621. In considering these requirements, emphasis is placed on proposed station programs which are clearly educational in nature, *i.e.,*

actually involve teaching or instruction, whether for formal credit or not. However, it is not necessary that the proposed station's programming be exclusively educational in nature. Also, all programming on the station must be noncommercial in nature, with no advertisements, and must not offer support for or opposition to a candidate for political office. The applicant should carefully review its governing documents to confirm that it has an educational objective and that the station will be used for the advancement of an educational program. In addition, we remind applicants that, should they obtain a permit in this window, they cannot conduct third-party fundraising on their stations beyond a minimal amount permitted by our rules.

Section 73.621(a) of the Rules further provides that an NCETV station will be licensed only upon a showing that the station will be used ''*primarily* to serve the educational needs of the community; for the advancement of educational programs; and to furnish a nonprofit and noncommercial television broadcast service.'' In order to comply with the requirement that an NCETV station ''be used primarily to serve the educational needs of the community,'' more than half of the hours of programming aired on a reserved channel must primarily serve an educational, instructional or cultural purpose in the applicant's proposed community of license. The applicant must provide an attachment showing that the station will be used for the advancement of an educational program in compliance with this requirement for NCETV stations.

Financial Qualifications. Schedule A–340 requires each applicant for a new NCETV station to certify that, at the time it files its application, the applicant has sufficient net liquid assets on hand or committed sources of funds to construct the proposed facility and operate it for three months, without additional funds. Each applicant should be prepared to submit supporting documentation upon Bureau staff request.

Reasonable Site Assurance. At the time it files its application, an applicant must have reasonable assurance that the specified site will be available. Applicants filing this Schedule A–340 must certify that the site specified in the application is available for its intended use. If reasonable assurance is not based on the applicant's ownership of the proposed site or structure, the applicant must certify that it has obtained reasonable assurance of the site's availability by contacting the owner or person possessing control of the site or structure. The applicant must specify the name of the person contacted, the person's telephone number, and whether the contact is the tower owner, agent, or authorized representative.

Comparative Consideration of Applications

During the NCETV Filing Window, applications may be filed for the channels at the locations listed in Appendix A. Applications filed for the same channel and location are considered mutually exclusive (MX). Each NCETV applicant must complete the ''Point System Factors/Tie Breakers'' section of Schedule A–340 by the NCETV Application Deadline. If MX applications proceed to a point system analysis, the Commission will review the point submissions to compare the MX applications and tentatively select the application with the highest point total from each MX group for grant.

Point System Selection Criteria. In cases of MX applications for new NCETV stations to operate on reserved channels, each application is reviewed pursuant to the Commission's comparative process. This procedure awards a maximum of seven merit points based on four criteria deemed to be most relevant to predicting the applicant best qualified to provide the service for which this spectrum has been reserved. First, three points are awarded to applicants who have been local and established for at least two years. Second, two points are awarded for local diversity of ownership if there is no overlap of the principal community contour of the proposed station and any other station attributable to the applicant. Third, two points will be awarded for certain statewide networks providing programming to accredited schools, which cannot claim a credit for local diversity of ownership. Fourth, one point is awarded to an applicant if its proposed area and population is 10 percent greater than the next best proposal, or two points if 25 percent greater than the next best proposal. The tentative selectee is the applicant with the highest score. An overview of the Commission's current comparative procedures and details on comparative information an applicant must submit are provided below.

Established Local Applicant. To qualify for the three points as an ''established local applicant'' an applicant must certify that it has been local continuously for at least two years immediately prior to the Application Deadline. To be considered local, a non-governmental applicant must have a physical headquarters, campus, or 75 percent of its governing board members residing within 25 miles of the reference coordinates of the proposed community of license. A governmental unit is considered local within its jurisdictional boundaries.

If an applicant certifies that it is an ''established local applicant,'' it must submit substantiating documentation with its application to illustrate how it qualifies as local and established. Examples of acceptable documentation include corporate material from the secretary of state, lists of names, addresses, and length of residence of board members and copies of governing documents requiring a 75 percent local governing board, or course brochures indicating that classes have been offered at a local campus for the preceding two years.

Diversity of Ownership. To qualify for the two points for ''diversity of ownership,'' an applicant must certify that the principal community contours of its proposed NCETV station do not overlap with those of any other full-service or Class A television station in which the applicant, or any party to the application, holds an attributable interest.

To qualify for the diversity of ownership points, an applicant must submit either a contour map showing no overlap with the proposed NCETV station, or a statement that the applicant holds no attributable interests in any nearby full service or Class A television stations.

Divestiture Pledges. We will permit an NCETV applicant with an overlapping attributable interest to qualify for diversity of ownership points if it commits to divest the broadcast interest or resign from the attributable positional interest. The divestiture pledge must be submitted with the application by the Application Deadline. The applicant, however, will not be required to complete the pledged action by the Application Deadline. Rather, if the permit is awarded based on points, the actual divestiture or resignation must be completed by the time the new NCETV station commences program test operations.

Statewide Network. The Commission awards two points for certain statewide networks providing programming to accredited schools. These points are available only to applicants that cannot claim a credit for local diversity of ownership. The statewide network credit is an alternative for applicants that use multiple stations to serve large numbers of schools and, therefore, do not qualify for the local diversity of ownership credit. Applicants claiming points as a statewide network must

submit supporting documentation as an application exhibit.

Technical Parameters. The Commission awards up to two points to an applicant that proposes the best technical proposal in an MX group (*i.e.,* proposes service to the largest population and area, excluding substantial areas of water). An applicant will receive one point if its proposed service area *and* population are 10 percent greater than those of the next best area and population proposals, or two points if both are 25 percent greater than those of the next best area and population proposals, as measured by each proposed station's predicted noise-limited service contour (NLSC) applicable to its channel. If the best technical proposal does not meet the 10 percent threshold, no applicant will be awarded points under this criterion.

Each applicant must include an application exhibit explaining how it calculated the technical parameters. The applicant should specify the year and blocks of census information used and the method used to determine area. Area must be measured in square kilometers and exclude significant areas of water, *e.g.,* ocean and lakes. Population should be measured using the 2020 Census Block Data available from the Census Bureau.

Tiebreakers. In the event MX applicants are tied with the highest number of points, the tied applicants will proceed to a tie-breaker round. The first tie-breaker is the number of radio or television station authorizations attributable to each applicant. The applicant must count all attributable full power commercial and NCE television, and Class A television, authorizations (licenses and construction permits). The applicant with the fewest attributable authorizations prevails.

If the tie is not broken by this first factor, the Commission will apply a second tie-breaker: the number of pending television station applications attributable to each applicant. When reporting pending applications, applicants must include new and major change television applications, including the subject application and all other applications filed in this window by the Application Deadline. Applicants should *not* include any requests to participate in an auction filed on Schedule 175 and other applications such as voluntary assignment of license, license renewal, and minor change in existing facilities. The tentative selectee will be the applicant with the fewest pending new and major change applications in the same service at the time of filing.

Timely Documentation of Comparative Qualifications. As noted, Schedule A–340 is certification-based, but requires applicants to document certain claims by submitting supporting information. We caution applicants that the basis for applicant point claims must be readily ascertainable from timely-filed application exhibits. Applicants, therefore, should review their supporting documentation thoroughly before filing.

Certifications which require the applicant to submit documentation, but which are not supported with any such timely documentation, will not be credited. For example, every applicant claiming points for diversity of ownership must certify that the proposed station's service area would not overlap that of an attributable existing station. With respect to the diversity certification, the preferred supporting documentation is a map showing no overlap, or a statement that none of the parties to the application holds an attributable interest in any other station. While there is some flexibility in the type of documentation an applicant may provide, an applicant submitting no timely documentation at all cannot be found to have made a valid certification and will not receive the claimed points. The Commission will not consider documentation to support a claimed comparative point if it is submitted in an amendment after the Application Deadline.

''Snap Shot'' Date for Establishing Points and Comparing Applications. The NCETV applicant's qualifications for points will be initially determined ''as of the closing of the filing window''—*i.e.,* the Application Deadline. For example, NCE organizations will be considered ''established'' if they have operated as local entities since December 11, 2022—*i.e.,* for at least two years prior to the Application Deadline. These ''snap shot'' applicant characteristics establish an applicant's maximum points and its maximum position in the event of a tie-breaker. This common reference date ensures a level competitive field for applicants, with their qualifications all compared as of the same time.

Any changes made after the Application Deadline may potentially diminish, but cannot enhance, an applicant's comparative position and point total. Therefore, the Commission will take into account any amendments that adversely affect an applicant's point total and comparative position. The Commission will *not* consider any amendments, filed after the Application Deadline, which improve an applicant's comparative position. For example, an applicant may lose claimed points, such as the diversity of ownership points, as a result of acquiring an overlapping station after the Application Deadline. In contrast, if an applicant certifies that it does not qualify for one of the point factors, it cannot later amend its application to attempt to claim such points. This is the case even if the applicant actually would have qualified for the point it is seeking at the time it filed the application.

Acceptability of Applications. Following the Application Deadline, the Bureau will review all applications for compliance with the relevant technical and legal rules. If an application is defective (*i.e.,* it does not comply with the Rules or meet the criteria specified in this Public Notice), we will issue a deficiency letter to the applicant providing the reason for deficiency and giving the applicant thirty days to amend its application to cure the deficiency. Failure to correct all deficiencies within 30 days of the date of the letter will result in dismissal of the application.

Amendments to Applications. Following the Application Deadline, each applicant must continue to maintain the accuracy and completeness of the information in its application, and notify the Commission, by electronically filing an amendment, of any substantial change that may be of decisional significance to the application. For example, an applicant will be required, pursuant to section 1.65 of the Rules, to update its number of authorizations (Tiebreaker section) if/when one of its pending applications is granted.

Local Public Notice. Applicants filing Schedule A–340 must provide the public with notice to inform the community about the proposal. Applicants for construction permits for a new NCETV station must give online notice, either on the station website or a website affiliated with the station, its licensee, or its parent entity, or otherwise by posting notice in the form prescribed in the Rules on a publicly accessible, locally targeted website, for 30 consecutive days following acceptance of the application for filing.

The actions in the Public Notice are taken by the Chief, Media Bureau, pursuant to authority delegated by sections 0.61 and 0.283 of the Rules. 47 CFR 0.61 and 0.283.

APPENDIX A—CONSTRUCTION PERMITS IN NCETV FILING WINDOW

State	Community	Channel No.
AL	Vernon	*4
AK	Anchorage	*26
AK	Bethel	*3
CA	Colusa	*2
CA	Fort Bragg	*4
CA	Tulare	*3
ID	Filer	*18
IA	Ames	*21
NM	Alamogordo	*4
OR	Jacksonville	*4
TX	Waco	*20
VA	Waynesboro	*12

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

[FR Doc. 2024–24245 Filed 10–18–24; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meetings

TIME AND DATE: 10:19 a.m. on Thursday, October 17, 2024.

PLACE: The meeting was held in the Board Room located on the sixth floor of the FDIC Building located at 550 17th Street NW, Washington, DC.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The Board of Directors of the Federal Deposit Insurance Corporation met to consider matters related to the Corporation's resolution, supervision, and corporate activities. In calling the meeting, the Board determined, on motion of Director Michael J. Hsu (Acting Comptroller of the Currency), seconded by Director Rohit Chopra (Director, Consumer Financial Protection Bureau), by the unanimous vote of Chairman Martin J. Gruenberg, Vice Chairman Travis Hill, Director Jonathan McKernan, Director Michael J. Hsu (Acting Comptroller of the Currency), and Director Rohit Chopra (Director, Consumer Financial Protection Bureau), that Corporation business required its consideration of the matters which were to be the subject of this meeting on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A), and (c)(9)(B), of the ''Government in the Sunshine Act'' (5 U.S.C. 552b (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A), and (c)(9)(B)).

CONTACT PERSON FOR MORE INFORMATION: Requests for further information concerning the meeting may be directed to Debra A. Decker, Executive Secretary of the Corporation, at 202–898–8748.

Dated this 17th day of October, 2024.

Federal Deposit Insurance Corporation.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–24440 Filed 10–17–24; 4:15 pm]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0183]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below (OMB Control No. 3064–0183).

DATES: Comments must be submitted on or before December 20, 2024.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website: https://www.fdic.gov/resources/regulations/federal-register-publications/.*
- *Email: comments@fdic.gov.* Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202–898–3767), Regulatory Counsel, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street NW building (located on F Street NW), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Manny Cabeza, Regulatory Counsel, 202–898–3767, *mcabeza@fdic.gov,* MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Proposal to renew the following currently approved collection of information:

1. *Title:* Credit Risk Retention.

OMB Number: 3064–0183.

Form Number: None.

Affected Public: Insured state nonmember banks, state savings institutions, insured state branches of foreign banks, and any subsidiary of the aforementioned entities.

BURDEN ESTIMATE

IC description	Type of burden (obligation to respond)	Frequency of response	Estimated number of respondents	Number of responses/ respondent	Hours per response	Total annual estimated burden
Disclosure Burdens						
§ 373.4(a)(2) Standard Risk Retention—Horizontal Interest	Disclosure (Mandatory)	On Occasion	2	2	5.5	22
§ 373.4(a)(1) Standard Risk Retention—Vertical Interest	Disclosure (Mandatory)	On Occasion	2	2	2.0	8
§ 373.4(a)(3) Standard Risk Retention—Combined Interest*.	Disclosure (Mandatory)	On Occasion	1	1	7.5	8
§ 373.5 Revolving Master Trusts	Disclosure (Mandatory)	On Occasion	3	2	7.0	42
§ 373.6 Eligible ABCP Conduits*	Disclosure (Mandatory)	On Occasion	1	1	3.0	3
§ 373.7 Commercial MBS*	Disclosure (Mandatory)	On Occasion	1	1	20.75	21
§ 373.10 Qualified Tender Option Bonds*	Disclosure (Mandatory)	On Occasion	1	1	6.0	6
§ 373.11 Allocation of Risk Retention to an Originator*	Disclosure (Mandatory)	On Occasion	1	1	2.5	3
§ 373.13 Exemption for Qualified Residential Mortgages*	Disclosure (Mandatory)	On Occasion	1	1	1.25	1
§ 373.15 Exemption for Qualifying Commercial Loans, Commercial Real Estate and Automobile Loans*.	Disclosure (Mandatory)	On Occasion	1	1	20.0	20

BURDEN ESTIMATE—Continued

IC description	Type of burden (obligation to respond)	Frequency of response	Estimated number of respondents	Number of responses/ respondent	Hours per response	Total annual estimated burden
§ 373.16 Underwriting Standards for Qualifying Commercial Loans*.	Disclosure (Mandatory)	On Occasion	1	1	1.25	1
§ 373.17 Underwriting Standards for Qualifying Commercial Real Estate Loans*.	Disclosure (Mandatory)	On Occasion	1	1	1.25	1
§ 373.18 Underwriting Standards for Qualifying Automobile Loans*.	Disclosure (Mandatory)	On Occasion	1	1	1.25	1
Disclosure Subtotal						137
Recordkeeping Burdens						
§ 373.4(a)(2) Standard Risk Retention—Horizontal Interest	Recordkeeping (Mandatory)	On Occasion	2	2	0.5	2
§ 373.4(a)(1) Standard Risk Retention—Vertical Interest	Recordkeeping (Mandatory)	On Occasion	2	2	0.5	2
§ 373.4(a)(3) Standard Risk Retention—Combined Interest*.	Recordkeeping (Mandatory)	On Occasion	1	1	0.5	1
§ 373.5 Revolving Master Trusts	Recordkeeping (Mandatory)	On Occasion	3	2	0.5	3
§ 373.6 Eligible ABCP Conduits*	Recordkeeping (Mandatory)	On Occasion	1	1	20.0	20
§ 373.7 Commercial MBS*	Recordkeeping (Mandatory)	On Occasion	1	1	30.0	30
§ 373.11 Allocation of Risk Retention to an Originator*	Recordkeeping (Mandatory)	On Occasion	1	1	20.0	20
§ 373.13 Exemption for Qualified Residential Mortgages*	Recordkeeping (Mandatory)	On Occasion	1	1	40.0	40
§ 373.15 Exemption for Qualifying Commercial Loans, Commercial Real Estate and Automobile Loans*.	Recordkeeping (Mandatory)	On Occasion	1	1	0.5	1
§ 373.16 Underwriting Standards for Qualifying Commercial Loans*.	Recordkeeping (Mandatory)	On Occasion	1	1	40.0	40
§ 373.17 Underwriting Standards for Qualifying Commercial Real Estate Loans*.	Recordkeeping (Mandatory)	On Occasion	1	1	40.0	40
§ 373.18 Underwriting Standards for Qualifying Automobile Loans*.	Recordkeeping (Mandatory)	On Occasion	1	1	40.0	40
Recordkeeping Subtotal						239
Total Annual Burden Hours						376

General Description of Collection: This information collection request comprises disclosure and recordkeeping requirements under the credit risk retention rule issued pursuant to section 15G of the Securities Exchange Act of 1934 (15 U.S.C. 78o–11), as added by section 941 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank).[1] The Credit Risk Retention rule (the Rule) was jointly issued in 2015 by the FDIC, the Office of the Comptroller of the Currency (OCC), the Federal Reserve Board (Board), the Securities and Exchange Commission (SEC) and, with respect to the portions of the Rule addressing the securitization of residential mortgages, the Federal Housing Finance Agency (FHFA) and the Department of Housing and Urban Development (HUD).[2] The FDIC regulations corresponding to the Rule are found at 12 CFR part 373.[3]

Section 941 of Dodd-Frank requires the Board, the FDIC, the OCC, the SEC, and, in the case of the securitization of any ''residential mortgage asset,'' together with HUD and FHFA, to jointly prescribe regulations that (1) require an issuer of an asset-backed security or a person who organizes and initiates an asset-backed securities transaction by selling or transferring assets, either directly or indirectly, including through an affiliate, to the issuer (issuer or organizer) to retain not less than five percent of the credit risk of any asset that the issuer or organizer, through the issuance of an asset-backed security (ABS), transfers, sells or conveys to a third party and (2) prohibit an issuer or organizer from directly or indirectly hedging or otherwise transferring the credit risk that the issuer or organizer is required to retain under section 941 and the agencies' implementing rules. Exempted from the credit risk retention requirements of section 941 are certain types of securitization transactions, including ABS collateralized solely by qualified residential mortgages (QRMs), as that term is defined in the Rule. In addition, section 941 provides that the agencies must permit an issuer or organizer to retain less than five percent of the credit risk of residential mortgage loans, commercial real estate (CRE) loans, commercial loans and automobile loans that are transferred, sold or conveyed through the issuance of ABS by the issuer or organizer, if the loans meet underwriting standards established by the Federal banking agencies.

The FDIC implemented section 941 of Dodd-Frank through 12 CFR part 373 (the Rule). The Rule defines a securitizer as (1) the depositor of the asset-backed securities (if the depositor is not the sponsor); or (2) the sponsor of the asset-backed securities.[4] The Rule provides a menu of credit risk retention options from which securitizers can choose and sets out the standards, including disclosure, recordkeeping, and reporting requirements, for each option; identifies the eligibility criteria, including certification and disclosure requirements, that must be met for ABS offerings to qualify for the QRM and other exemptions; specifies the underwriting standards for CRE loans, commercial loans and automobile loans, as well as disclosure, certification and recordkeeping requirements, that must be met for ABS issuances collateralized by such loans to qualify for reduced credit risk retention; and sets forth the circumstances under which retention obligations may be allocated by sponsors to originators, including disclosure and monitoring requirements.

The regulations at 12 CFR part 373 contains several requirements that qualify as information collections under

[1] Public Law 111–2–3, 124 Stat. 1376 (2010).

[2] 79 FR 77740.

[3] Each agency adopted the same rule text but each agency's version of its rule is codified in different parts of the *Code of Federal Regulations* with substantially identical section numbers (*e.g.* __.01; __.02, etc.). Rule citations herein are to FDIC's version of the Rule, which is codified at 12 CFR part 373.

[4] 12 CFR 373.2.

the PRA. The information collection requirements are found in §§ 373.4, 373, 373.6, 373.7, 373.8, 373.9, 373.10, 373.11, 373.13, 373.15, 373.16, 373.17, 373.18, and 373.19(g). The recordkeeping requirements relate primarily to (1) the adoption and maintenance of various policies and procedures to ensure and monitor compliance with regulatory requirements; and (2) certifications, including as to the effectiveness of internal supervisory controls. The required disclosures for each risk retention option are intended to provide investors with material information concerning the sponsor's retained interest in a securitization transaction (*e.g.,* the amount, form and nature of the retained interest, material assumptions and methodology, representations and warranties). Compliance with the information collection requirements is mandatory, responses to the information collections will not be kept confidential and, with the exception of the recordkeeping requirements in §§ 373.4(d), 373.5(k)(3), and 373.15(d), the Rule does not specify a mandatory retention period for the information.

Request for Comment

Comments are invited on (a) whether the collections of information are necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collections, 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 collections of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on October 15, 2024.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–24259 Filed 10–18–24; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0028; –0109; –0124; –0134; –0162; –0179; –0195]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on the request to renew the existing information collections described below (OMB Control No. 3064–0028, –0109, –0124, –0134, –0162, –0179 and –0195). The notices of proposed renewal for these information collections were previously published in the **Federal Register** on August 21, 2024, and September 9, 2024, allowing for a 60-day comment period.

DATES: Comments must be submitted on or before November 20, 2024.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website: https://www.fdic.gov/resources/regulations/federal-register-publications/.*
- *Email: comments@fdic.gov.* Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202–898–3767), Regulatory Counsel, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street NW building (located on F Street NW), on business days between 7:00 a.m. and 5:00 p.m.

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: Manny Cabeza, Regulatory Counsel, 202–898–3767, *mcabeza@fdic.gov,* MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Proposal to renew the following currently approved collection of information:

1. *Title:* Recordkeeping and Confirmation Requirements for Securities Transactions.

OMB Number: 3064–0028.

Form Number: None.

Affected Public: FDIC-Insured Institutions and Certain Employees of the FDIC-Insured Institutions.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0028)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Maintain Securities Trading Policies and Procedures, 12 CFR 344.8 (Mandatory).	Recordkeeping (On Occasion)	632	1	1:00	632
2. Officer/Employee Filing of Reports of Personal Securities Trading, 12 CFR 344.9 (Mandatory).	Third Party Disclosure (On Occasion).	1,896	4	1:00	7,584
Total Annual Burden (Hours)	.....	.....	.....	.....	8,216

Source: FDIC.

General Description of Collection: The collection of information requirements is contained in 12 CFR part 344. The purpose of the regulation is to ensure that purchasers of securities in transactions affected by insured State nonmember banks are provided with adequate records concerning the transactions. The regulation is also designed to ensure that insured State nonmember banks maintain adequate records and controls with respect to the securities transactions they effect. Finally, this regulation requires officers and employees of FDIC-supervised institutions to report to the FDIC-supervised institution certain personal securities trading activity. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 8,583 hours in 2021 to 8,216 hours currently is due to a

decrease in estimated number of respondents.

2. *Title:* Notice of Branch Closure.

OMB Number: 3064–0109.

Form Number: None.

Affected Public: FDIC-insured depository institutions.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0109)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Notice of Branch Closure to FDIC, 12 U.S.C. 1831r–(a) (Mandatory)	Reporting (On Occasion)	276	2.99	00:30	413
2. Notice of Branch Closure to Customers, 12 U.S.C. 1831r–(b) (Mandatory).	Disclosure (On Occasion)	276	2.99	1:30	1,238
3. Adoption of Branch Closure Policy, 12 U.S.C. 1831r–1 (Mandatory)	Recordkeeping (Annual)	18	1	08:00	144
Total Annual Burden (Hours)					1,795

Source: FDIC.

General Description of Collection: Section 42 of the Federal Deposit Insurance Act mandates that an insured depository institution closing a branch notify its primary Federal regulator not later than 90 days prior to the closing. The statute also provides that a notice be posted on the premises of the branch for the 30-day period immediately prior to the closing and that the customers be notified in a mailing at least 90 days prior to the closing. Each insured depository institution that has one or more branches is required to adopt a written policy for branch closings. There is no change in the methodology or substance of this information collection. The increase in total estimated annual burden from 1,738 hours in 2021 to 1,795 hours currently is due to an increase in estimated number or respondents.

3. *Title:* Notice of Branch Closure.

OMB Number: 3064–0124.

Form Number: None.

Affected Public: Insured depository institutions.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0124)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
Certification of Assumption of Deposit Liabilities 12 CFR 307.2 (Mandatory).	Reporting (On occasion)	162	1	1:00	162
Notice to Depositors 12 CFR 307.3 (Mandatory)	Disclosure (On occasion)	12	1	2:00	24
Total Annual Burden (Hours)	186.				

Source: FDIC.

General Description of Collection: This information collection consists of two parts: (1) a certification that insured depository institutions provide the FDIC when all deposit liabilities from one insured depository institution are assumed from another insured depository institution, with the latter institution responsible for providing the certification; and (2) a notification that an insured depository institution provides to its depositors when it seeks to voluntarily terminate its insured status. The certification is necessary to implement the provisions of section 8(q) of the Federal Deposit Insurance Act, 12 U.S.C. 1818(q), regarding termination of the insured status of the transferring institution and termination of the separate deposit insurance coverage provided on deposit accounts assumed by the assuming institution. The depositor notification is required by section 8(a)(6) of the Federal Deposit Insurance Act, 12 U.S.C. 1818(a)(6). This provision ensures that the institution's depositors receive appropriate information regarding the institution's intent to terminate its insured status and that, prior to the termination of the institution's insured status, depositors receive appropriate information concerning Federal deposit insurance coverage of their accounts once the institution's insured status is terminated. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 256 in 2021 to 186 currently is due to a change in the estimated number or respondents.

4. *Title:* Extension without change of a currently approved collection.

OMB Number: 3064–0134.

Form Number: 6422/04; 6422/11; 6422/15

Affected Public: Individuals, Households, Business or Financial Institutions.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0134)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Customer Assistance Form (6422/04) (Voluntary)	Reporting (On Occasion)	8,566	1	00:15	2,142
2. Business Assistance Form (6422/11) (Voluntary)	Reporting (On Occasion)	1,191	1	00:15	298
3. FDIC Deposit Insurance Form (6422/15) (Voluntary)	Reporting (On Occasion)	1,465	1	00:15	366
Total Annual Burden (Hours)					2,806

Source: FDIC.

General Description of Collection: This collection facilitates the collection of information from customers of financial institutions that have inquiries or complaints about service. Customers or businesses may document their complaints or inquiries to the FDIC using a letter or optional forms (Form 6422/04, Form 6422/11, Form 6422/15). The forms are used to facilitate online completion and submission of the complaints or inquiries and to shorten FDIC response times by making it easier to identify the nature of the complaint and to route the customer or business inquiry to the appropriate FDIC contact. There is no change in the methodology or substance of this information collection. The increase in total estimated annual burden from 1,468 in 2021 to 2,806 currently is due to an increase in the estimated number or respondents.

5. *Title:* Large-Bank Deposit Insurance Programs.

OMB Number: 3064–0162.

Form Number: None.

Affected Public: Insured depository institutions having at least $2 billion in deposits and at least either (a) 250,000 Deposit accounts; or (b) $20 billion in total assets, regardless of the number of deposit accounts (a ''covered institution'').

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0162)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Posting and removing provisional holds—Implementation—12 CFR 360.9(c)(1) and (2) (Mandatory).	Recordkeeping (One time)	8	1	150:00	1,200
2. Providing standard data format for deposit account and customer information—Implementation—12 CFR 360.9(d)(1) (Mandatory).	Recordkeeping (One time)	8	1	110:00	880
3. Notification of identity of person responsible for producing standard data downloads—Implementation—12 CFR 360.9(c)(3) (Mandatory).	Reporting (One time)	8	1	8:00	64
4. Provide deposit account and customer information in required standard format—Implementation—12 CFR 360.9(d)(3) (Mandatory).	Reporting (On Occasion)	8	1	40:00	320
5. Request for exemption from provisional hold requirements—Implementation—12 CFR 360.9(c)(9) (Voluntary).	Reporting (On Occasion)	1	1	20:00	20
6. Request for extension of compliance deadline—Implementation—12 CFR 360.9(e)(7) (Voluntary).	Reporting (On Occasion)	1	1	20:00	20
7. Request for exemption—Implementation 12 CFR 360.9(f) (Voluntary)	Reporting (On Occasion)	1	1	20:00	20
8. Notification of identity of person responsible for producing standard data downloads—Ongoing—12 CFR 360.9(c)(3) (Mandatory).	Reporting (Annual)	123	1	8:00	984
9. Request for exemption from provisional hold requirements—Ongoing—12 CFR 360.9(c)(9) (Voluntary).	Reporting (On Occasion)	1	1	20:00	20
10. Request for exemption—Ongoing—12 CFR 360.9(f) (Voluntary)	Reporting (On Occasion)	1	1	20:00	20
11. Test compliance with 12 CFR 360.9 (c)–(d) pursuant to 12 CFR 360.9(h)—Ongoing—12 CFR 360.9 (h) (Mandatory).	Reporting (Annual)	30	1	80:00	2,400
Total Annual Burden (Hours)					5,948

Source: FDIC.

General Description of Collection: Upon the failure of an FDIC-insured depository institution, the FDIC is required to pay insured deposits as soon as possible. To do so, the FDIC must be able to quickly determine the total insured amount for each depositor. To make this determination, the FDIC must ascertain the balances of all deposit accounts owned by the same depositor in the same ownership capacity at a failed institution as of the day of failure. The FDIC issued a regulation (12 CFR 360.9) to modernize the process of determining the insurance status of each depositor in the event of failure of a covered institution. The regulations enable operations of a large insured depository institution to continue functioning on the day following failure, support the FDIC's efforts to fulfill its legal mandates regarding the resolution of failed insured deposit institutions, and apply to the largest institutions only ($2 billion in domestic deposits or more). More specifically, the regulations require the largest insured depository institutions to adopt mechanisms that would, in the event of the institution's failure (1) provide the FDIC with standard deposit account and customer information, and (2) allow the FDIC to place and release holds on liability accounts, including deposits. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 6,464 hours in 2021 to 5,948 hours currently is due to a decrease in estimated number of respondents.

6. *Title:* Assessment Rate Adjustment Guidelines for Large and Highly Complex Institutions.

OMB Number: 3064–0179.

Form Number: None.

Affected Public: Large and highly complex depository institutions.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0179)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Assessment Rate Adjustment Guidelines for Large and Highly Complex Institutions, 12 CFR 327 (Required to obtain or retain benefits).	Reporting (On Occasion)	1	1	80:00	80
Total Annual Burden (Hours)					80

Source: FDIC.

General Description of Collection: The FDIC's deposit insurance assessment authority is set forth in section 7 of the Federal Deposit Insurance Act, 12 U.S.C. 1817(b) and (c), and promulgated in regulations under 12 CFR part 327. These regulations also set out the process for making adjustments to the total score of these institutions used by the FDIC in making deposit insurance assessments. Depository institutions are permitted to make a written request to the FDIC for an assessment adjustment. An institution is able to request review of, or appeal, an upward adjustment, the magnitude of an upward adjustment, removal of a previously implemented downward adjustment, or an increase in a previously implemented upward adjustment through the FDIC's internal review process set forth at 12 CFR 327.4(c). An institution can similarly request review of, or appeal, a decision not to apply an adjustment following a request by the institution for an adjustment. An institution can submit its written request for an adjustment to the FDIC's Director of the Division of Insurance and Research in Washington, DC. In making such a request, the institution will provide support by including evidence of a material risk or risk mitigating factor that it believes was not adequately considered. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 160 hours in 2021 to 80 hours currently is due to a decrease in estimated number or respondents.

7. *Title:* Minimum Requirements for Appraisal Management Companies.

OMB Number: 3064–0195.

Form Number: None.

Affected Public: Individuals or households; business or other for profit.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0195)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Time per response (HH:MM)	Annual burden (hours)
1. Written Notice of Appraiser Removal from Network or Panel, 12 CFR 323.10 (Mandatory).	Disclosure (On occasion)	8,481	1	00:05	707
2. Develop and Maintain a State Licensing Program, 12 CFR 323.11(a) and (b) (Mandatory).	Recordkeeping (On occasion)	1	1	40:00	40
3. AMC Disclosure Requirements (State-regulated AMCs), 12 CFR 323.12 (Mandatory).	Disclosure (On occasion)	1,206	1	01:00	1,206
4. AMC Disclosure Requirements (Federally regulated AMCs), 12 CFR 323.13(c) (Mandatory).	Disclosure (On occasion)	38	1	01:00	38
Total Annual Burden (Hours)					1,991

Source: FDIC.

General Description of Collection: This information collection comprises recordkeeping and disclosure requirements under regulations issued by the (FDIC, jointly with the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the National Credit Union Administration, the Bureau of Consumer Financial Protection, and the Federal Home Finance Agency that implement the minimum requirements in section 1473 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) to be applied by States in the registration and supervision of appraisal management companies (AMCs). The regulations also implement the requirement in section 1473 of the Dodd-Frank Act for States to report to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council the information required by the ASC to administer the new national registry of AMCs. The information collection requirements are established in 12 CFR part 323 of the FDIC's codified regulations. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 2,457 in 2021 to 1,991 currently is due to a change in the estimated number or respondents.

Request for Comment

Comments are invited on (a) whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on October 15, 2024.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–24256 Filed 10–18–24; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL MARITIME COMMISSION

[Docket No. 24–08]

TZ SSE Buyer, LLC, Complainant v. Orient Overseas Container Line Limited and OOCL (Europe) Limited, Respondents; Notice of Filing of Amended Complaint

Served: October 15, 2024.

Notice is given that an amended complaint has been filed with the Federal Maritime Commission (the ''Commission'') by TZ SSE Buyer, LLC (the ''Complainant'') against Orient Overseas Container Line Limited and OOCL (Europe) Limited (the ''Respondents''). Complainant states that the Commission has jurisdiction over the amended complaint pursuant to 46 U.S.C. 41301 through 41309 and personal jurisdiction over the Respondents as ocean common carriers, as defined in 46 U.S.C. 40102(18), that entered into service contracts, as defined in 46 U.S.C. 40102(21), with the original complainants.

Complainant is a Delaware limited liability company with a principal place of business in Toledo, Ohio. Impact Products, LLC and Safety Zone, LLC (the ''original complainants'') filed the verified complaint in this proceeding on February 7, 2024, and subsequently filed for Chapter 11 bankruptcy and sold the claims asserted in this proceeding to

Complainant. The original complainants are shippers as this term is defined under 46 U.S.C. 40102(23) with offices in Ohio, Tennessee, and Connecticut, among other locations.

Complainant identifies Respondent Orient Overseas Container Line Limited as a company existing under the laws of Hong Kong with its principal place of business in Wan Chai, Hong Kong, and as a global ocean carrier that acts in the United States through its agent, OOCL (USA) Inc., a New York company with a principal place of business in South Jordan, Utah.

Complainant identifies Respondent OOCL (Europe) Limited as a company existing under the laws of the United Kingdom with a principal place of business in Suffolk, United Kingdom, and as a global ocean carrier that acts in the United States through its agent, OOCL (USA) Inc., a New York company with a principal place of business in South Jordan, Utah.

Complainant alleges that Respondents violated 46 U.S.C. 41102(c) and 41104(a)(10) and 46 CFR 545.5. Complainant alleges these violations arose from assessment of demurrage, detention, per diem, and yard storage charges during periods of time in which the charges were not just or reasonable because of circumstances outside the control of the original complainants and their agents and service providers, and from the acts or omissions of the Respondents that led to the assessment of these charges.

An answer to the amended complaint must be filed with the Commission as provided in Administrative Law Judge Mary Apostolakos Hervey's October 11, 2024, Order Granting Motion for Leave to File Second Amended Complaint. The full text of the amended complaint and this order can be found in the Commission's electronic Reading Room at *https://www2.fmc.gov/readingroom/proceeding/24-08/.*

The initial decision of the presiding judge shall be issued by February 14, 2025, and the final decision of the Commission shall be issued by August 29, 2025.

David Eng,

Secretary.

[FR Doc. 2024–24231 Filed 10–18–24; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than November 5, 2024.

A. *Federal Reserve Bank of Chicago* (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414. Comments can also be sent electronically to *Comments.applications@chi.frb.org:*

1. *Louis James Schweigert, Cuba City, Wisconsin;* to acquire voting shares of BSB Community Bancorporation, Inc., and thereby indirectly acquire voting shares of Benton State Bank, both of Benton, Wisconsin.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2024–24278 Filed 10–18–24; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington DC 20551–0001, not later than November 20, 2024.

A. Federal Reserve Bank of Atlanta (Erien O. Terry, Assistant Vice President) 1000 Peachtree Street NE, Atlanta, Georgia 30309. Comments can also be sent electronically to *Applications.Comments@atl.frb.org:*

1. *EverBank Financial Corp, Jacksonville, Florida;* to acquire Sterling Bank and Trust, F.S.B., Southfield, Michigan.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2024–24279 Filed 10–18–24; 8:45 am]

BILLING CODE P

GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090–0319; Docket No. 2024–0001; Sequence No. 8]

Submission for OMB Review; CDP Supply Chain Climate Change Information Request

AGENCY: Office of Government-wide Policy (OGP), General Services Administration (GSA).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, and the Office of Management and Budget (OMB), GSA will invite the public to comment on a renewal and extension concerning the CDP Supply Chain Climate Change Information Request.

DATES: GSA will consider all comments received by November 20, 2024.

ADDRESSES: Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Mr. Jed Ela, Sustainability Advisor, Office of Government-wide Policy, at *jed.ela@gsa.gov,* 202–854–8804.

SUPPLEMENTARY INFORMATION:

A. Purpose

The CDP Supply Chain Climate Change Information Request is an electronic questionnaire designed to collect information that is widely used by large private and public sector organizations to understand, assess, and mitigate potentially disruptive and costly supply chain risks, investment risks, and environmental impacts. The questionnaire is administered by CDP North America, Inc., a 501(c)(3) nonprofit organization (''CDP''). CDP administers the questionnaire annually on behalf of over 700 institutional investors, 300 major corporations, and several large governmental purchasing organizations in addition to GSA. CDP's most recent annual survey was directed to over 40,000 companies, with over 23,000 electing to respond.

Under previously approved information collection requests, GSA has directed CDP since 2017 to include several hundred major Federal contractors annually among its potential survey respondents. In accordance with 31 U.S. Code 3512(c)(1)(b), GSA uses information received from these companies via CDP to inform and develop purchasing policies and contract requirements necessary to safeguard Federal assets against waste, loss, and misappropriation resulting from unmitigated exposure to physical, market, regulatory, legal, and other types of risks in Federal supply chains. GSA also uses the information in accordance with Executive Orders 13990, 14008, 14030, and 14057 to inform development of policies and programs to reduce similar risks and environmental impacts associated with federal procurement activities.

For example, GSA has used CDP information in recent years to perform critical market research in connection with multi-billion-dollar strategic contracting efforts. In one case, GSA determined that data center facilities used by potential network infrastructure providers could be at risk due to flooding, extreme heat, or lack of available cooling water sources, placing Federal client operations at risk. In another case, GSA used information from the CDP survey to research potential contractors' existing risk mitigation and greenhouse gas reduction practices and to design appropriate contract requirements to ensure that contractors assess and mitigate these risks and reduce greenhouse gasses associated with their federal contract activities. In another case, GSA determined that energy savings practices available to potential information technology service providers could significantly lower their overhead costs and that this would likely reduce contract costs for GSA and other Federal agencies. GSA uses the information collected to research development of similar policies and programs and to verify contractor compliance with existing programs.

B. Annual Burden Hours

GSA expects to direct CDP to request voluntary survey responses from up to 1000 large and medium-sized businesses per year. Estimates of response time per respondent vary greatly depending on whether each requested respondent (a) elects not to respond; (b) responds, but would have responded to CDP regardless of GSA's request (because the respondent was also requested to respond to CDP by other customer and/or investor stakeholders); or (c) responds to CDP because of GSA's request. Analysis of total response time is thus based on estimates for each of these categories.

(a) Requested respondents who elect not to respond. Based on historical CDP response rates and GSA's intended recipients, GSA estimates that 680 out of 1000 annual requested respondents will be in this category. Hour burden for this category: 680 non-responses; time per respondent 0; total time 0.

(b) Respondents who would have responded to CDP regardless of GSA's request. These respondents will complete some or all of the collection instrument, but would have done so regardless of GSA's request. In addition, some of these respondents will answer a small number of additional questions (requiring a small fraction of their overall response time to CDP) based on GSA's request. In addition, all of these respondents will need to complete one additional question in order to direct CDP to share their responses with GSA. Based on historical CDP response rates and GSA's intended recipients, GSA estimates that 250 out of 1000 annual requested respondents will be in this category. Hour burden for this category: 250 responses; average time per respondent 5 minutes; total burden 21 hours.

(c) Respondents who respond to CDP because of GSA's request. These respondents may need to invest significant time drafting their responses and gathering facts, including searching and compiling existing data sources such as utility bills, and completing and reviewing the collection instrument. Based on historical CDP response rates and GSA's intended recipients, GSA estimates that 70 out of 1000 annual requested respondents will be in this category. Based on discussions with several dozen previous respondents to CDP's questionnaire, as well as public input received in response to a related information collection request notice (see 82 FR 3794), time burden for this collection is estimated to average 120 hours per response. Hour burden for this category: 70 responses; average time per respondent 120 hours; total burden 8400 hours.

Based on the individual category response times above, the total estimated response burden for all 1000 requested respondents is summarized below.

Frequency: Annual
Affected Public: Federal contractors
Number of Respondents: 1000
Responses per Respondent: 1
Total Annual Responses: 320
Estimated Time per Respondent: 26.3

Total Burden Hours: 8421

C. Public Comments

A 60-day notice was published in the **Federal Register** at 89 FR 59100 on July 22, 2024. Two comments were received.

Comment: One commenter supported GSA's use of the CDP Supply Chain Questionnaire, and further suggested sharing aggregate information from the surveys with federal agencies working on climate change issues; linking GSA's efforts with other federal and non-federal efforts to bolster supply chain resilience; and considering administering the survey on a voluntary basis to large federal grantees such as state agencies that receive considerable federal funding.

Response: GSA appreciates this commenter's support. GSA already shares aggregate information from this survey with other federal agencies and collaborates with other federal and non-federal efforts to bolster supply chain resilience, and expects to continue to do so. GSA does not administer significant grants, and notes that CDP Supply Chain questionnaires were developed for use by private sector respondents and are not commonly used by public sector respondents, which would increases the potential burdens and decrease the utility of information collected from this type of respondents.

Comment: One commenter asserted that climate change does not exist, and requested that GSA ''reimburse the taxpayer for this hoax.''

Response: The existence and impacts of climate change, including risks to the economy and efficiency of federal procurement and supply chains, are well supported by the Fifth National Climate Assessment (''NCA5,'' *https://nca2023.globalchange.gov*), the US Government's preeminent report on climate change impacts, risks, and responses. The NCA5 was mandated by Congress in the Global Change Research Act of 1990 and authored by the U.S. Global Change Research Program, a collaboration between at least fifteen U.S. Federal agencies. The NCA5 was based on a comprehensive review and assessment of information sources determined to meet the standards and documentation required under the Information Quality Act and the Foundations for Evidence-Based Policymaking Act of 2018, including peer-reviewed literature, other literature, Indigenous Knowledge, other expert and local knowledge, and climate data processed and prepared for authors by NOAA's Technical Support Unit. NCA5 was thoroughly reviewed by Federal Government experts, external experts, and the public multiple times throughout the report development process. An expert external review was performed by an ad hoc committee of the National Academies of Sciences, Engineering, and Medicine. Even if climate change were a ''hoax,'' GSA lacks authorities or mechanisms for general reimbursements to taxpayers.

Lois Mandell,

Director, Regulatory Secretariat Division, General Services Administration.

[FR Doc. 2024–24192 Filed 10–18–24; 8:45 am]

BILLING CODE 6820–14–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–25AE; Docket No. CDC–2024–0078]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a proposed and/or continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled 2024 Marburg Airport Entry Questionnaires. This information collection is intended to assess risk for infection or exposure to Marburg in travelers coming to the United States from areas affected by an outbreak of Marburg originating in Rwanda.

DATES: CDC must receive written comments on or before December 20, 2024.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2024–0078 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

2024 Marburg Airport Entry Questionnaires—New—National Center for Emerging and Zoonotic Infectious

Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC), National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Division of Global Migration Health (DGMH) requests an Emergency approval for a New Information Collection Request (ICR). Section 361 of the Public Health Service (PHS) Act (42 U.S.C. 264) authorizes the Secretary of Health and Human Services (HHS) to make and enforce regulations necessary to prevent the introduction, transmission or spread of communicable diseases from foreign countries into the United States. Under its delegated authority, DGMH works to fulfill this responsibility through a variety of activities, including the operation of Port Health Stations at ports of entry and administration of foreign quarantine regulations; 42 Code of Federal Regulation part 71, specifically 42 CFR 71.20 Public Health prevention measures to detect communicable disease. This information collection concerns CDC's statutory and regulatory authority related to conducting public health screening of travelers upon arrival to the United States and assessing individual travelers for public health risk following a report of illness from a conveyance.

CDC has been tasked with conducting public health assessments at U.S. airports of travelers coming from areas experiencing an outbreak of Marburg originating in Rwanda. The purpose of this information collection is to determine the public health risk that travelers from areas affected by the 2024 outbreak of Marburg originating in Rwanda may pose. This information will be used to: (1) determine if travelers have symptoms consistent with Marburg virus disease (MVD) and should be isolated and medically evaluated upon arrival in the U.S.; and (2) assist state and local health departments with understanding which travelers from the region may be at higher risk of becoming ill with MVD and should be prioritized for taking certain public health protection measures, such as isolation or quarantine.

CDC collects international travelers' contact information under authorities in the Interim Final Rule: Control of Communicable Diseases: Foreign Quarantine and CDC's Order Requirement for Airlines and Operators to Collect and Transmit Designated Information for Passengers and Crew Arriving Into the United States; Requirement for Passengers to Provide Designated Information. Traveler contact information is sent to CDC though an existing data-sharing infrastructure in place between the United States Department of Homeland Security (DHS) and HHS/CDC and approved in OMB Control Number 0920–1354. Contact information for travelers who have been to an area affected by the outbreak during the 21 days prior to arrival will be confirmed at the port of entry. CDC will share contact information for these travelers with state and local health departments so that they can do possible public health follow up, including public health assessment of exposure risk and monitoring for MVD symptoms, and education to travelers. These public health interventions will help state and local health departments determine the appropriate level of follow needed based on the traveler's level of risk and rapidly identify any travelers with symptoms that may need to be prioritized for more targeted public health measures, such as quarantine, due to a higher risk of exposure to Marburg.

To implement the 2024 Marburg Airport Entry Questionnaires information collection, CDC will first require all travelers from designated areas affected by the 2024 outbreak of Marburg originating in Rwanda, to undergo an initial screening to determine if CDC needs to do further public health risk assessment or illness response at the airport. DHS will refer travelers that have been to designated areas to another location of the airport where CDC will ask initial MVD screening questions. DHS will also provide the contact information they have received to CDC electronically as part of the information collection under OMB Control Number 0920–1354. CDC will escort travelers to the area of the initial MVD screening and confirm with the traveler that the contact information on file is correct. CDC will inform DHS if there are any necessary corrections needed to the contact information.

In this initial MVD screening setting, CDC will ask basic questions about signs or symptoms of illness (*e.g.,* fever, rash, diarrhea, etc.) or possible exposure (*e.g.,* contact with a person sick with MVD, attendance at a funeral, etc.) as well as observe travelers to determine if the traveler is experiencing any overt signs and symptoms of disease, and measure their temperature with a noncontact thermometer. If a traveler answers ''Yes'' to any of these initial screening questions, is visibly ill, or has a fever, the traveler will then be referred to another area of the airport for a public health risk assessment by CDC. The public health risk assessment will help CDC investigate further to determine if the traveler could be sick with MVD or to get more information about a possible exposure to the Marburg virus to determine if the traveler is high-risk.

The CDC staff member doing the initial MVD screening will escort the traveler to the new area of the airport for further public health risk assessment questions by other staff members of CDC. They will indicate the reason the traveler is being referred for further public health risk assessment to the new CDC staff member. Any traveler who is visibly ill or reports signs or symptoms, or has an elevated temperature measurement, will undergo an illness investigation using the Air Travel Illness or Death Investigation or Traveler Follow up Form that is currently approved under OMB Control Number 0920–1318. Staff will take necessary precautions to prevent possible exposures by any ill travelers, such as wearing appropriate personal protective equipment during any illness investigation.

During the CDC public health risk assessment, CDC will ask more detailed questions about possible exposures, such as symptoms, whether they were exposed to a person with MVD, and the nature of contact (*e.g.,* provided direct health care). Depending on their symptoms and how they answer, CDC may refer the person for medical care. If CDC staff identify any travelers with high-risk exposures, management will be coordinated directly with the health departments of jurisdiction for both the airport where traveler is located and their final destination. Issuance of public health orders under federal or state authorities may also be considered. Any information from these public health risk assessments, as well as information related to an illness investigation will be recorded in CDC's Port Health Activity Reporting System (PHARS), which is covered by the System of Records Notice is 09–20–0171, Quarantine- and Traveler-Related Activities.

CDC requests OMB approval for an estimated 5,110 annual burden hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Traveler	CDC Initial Screening—Marburg	43,800	1	5/60	3,650
Traveler	POE Public Health Risk Assessment Form—CDC Marburg Response.	4,380	1	20/60	1,460
Total					5,110

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24304 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–1360; Docket No. CDC–2024–0077]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled CryptoNet Case Report Form. The CryptoNet Case Report Form will be used by federal, state, and local public health officials responsible for conducting interviews with reported cases of cryptosporidiosis in their jurisdiction in order to systematically assess core exposure elements and risk factors among cases of cryptosporidiosis.

DATES: CDC must receive written comments on or before December 20, 2024.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2024–0077 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

CryptoNet Case Report Form (OMB Control No. 0920–1360, Exp. 1/31/2025)—Revision—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Waterborne Disease Prevention Branch (WDPB) in the Division of Foodborne, Waterborne, and Environmental Diseases (DFWED) works to prevent domestic and global water-related diseases. The WDPB is comprised of five teams, including the Domestic Waterborne Disease Epidemiology and Response (WDER) Team, which focuses on the prevention and control of waterborne-related diseases and outbreaks in the United States. One of the diseases included in the team's work is cryptosporidiosis, an acute diarrheal disease caused by infection with *Cryptosporidium* parasites. The Case Surveillance Program is a subunit within the Domestic WDER Team that focuses on the data collection and management activities of five waterborne diseases, including cryptosporidiosis, in the United States. The Case Surveillance Program's current scope of work includes modernizing data collection and management, enabling data connections, and improving public data access to aid public health action.

CryptoNet is the first molecular tracking system for *Cryptosporidium* in

the United States. To meet the needs of the CryptoNet and Case Surveillance Program, and the needs of local officials, the CryptoNet case report form (CRF) was developed. The CRF includes a set of data elements that can be used to identify exposures trends in outbreak- and non-outbreak-associated *Cryptosporidium* cases, to generate hypotheses about the sources of infection in clusters or outbreaks, and to identify strategies to prevent and control *Cryptosporidium* cases, clusters, or outbreaks.

Data from the CRF will be used by federal, state, and local public health officials responsible for conducting interviews with reported cases of cryptosporidiosis in their jurisdiction in order to systemically assess core exposure elements and risk factors among cases of cryptosporidiosis. Collected data will be used by CDC staff to inform cryptosporidiosis sporadic case, cluster, and outbreak prevention and control strategies. CRF data elements and the CRF were designed for administration via telephone interviews with individuals ill with cryptosporidiosis, or their designated proxy.

CDC requests OMB approval for an estimated 125 burden hours. Providing information is voluntary, and there are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Individuals ill with cryptosporidiosis, or their designated proxy.	CryptoNet Case Report Form.	500	1	15/60	125
Total					125

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24308 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–0706; Docket No. CDC–2024–0081]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled National Program of Cancer Registries Program Evaluation Instrument (NPCR–PEI). The NPCR–PEI is a web-based survey instrument designed to evaluate NPCR-funded registries' operational attributes and their progress towards meeting program standards.

DATES: CDC must receive written comments on or before December 20, 2024.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2024–0081 by either of the following methods:

☐ *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.

☐ *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road, NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7118; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

National Program of Cancer Registries Program Evaluation Instrument (NPCR–PEI) (OMB Control No. 0920–0706, Exp. 01/31/2025)—Revision—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

CDC is responsible for administering and monitoring the National Program of Cancer Registries (NPCR). The NPCR provides technical assistance and funding and sets program standards to assure that complete local, state, regional, and national cancer incidence data are available for national and state cancer control and prevention activities and health planning activities. The Program Evaluation Instrument (PEI) has been used for 31 years to monitor the performance of NPCR grantees in meeting the required Program Standards. CDC currently supports 50 population-based central cancer registries (CCR) in 46 states, two territories, the District of Columbia, and the Pacific Islands. The National Cancer Institute supports the operations of CCRs in the four remaining states.

The NCPR–PEI includes questions about the following categories of registry operations: (1) Staffing; (2) legislation; (3) administration; (4) reporting completeness; (5) data exchange; (6) data content and format; (7) data quality assurance; (8) data use; (9) collaborative relationships; (10) advanced activities; and (11) survey feedback. Examples of information that can be obtained from various questions include, but are not limited to: (1) number of filled staff full-time positions by position responsibility; (2) revision to cancer reporting legislation; (3) various data quality control activities; (4) data collection activities as they relate to achieving NPCR program standards for data completeness; and (5) whether registry data is being used for comprehensive cancer control programs, needs assessment/program planning, clinical studies, or incidence and mortality estimates.

The NPCR–PEI is needed to receive, process, evaluate, aggregate, and disseminate NPCR program information. The information is used by CDC and the NPCR-funded registries to monitor progress toward meeting established program standards, goals, and objectives; to evaluate various attributes of the registries funded by NPCR; and to respond to data inquiries made by CDC and other agencies of the federal government.

The current burden estimate is based on 50 NPCR awardees. A new project period begins July 1, 2025. If the number of awardees changes, then a change request will be submitted to accurately reflect the burden hours. CDC requests OMB approval for an estimated 132 annual burden hours. There are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
NPCR Awardees	PEI (Online)	30	1	4	120
NPCR Awardees	PEI (Paper)	3	1	4	12
Total					132

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulation, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24306 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day-25–1317]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''National Healthcare Safety Network (NHSN) COVID–19'' OMB Control No. 0920–1317 to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on June 4, 2024 to obtain comments from the public and affected agencies. CDC received four comments related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

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

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. Comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

National Healthcare Safety Network (NHSN) COVID–19 (OMB Control No. 0920–1317, Exp. 3/31/2026)—Revision—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Division of Healthcare Quality Promotion (DHQP), National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC) collects COVID–19 and respiratory virus data from healthcare facilities in the National Healthcare Safety Network (NHSN) under OMB Control Number 0920–1317. NHSN COVID–19 Modules are designed to standardize the data elements collected across the country regarding the impact of the COVID–19 and other respiratory viruses on healthcare facilities. In collecting standardized data, NHSN provides a vendor-neutral platform and a national lens into the burden hospitals are experiencing in a way that is designed to support the public health response.

NHSN is a platform that exists in nearly all acute-care hospitals, nursing homes, and dialysis facilities in the US and can provide a secure, sturdy infrastructure. The proposed changes in this ICR include revisions made to 10 approved NHSN data collection tools and addition of two new forms, for a total of 12 forms in this package.

CDC requests OMB approval for an estimated 1,752,540 annual burden hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

	Form No.	Form	Number of respondents	Number of responses per respondent	Average burden per response (in minutes)
1	57.101	Hospital Respiratory Data Form (Weekly) (user entry).	1,148	52	202
	57.101	Hospital Respiratory Data Form (Weekly) (.csv import).	3,444	52	29
	57.101	Hospital Respiratory Data Form (Weekly) (API) ..	1,786	52	15
2	57.102	Hospital Respiratory Data Form (Daily) (user entry).	492	365	58
	57.102	Hospital Respiratory Data Form (Daily) (.csv import).	1,476	365	29
	57.102	Hospital Respiratory Data Form (Daily) (API)	765	365	15
3	57.140	National Healthcare Safety Network (NHSN) Registration Form.	11,500	1	5
4	57.155	Point of Care Testing Results-Manual	3,135	150	12
	57.155	Point of Care Testing Results-CSV	3,135	150	12
5	57.216	Optional Person Level Reporting of Weekly COVID–19 Vaccination for Long-Term Care Residents (manual).	1,669	52	62
	57.216	Optional Person Level Reporting of Weekly COVID–19 Vaccination for Long-Term Care Residents (.csv).	167	52	62
6	57.217	Optional Person Level Reporting of Weekly COVID–19 Vaccination for Healthcare Personnel (manual).	96	52	62
	57.217	Optional Person Level Reporting of Weekly COVID–19 Vaccination for Healthcare Personnel (.csv).	106	52	62
7	57.218	Weekly Respiratory Pathogen and Vaccination Summary for Residents of Long-Term Care Facilities (manual).	10,500	52	25
	57.218	Weekly Respiratory Pathogen and Vaccination Summary for Residents of Long-Term Care Facilities (csv).	6,000	52	20
8	57.219	Healthcare Personnel COVID–19 Vaccination Cumulative Summary (manual).	11,360	12	45
	57.219	Healthcare Personnel COVID–19 Vaccination Cumulative Summary (.csv).	4,107	12	40
9	57.220	Weekly Person Level Respiratory Pathogen and Vaccination for Residents of Long-Term Care Facilities-Long-term Care Facility Component (Manual Entry).	1,600	52	60
	57.220	Weekly Person Level Respiratory Pathogen and Vaccination for Residents of Long-Term Care Facilities-Long-term Care Facility Component (CSV Entry).	1,600	52	40
10	57.221	Healthcare Personnel COVID–19 Person Level Vaccination-Long-Term Care Component (Manual).	73	52	60
	57.221	Healthcare Personnel COVID–19 Person Level Vaccination-Long-Term Care Component (CSV).	73	52	40

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

	Form No.	Form	Number of respondents	Number of responses per respondent	Average burden per response (in minutes)
	57.221	Healthcare Personnel COVID–19 Person Level Vaccination-Healthcare Personnel Safety Component (Manual).	73	12	60
	57.221	Healthcare Personnel COVID–19 Person Level Vaccination-Healthcare Personnel Safety Component (CSV).	73	12	40
11	57.509	Weekly Patient COVID–19 Vaccination Cumulative Summary for Dialysis Facilities-Manual.	107	12	45
	57.509	Weekly Patient COVID–19 Vaccination Cumulative Summary for Dialysis Facilities-.CSV.	2,802	12	40
12	57.510	COVID–19 Module Dialysis Outpatient Facility-manual.	500	12	20
	57.510	COVID–19 Module Dialysis Outpatient Facility-.csv.	500	12	10

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24301 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–25AC; Docket No. CDC–2024–0076]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other Federal agencies the opportunity to comment on a proposed information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled Overdose Response Strategy Data Collection. This data collection will allow Overdose Response Strategy (ORS) teams and their partners to provide critical data to CDC for program monitoring and achieve the goal of supporting public health and public safety partnerships to reduce drug overdose.

DATES: CDC must receive written comments on or before December 20, 2024.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2024–0076 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov*.

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov*.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected;
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and
5. Assess information collection costs.

Proposed Project

Overdose Response Strategy Data Collection—New—National Center for Injury Prevention and Control (NCIPC), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Drug overdoses remain the leading cause of injury-related death in the United States. CDC predicts that around 108,000 Americans died from a drug overdose in the 12-month period ending December 2023. Recently, overdose deaths have been linked to the rapid

increase in synthetic opioids, including illicitly manufactured fentanyl (IMF), and a resurgence of stimulants, particularly methamphetamine, into the illegal drug supply.

Multisector collaboration is critical to preventing overdoses and saving lives. Two key sectors in this response are public health and public safety, as they are both on the front lines and both tasked with improving community safety and well-being. CDC demonstrates strong commitment to public health/public safety partnerships through implementation of several national programs, including the Overdose Response Strategy (ORS).

ORS teams support public health and public safety entities in their jurisdictions by:

- Sharing data systems to inform rapid and effective community overdose prevention efforts.
- Supporting immediate, evidence-based response efforts that can directly reduce overdose deaths.
- Designing and using promising strategies at the intersection of public health and public safety.
- Disseminating information to support the implementation of evidence-informed overdose prevention strategies.

As the ORS is one of CDC's flagship overdose prevention programs, and partnering with public safety is one of CDC's key overdose prevention strategies, a greater understanding of the impact and effectiveness of the ORS is needed to inform program enhancements and improvements. This ICR focuses on a survey and a reporting tool that ORS teams and their partners will complete to provide critical data to CDC for program monitoring, to inform technical assistance and guidance documents produced by CDC or other partners, and to assess the extent to which the ORS program is achieving the goal of supporting public health and public safety partnerships to reduce drug overdose. It will also provide CDC with the capacity to respond in a timely manner to requests for information about the program from the Department of Health and Human Services (HHS), the White House, Congress, and other sources. Information collected will be disseminated to ORS teams and to the public via an annual Program Evaluation Report and an ORS Annual Report. Data from both reports will largely be used to develop programmatic reports, tools, and implementation guides for the purposes of program improvement.

CDC requests OMB approval for an estimated 633 annual burden hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
ORS Public Health Analysts	ORS Annual Evaluation Survey-PHA	61	1	30/60	31
	ORS Quarterly Reporting Template	61	4	1	244
ORS Drug Intelligence Officers	ORS Annual Evaluation Survey-DIO	61	1	30/60	31
	ORS Quarterly Reporting Template	61	4	1	244
State, territory, county and city health department staff.	ORS Annual Evaluation Survey-Public Health Partner.	70	1	30/60	35
HIDTA staff	ORS Annual Evaluation Survey-Public Safety Partner.	70	1	30/60	35
CDCF ORS National Team Staff	ORS Annual Evaluation Survey-ORS Management/Coordination Team.	25	1	30/60	13
Total					633

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24303 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–1274; Docket No. CDC–2024–0080]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on the Million Hearts® Hospital & Health System Recognition Program. This program recognizes institutions working systematically to improve the cardiovascular health of the population and communities they serve.

DATES: CDC must receive written comments on or before December 20, 2024.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2024–0080 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and

Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

Million Hearts® Hospitals & Health Systems Recognition Program (OMB Control No. 0920–1274, Exp. 10/31/2025)—Extension—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention CDC).

Background and Brief Description

Heart disease, stroke and other cardiovascular diseases (CVDs) kill over 800,000 Americans each year, accounting for one in every three deaths. CVD is the nation's number one killer among both men and women and the leading cause of health disparities. Million Hearts®, a national, public-private initiative co-led by the Centers for Disease Control and Prevention (CDC) and the Centers for Medicare & Medicaid Services (CMS), was established to address this issue. Whether migrating towards value-based reimbursement or simply striving for a significant impact in reducing the devastation of heart attacks and strokes, clinical organizations are positioned to improve the health of the population they serve by implementing high-impact, evidence-based strategies. Achieving a Million Hearts® Hospitals & Health Systems designation signals a commitment to not only clinical quality, but population health overall.

Initially launched in 2020, the Program will continue to recognize institutions that are working to systematically improve the cardiovascular health of the population and communities that they serve by implementing strategies under the Million Hearts® priority areas of: Keeping People Healthy; Optimizing Care; Improving Outcomes for Priority Populations; and Innovating for Health. CDC anticipates that new applicants will range from health systems with multiple hospitals, hospitals with and without ambulatory medical practices, and medical practices not affiliated with hospitals.

Any clinical entity whose leaders consider it eligible may apply. Recognition can be achieved by a robust commitment to implement specific strategies, by implementing specific strategies, and most importantly, by achieving specific outcomes. Applicants will complete the Million Hearts® Hospitals & Health Systems Recognition Program application, indicating the areas in which they are committing to implement Million Hearts® strategies; areas in which they have implemented key strategies; and those strategies for which they have achieved outcomes/results. Applicants must address a minimum of one strategy in at least three of the four priority areas (Keeping People Healthy, Optimizing Care, Improving Outcomes for Priority Populations, and Innovating for Health) that are outlined in the application. However, they are encouraged to target as many strategies as is appropriate for their institution. Applicants will be subject to a background check.

The Million Hearts® Hospitals and Health Systems designation conveys that the institution is committed to preventing heart attacks and strokes by a combination of efforts that are about Keeping People Healthy, Optimizing Care, Improving Outcomes for Priority Populations and Innovating for Health. All applicants with reported outcomes and a select number of those who are committing to implement or are implementing Million Hearts® strategies, will be asked to participate in a semi-structured, qualitative interview. The purpose of the interview is to obtain in-depth contextual information about the Million Hearts® strategies and facilitators used to achieve improved cardiovascular outcomes among the applicant's patient population. Applicants with reported outcomes will receive increased recognition from Million Hearts® by having their success stories highlighted by Million Hearts® by placement on the Million Hearts® website, e-newsletter. The program's web-based application will stay open throughout the year and applications will be reviewed on a quarterly basis and recognized within six months of acceptable review. CDC estimates that information will be collected from up to 50 applicants per year.

The overall goal of the Million Hearts® initiative is to prevent one million heart attacks and strokes. Promoting evidence-based strategies that prevent CVD is one focus of the initiative. CDC will use the information collected through the Million Hearts® Hospitals & Health Systems Recognition Program to increase widespread attention on successful and sustainable implementation strategies, improve understanding of these strategies at the practice level, bring visibility to organizations that commit, implement, or have implemented Million Hearts® strategies and motivate other hospitals and health systems to strengthen their efforts to address CVD.

OMB approval is requested for three years. CDC requests OMB approval for an estimated 149 annual burden hours. Participation is voluntarily and there are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Avg. burden per response (in hrs.)	Total burden (in hrs.)
Medical & Health Service Manager	Recognition Program Application	50	1	160/60	134
Medical & Health Service Manager	Interview Guide	30	1	30/60	15
Total					149

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24307 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–25–1355]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''Evaluation of the Overdose Data to Action Technical Assistance Hub'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on May 7, 2024, to obtain comments from the public and affected agencies. CDC received one non-substantive public comment related to the previous notice. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

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

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. Comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Evaluation of the Overdose Data to Action Technical Assistance Hub (OMB Control No. 0920–1355, Exp. 11/30/2024)—Revision—National Center for Injury Prevention and Control (NCIPC), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC) requests approval of this Revision to support the evaluation of technical assistance (TA) provided for the Overdose Data to Action (OD2A) in States (OD2A–S) and OD2A: Limiting Overdose through Collaborative Actions in Localities (LOCAL) (OD2A: LOCAL) programs. OD2A–S and OD2A: LOCAL are cooperative agreements funded in 2023 to focus on comprehensive and interdisciplinary opioid overdose prevention efforts in 49 state health departments, 39 localities, Puerto Rico, and Washington, DC. Each program consists of two required components—a surveillance component and a prevention component. OD2A recipients implement a combination of activities across nine State strategies and eight local strategies within these components to gain access to high quality and complete data on opioid prescribing and overdoses. The data is used to inform prevention and response efforts in their jurisdictions.

CDC developed and deployed a technical assistance (TA) hub (hereafter referred to as the OD2A TA Center) to deliver comprehensive technical assistance and training to support the successful implementation and evaluation of surveillance and prevention activities. The OD2A TA Center is designed to enhance the efficiency, coordination, and effectiveness of TA efforts by streamlining and centralizing the provision of overdose surveillance and prevention TA. TA to OD2A recipients is divided into four different levels with multiple modes of TA delivery and involves a wide range of TA providers including CDC staff, internal and external subject matter experts (SMEs) and program partners.

The evaluation consists of web-based surveys designed to collect process and outcome measures about TA access, utilization, and outcomes across all OD2A recipient programs. The Technical Assistance Feedback Form will be administered to collect immediate feedback following individual TA encounters and group events such as webinars and in-person trainings. The Annual OD2A TA Survey will be distributed twice (mid-point and final) to assess satisfaction with overall TA provided and the extent to which TA supports informed implementation of OD2A strategies. The information obtained through this evaluation will allow TA providers to assess OD2A recipients' experience and utility of knowledge and resources gained through individual TA support, peer-to-peer sessions, and other group trainings. To capture participants' experiences attending various Communities of

Practice held by the DOP TA Center, a subset of attendees will be invited to participate in Focus Groups. Ultimately, the evaluation data will inform subsequent rounds of TA and allow TA providers to make necessary adjustments to the overall TA strategy for continuous quality improvement. This will ensure recipients have the support necessary to implement strategies that will improve opioid surveillance and prevention policies and practices within their communities.

CDC requests OMB approval for an estimated 388 annual burden hours for this collection. There are no costs to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
OD2A (OD2A in States and OD2A: LOCAL) Recipients.	TA Feedback Form Individual	618	2	5/60
	TA Feedback Form Universal	617	2	5/60
	Annual Technical Assistance Survey	162	1	10/60
	Implementation Feedback Survey	18	1	15/60
	Email invitation for Annual Survey	900	1	2/60
	Focus Groups Email invitation	600	1	2/60
	Focus Group Session Script	100	1	1

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24302 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–25–25AF; Docket No. CDC–2024–0079]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a proposed information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled 2024 Marburg Traveler Monitoring Assessment. This information collection is intended to determine the number of travelers coming to the United States from Rwanda, where a Marburg outbreak is occurring, that are enrolled by jurisdictions into monitoring, if recommended, and the proportion of travelers that completed monitoring.

DATES: CDC must receive written comments on or before December 20, 2024.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2024–0079 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

2024 Marburg Traveler Monitoring Assessment—New—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC), National Center for

Emerging and Zoonotic Infectious Diseases (NCEZID), Division of Global Migration Health (DGMH) requests an Emergency approval for a New information collection. Section 361 of the Public Health Service (PHS) Act (42 U.S.C. 264) authorizes the Secretary of Health and Human Services to make and enforce regulations necessary to prevent the introduction, transmission or spread of communicable diseases from foreign countries into the United States. Under its delegated authority, DGMH works to fulfill this responsibility through a variety of activities, including the operation of Quarantine Stations at ports of entry and administration of foreign quarantine regulations; 42 Code of Federal Regulation part 71, specifically 42 CFR 71.20 *Public health prevention measures to detect communicable disease.* This information collection concerns CDC's statutory and regulatory authority related to conducting public health screening of travelers upon arrival to the United States and assessing individual travelers for public health risk following a report of illness from a conveyance.

The purpose of this information collection is to inform CDC and interagency decision makers on state/local health department activities related to travelers coming from areas affected by an Marburg outbreak originating in Rwanda. This information will be used to: (1) gather feedback from state and local health department partners on CDC's interim guidance and post-arrival management of travelers; (2) assess the quality of contact information provided to states by determining the proportion of travelers that state and local health departments were able to contact for recommended assessment and monitoring; and (3) inform the development of future guidance and recommendations for post-arrival traveler management during Marburg outbreaks abroad.

CDC collects international travelers' contact information under authorities in the *Interim Final Rule: Control of Communicable Diseases: Foreign Quarantine and CDC's Order Requirement for Airlines and Operators to Collect and Transmit Designated Information for Passengers and Crew Arriving Into the United States*; Requirement for Passengers to Provide Designated Information. Traveler contact information is sent to CDC though an existing data-sharing infrastructure in place between the United States Department of Homeland Security (DHS) and HHS/CDC and approved for in OMB Control Number 0920–1354. Contact information for travelers who have been to an area affected by the outbreak during the 21 days prior to arrival will be confirmed at the port of entry. CDC will share contact information for these travelers with state and local health departments so that they can do possible public health follow up, including public health assessment of exposure risk and monitoring for Marburg symptoms, and education to travelers. These public health interventions will help state and local health departments determine the appropriate level of follow needed based on the traveler's level of risk and rapidly identify any travelers with symptoms that could which travelers may need to be prioritized for more targeted public health measures, such as quarantine, due to a higher risk of exposure to Marburg.

CDC is currently sharing contact information and public health assessment of exposure risk to Marburg for travelers with state and local health departments through existing data-sharing infrastructure. State and local health departments utilize the contact information provided by CDC to prioritize and identify the level of follow up needed based on the level of risk of exposure to Marburg and determine additional if additional targeted public health measures are necessary. State/local health department partners are contacting travelers in order to determine if they are symptomatic and require additional screening for possible Marburg infection. The purpose of this evaluation will be to gather feedback from state and local health departments regarding traveler monitoring activities and determine the usability of contact information and public health risk assessment information shared by CDC. A one-time survey at the end of the response will collect information related to resources needed by health department for this response.

CDC requests OMB approval for an estimated 630 annual burden hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
State/Local Health Department.	CDC—Marburg Virus Disease Healthcare Worker Monitoring 2024.	70	104	5/60	607
State/Local Health Department.	MVD Final Survey_10.08.2024	70	1	20/60	23
Total					630

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2024–24305 Filed 10–18–24; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10171]

Agency Information Collection Activities: Proposed Collection; 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 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates 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 must be received by December 20, 2024.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: _____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

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 N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10171 Part D Coordination of Benefits Data

Under the 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 requires federal agencies to publish a 60-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.

Information Collections

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Part D Coordination of Benefits Data; *Use:* Sections 1860D–23 and 1860D–24 of the Act require the Secretary to establish requirements for prescription drug plans to promote effective coordination between Part D plans and SPAPs and other payers. These Part D Coordination of Benefits (COB) requirements have been codified into the Code of Federal Regulations at 42 CFR 423.464. In particular, CMS' requirements relate to the following elements: (1) enrollment file sharing; (2) claims processing and payment; (3) claims reconciliation reports; (4) application of the protections against high out-of-pocket expenditures by tracking TrOOP expenditures; and (5) other processes that the Secretary determines.

This information collection request assists CMS, pharmacists, Part D plans, and other payers coordinate prescription drug benefits at the point-of-sale and track beneficiary True out-of-pocket (TrOOP) expenditures using the Part D Transaction Facilitator (PDTF). *Form Number:* CMS–10171 (OMB control number: 0938–0978); *Frequency:* Yearly; *Affected Public:* State, Local, or Tribal Government; *Number of Respondents:* 67,043; *Total Annual Responses:* 935,730,342; *Total Annual Hours:* 1,011,740. (For policy questions regarding this collection contact Chad Buskirk at 410–786–1630 or *chad.buskirk@cms.hhs.gov.*)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2024–24266 Filed 10–18–24; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10114 and CMS–10147]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments

regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by November 20, 2024.

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:* Reinstatement without change to a previously approved information collection; *Title of Information Collection:* National Provider Identifier (NPI) Application and Update Form and Supporting Regs in 45 CFR 142.408, 45 CFR 162.408, 45 CFR 162.406; *Use:* The adoption by the Secretary of HHS of the standard unique health identifier for health care providers is a requirement of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The unique identifier is to be used on standard transactions and may be used for other lawful purposes in the health care system. The CMS Final Rule published on January 23, 2004, adopts the National Provider Identifier (NPI) as the standard unique health identifier for health care providers. Health care providers that are covered entities under HIPAA must apply for and use NPIs in standard transactions. Other health care providers are eligible for NPIs but are not required by regulation to apply for them or use them. Health care providers began applying for NPIs on May 23, 2005.

The National Provider Identifier Application and Update Form is used by health care providers to apply for NPIs and furnish updates to the information they supplied on their initial applications. The form is also used to deactivate their NPIs if necessary. The original application form was approved in February 2005 and has been in use since May 23, 2005. The form is available on paper or can be completed via a web-based process. Health care providers can mail a paper application, complete the application via the web-based process via the National Plan and Provider Enumeration System (NPPES), or have a trusted organization submit the application on their behalf via the Electronic File Interchange (EFI) process. The Enumerator uses the NPPES to process the application and generate the NPI. NPPES is the Medicare contractor tasked with issuing NPIs, and maintaining and storing NPI data. *Form Number:* CMS–10114 (OMB control number: 0938–0931); *Frequency:* Occasionally; *Affected Public:* Business or other for-profits, Not for-profits and Federal Government; *Number of Respondents:* 1,275,912; *Number of Responses:* 1,275,912; *Total Annual Hours:* 298,777. (For policy questions regarding this collection contact Da'Vona Boyd at 410–786–7483).

2. *Type of Information Collection Request:* Revision of a currently approved information collection; *Title of Information Collection:* Medicare Drug Coverage and Your Rights; *Use:* Section 423.562(a)(3) and an associated regulatory provision at § 423.128(b)(7)(iii) require that Part D plan sponsors' network pharmacies provide Part D enrollees with a printed copy of our standardized pharmacy notice ''Medicare Drug Coverage and Your Rights'' (hereafter, ''notice'') if an enrollee's prescription cannot be filled.

The purpose of this notice is to provide enrollees with information about how to contact their Part D plans to request a coverage determination, including a request for an exception to the Part D plan's formulary. The notice reminds enrollees about certain rights and protections related to their Medicare prescription drug benefits, including the right to receive a written explanation from the drug plan about why a prescription drug is not covered. Through delivery of this standardized notice, a Part D plan sponsor's network pharmacies are in the best position to inform enrollees at point of sale about how to contact their Part D plan if the prescription cannot be filled. *Form Number:* CMS–10147 (OMB control number: 0938–0975); *Frequency:* Yearly; *Affected Public:* Private Sector, Business or other for-profits, Not for-profits; *Number of Respondents:* 72,900; *Number of Responses:* 55,215,940; *Total Annual Hours:* 919,898. (For policy questions regarding this collection contact Sabrina Edmonston at 410–786–3209 or *Sabrina.edmonston@cms.hhs.gov*).

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2024–24264 Filed 10–18–24; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Federal Tax Refund Offset, Administrative Offset, and Passport Denial

AGENCY: Office of Child Support Services, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office of Child Support Services (OCSS), Administration for Children and Families (ACF), is requesting the federal Office of Management and Budget (OMB) to approve the Federal Tax Refund Offset, Administrative Offset, and Passport Denial with minor edits to change

''Office of Child Support Enforcement (OCSE)'' to ''Office of Child Support Services (OCSS)'' and minor formatting enhancements. The current OMB approval expires on June 30, 2025.

DATES: *Comments* due December 20, 2024. 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 Federal Tax Refund Offset and Administrative Offset programs collect past-due child and spousal support by intercepting certain federal payments, including federal tax refunds, of parents who have been ordered to pay support and are delinquent. The Federal Offset Program is a cooperative effort among the Department of the Treasury's Bureau of the Fiscal Service, OCSS, and state child support agencies (CSAs). The Passport Denial Program reports noncustodial parents who owe child and spousal support above a specified threshold to the Department of State, which will then deny passports to these individuals. State CSAs routinely submit the names, Social Security numbers, and the amount(s) of past-due child and spousal support of noncustodial parents who are delinquent in making payments to OCSS.

Respondents: Child Support Agencies.

ANNUAL BURDEN ESTIMATES

Information collection instrument	Number of respondents	Annual number of responses per respondent	Average annual burden hours per response	Annual burden hours
Input Record Specifications	54	52	.3	842.4
Output Record Specifications	54	52	.46	1,291.68
Payment File (Charts 4–5)	54	52	.14	393.12
Annual Certification Letter	54	1	.4	21.6
Child Support Portal Processing Screens	173	281	.01	486.13

Estimated Total Annual Burden Hours: 3,034.93.

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: 42 U.S.C. 652(b); 42 U.S.C. 664; 26 U.S.C. 6402(c); 31 CFR 285.3; 45 CFR 302.60; 45 CFR 303.72; 31 U.S.C. 3701 *et seq.;* 31 U.S.C. 3716(h); 31 CFR 285.1; 42 U.S.C. 652(k); 42 U.S.C. 654(31); 22 CFR 51.60; 42 U.S.C. 654(31); 42 U.S.C. 664; 31 CFR 285.1; and 31 CFR 285.3.

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2024–24228 Filed 10–18–24; 8:45 am]

BILLING CODE 4184–41–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2023–E–3056]

Determination of Regulatory Review Period for Purposes of Patent Extension; Pascal Precision Transcatheter Valve Repair System

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that medical device.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect may submit either electronic or written comments and ask for a redetermination by December 20, 2024. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by April 21, 2025. See ''Petitions'' in the **SUPPLEMENTARY INFORMATION** section for more information.

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 December 20, 2024. 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–E–3056 for Determination of Regulatory Review Period for Purposes of Patent Extension; PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM. 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 § 10.20 (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: Beverly Friedman, Office of Regulatory Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6250, Silver Spring, MD 20993, 301–796–3600.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug or biological product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For medical devices, the testing phase begins with a clinical investigation of the device and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the device and continues until permission to market the device is granted. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a medical device will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(3)(B).

FDA has approved for marketing the medical device PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM. PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM is indicated for the percutaneous reduction of significant, symptomatic mitral regurgitation (MR>=3+) due to primary abnormality of the mitral apparatus (degenerative MR) in patients who have been determined to be at prohibitive risk for mitral valve surgery by a heart team, which includes a cardiac surgeon experienced in mitral valve surgery and a cardiologist experienced in mitral valve disease, and in whom existing comorbidities would not preclude the expected benefit from reduction of the mitral regurgitation. Subsequent to this approval, the USPTO received a patent term restoration application for PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM (U.S. Patent No. 10,507,102) from Edwards Lifesciences Corp., and the USPTO requested FDA's assistance in determining this patent's eligibility for patent term restoration. In a letter dated January 18, 2024, FDA advised the USPTO that this medical device had undergone a regulatory review period and that the approval of PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM is 1,879 days. Of this time, 1,698 days occurred during the testing phase of the regulatory review period, while 181 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 520(g) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360j(g)) involving this device became effective:* July 25, 2017. FDA has verified the applicant's claim that the date the investigational device exemption for human tests to begin, as required under section 520(g) of the FD&C Act, became effective July 25, 2017.

2. *The date an application was initially submitted with respect to the device under section 515 of the FD&C Act (21 U.S.C. 360e):* March 18, 2022. The applicant claims March 16, 2022, as the date the premarket approval

application (PMA) for PASCAL PRECISION TRANSCATHETER VALVE REPAIR SYSTEM (PMA P220003) was initially submitted. However, FDA records indicate that PMA P220003 was submitted on March 18, 2022.

3. *The date the application was approved:* September 14, 2022. FDA has verified the applicant's claim that PMA P220003 was approved on September 14, 2022.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 592 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to *https://www.regulations.gov* at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Dated: October 15, 2024.

Eric Flamm,

Acting Associate Commissioner for Policy.

[FR Doc. 2024–24244 Filed 10–18–24; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA–2023–E–2830 and FDA–2023–E–2831]

Determination of Regulatory Review Period for Purposes of Patent Extension; Gore Tag Thoracic Branch Endoprosthesis

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for GORE TAG THORACIC BRANCH ENDOPROSTHESIS and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of applications to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of patents which claims that medical device.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect may submit either electronic or written comments and ask for a redetermination by December 20, 2024. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by April 21, 2025. See ''Petitions'' in the **SUPPLEMENTARY INFORMATION** section for more information.

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 December 20, 2024. 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 Nos. FDA–2023–E–2830 and FDA–2023–E–2831 for ''Determination of Regulatory Review Period for Purposes of Patent Extension; GORE TAG THORACIC BRANCH ENDOPROSTHESIS.'' 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 § 10.20 (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: Beverly Friedman, Office of Regulatory Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6200, Silver Spring, MD 20993, 301–796–3600.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug or biological product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For medical devices, the testing phase begins with a clinical investigation of the device and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the device and continues until permission to market the device is granted. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a medical device will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(3)(B).

FDA has approved for marketing the medical device GORE TAG THORACIC BRANCH ENDOPROSTHESIS. GORE TAG THORACIC BRANCH ENDOPROSTHESIS is indicated for endovascular repair of lesions of the descending thoracic aorta, while maintaining flow into the left subclavian artery, in patients who are at high risk for debranching subclavian procedures. Subsequent to this approval, the USPTO received patent term restoration applications for GORE TAG THORACIC BRANCH ENDOPROSTHESIS (U.S. Patent Nos. 9,827,118 and 10,653,540) from W.L. Gore & Associates, Inc., and the USPTO requested FDA's assistance in determining the patents' eligibility for patent term restoration. In a letter dated January 18, 2024, FDA advised the USPTO that this medical device had undergone a regulatory review period and that the approval of GORE TAG THORACIC BRANCH ENDOPROSTHESIS represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for GORE TAG THORACIC BRANCH ENDOPROSTHESIS is 3,250 days. Of this time, 2,987 days occurred during the testing phase of the regulatory review period, while 263 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 520(g) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360j(g)) involving this device became effective:* June 21, 2013. FDA has verified the applicant's claim that the date the investigational device exemption for human tests to begin, as required under section 520(g) of the FD&C Act, became effective June 21, 2013.

2. *The date an application was initially submitted with respect to the device under section 515 of the FD&C Act (21 U.S.C. 360e):* August 24, 2021. FDA has verified the applicant's claim that the premarket approval application (PMA) for GORE TAG THORACIC BRANCH ENDOPROSTHESIS (PMA P210032) was initially submitted August 24, 2021.

3. *The date the application was approved:* May 13, 2022. FDA has verified the applicant's claim that PMA P210032 was approved on May 13, 2022.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its applications for patent extension, this applicant seeks 493 days or 945 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to *https://www.regulations.gov* at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Dated: October 10, 2024.

Eric Flamm,

Acting Associate Commissioner for Policy.

[FR Doc. 2024–24287 Filed 10–18–24; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–E–3123]

Determination of Regulatory Review Period for Purposes of Patent Extension; Vyndaqel

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for VYNDAQEL and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human drug product.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect may submit either electronic or written comments and ask for a redetermination by December 20, 2024. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by April 21, 2025. See ''Petitions'' in the **SUPPLEMENTARY INFORMATION** section for more information.

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 December 20, 2024. 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–2022–E–3123 for ''Determination of Regulatory Review Period for Purposes of Patent Extension; VYNDAQEL.'' 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 § 10.20 (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: Beverly Friedman, Office of Regulatory Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6200, Silver Spring, MD 20993, 301–796–3600.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug or biological product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for

example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human drug product, VYNDAQEL (tafamidis meglumine) indicated for the treatment of the cardiomyopathy of wild type or hereditary transthyretin-mediated amyloidosis in adults to reduce cardiovascular mortality and cardiovascular-related hospitalization. Subsequent to this approval, the USPTO received a patent term restoration application for VYNDAQEL (U.S. Patent No. 7,214,696) from The Scripps Research Institute and the USPTO requested FDA's assistance in determining the patent's eligibility for patent term restoration. In a letter dated February 8, 2024, FDA advised the USPTO that this human drug product had undergone a regulatory review period and that the approval of VYNDAQEL represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for VYNDAQEL is 4,978 days. Of this time, 4,794 days occurred during the testing phase of the regulatory review period, while 184 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(i)) became effective:* September 18, 2005. The applicant claims September 19, 2005, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was September 18, 2005, which was 30 days after FDA receipt of the IND.

2. *The date the application was initially submitted with respect to the human drug product under section 505 of the FD&C Act:* November 2, 2018. FDA has verified the applicant's claim that the new drug application (NDA) for VYNDAQEL (NDA 211996) was initially submitted on November 2, 2018.

3. *The date the application was approved:* May 3, 2019, 6:13 p.m. FDA has verified the applicant's claim that NDA 211996 was approved on May 3, 2019, 6:13 p.m.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its applications for patent extension, this applicant seeks 1,827 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21 CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to *https://www.regulations.gov* at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Dated: October 10, 2024.

Eric Flamm,

Acting Associate Commissioner for Policy.

[FR Doc. 2024–24188 Filed 10–18–24; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–E–3123]

Determination of Regulatory Review Period for Purposes of Patent Extension; Vyndamax

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or the Agency) has determined the regulatory review period for VYNDAMAX and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of applications to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human drug product.

DATES: Anyone with knowledge that any of the dates as published (see **SUPPLEMENTARY INFORMATION**) are incorrect must submit either electronic or written comments and ask for a redetermination by December 20, 2024. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by April 21, 2025. See ''Petitions'' in the **SUPPLEMENTARY INFORMATION** section for more information.

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 December 20, 2024. 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–2022–E–3123 for ''Determination of Regulatory Review Period for Purposes of Patent Extension; VYNDAMAX.'' 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 § 10.20 (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: Beverly Friedman, Office of Regulatory Policy, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6200, Silver Spring, MD 20993, 301–796–3600.

SUPPLEMENTARY INFORMATION:

I. Background

The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug or biological product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of USPTO may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA has approved for marketing the human drug product, VYNDAMAX (tafamidis) indicated for the treatment of the cardiomyopathy of wild type or hereditary transthyretin-mediated amyloidosis in adults to reduce cardiovascular mortality and cardiovascular-related hospitalization. Subsequent to this approval, the USPTO received a patent term restoration application for VYNDAMAX (U.S. Patent No. 7,214,695) from The Scripps Research Institute, and the USPTO requested FDA's assistance in determining the patent's eligibility for patent term restoration. In a letter dated February 8, 2024, FDA advised the USPTO that this human drug product had undergone a regulatory review period and that the approval of VYNDAMAX represented the first permitted commercial marketing or use of the product. Thereafter, the USPTO requested that FDA determine the product's regulatory review period.

II. Determination of Regulatory Review Period

FDA has determined that the applicable regulatory review period for VYNDAMAX is 4,978 days. Of this time, 4,794 days occurred during the testing phase of the regulatory review period, while 184 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 355(i)) became effective:* September 18, 2005. The applicant claims September 19, 2005, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was September 18, 2005, which was 30 days after FDA receipt of the IND.

2. *The date the application was initially submitted with respect to the human drug product under section 505 of the FD&C Act:* November 2, 2018. FDA has verified the applicant's claim that the new drug application (NDA) for VYNDAMAX (NDA 212161) was initially submitted on November 2, 2018.

3. *The date the application was approved:* May 3, 2019, 6:13 p.m. FDA has verified the applicant's claim that NDA 212161 was approved on May 3, 2019, 6:13 p.m.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the USPTO applies several statutory limitations in its calculations of the actual period for patent extension. In its applications for patent extension, this applicant seeks 1,826 days of patent term extension.

III. Petitions

Anyone with knowledge that any of the dates as published are incorrect may submit either electronic or written comments and, under 21 CFR 60.24, ask for a redetermination (see **DATES**). Furthermore, as specified in § 60.30 (21

CFR 60.30), any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must comply with all the requirements of § 60.30, including but not limited to: must be timely (see **DATES**), must be filed in accordance with § 10.20, must contain sufficient facts to merit an FDA investigation, and must certify that a true and complete copy of the petition has been served upon the patent applicant. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Submit petitions electronically to *https://www.regulations.gov* at Docket No. FDA–2013–S–0610. Submit written petitions (two copies are required) to the Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

Dated: October 10, 2024.

Eric Flamm,

Acting Associate Commissioner for Policy.

[FR Doc. 2024–24187 Filed 10–18–24; 8:45 am]

BILLING CODE 4164–01–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; Small Business: Cardiovascular and Hematological Studies.

Date: November 13, 2024.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Dmitri V. Gnatenko, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867–5309, *gnatenkod2@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; AREA/REAP: Musculoskeletal, Skin and Oral Sciences.

Date: November 14, 2024.

Time: 9:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Richard Ingraham, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4116, MSC 7814, Bethesda, MD 20892, (301) 496–8551, *ingrahamrh@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Health Services and Systems.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Michael J. McQuestion, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3114, Bethesda, MD 20892, 301–480–1276, *mike.mcquestion@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Neuro Informatics, Computational and Data Analysis.

Date: November 14, 2024.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Joseph G. Rudolph, Ph.D., Chief and Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5186, MSC 7844, Bethesda, MD 20892, 301–408–9098, *josephru@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Drug Discovery for Aging, Neurodegenerative and Neurological Disorders.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Kathryn Partlow, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1016D, Bethesda, MD 20892, (301) 594–2138, *partlowkc@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Clinical Care and Health Interventions.

Date: November 14–15, 2024.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: In-Person and Virtual Meeting.

Contact Person: Trina Colleen Salm Ward, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–5254, *salmwardtc@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Brain Disorders and Related Neurosciences.

Date: November 14–15, 2024.

Time: 9:30 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Vilen A Movsesyan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4040M, MSC 7806, Bethesda, MD 20892, 301–402–7278, *movsesyanv@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: October 15, 2024.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24236 Filed 10–18–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review and National Institute of Allergy and Infectious Diseases; Amended Notice of Closed Meeting

Notice is hereby given of changes pertaining to the meeting of the Center for Scientific Review Special Emphasis Panel, Fellowship: NIH Medical Scientist Partnership Program (FM1), October 31, 2024, 9:00 a.m. to November 1, 2024, 06:00 p.m., National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892, which was published in the **Federal Register** on

October 9, 2024, 89 FR 81923, Doc 2024–23354.

The notice of the meeting is being amended to change the name of the committee from Center for Scientific Review Special Emphasis Panel; Fellowship: NIH Medical Scientist Partnership Program (FM1) to National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Fellowship: NIH Medical Scientist Partnership Program (FM1). The notice is also being amended to change the address of the meeting from National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 to National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G45, Rockville, MD 20892. The contact information for the meeting has also been updated from Raj K. Krishnaraju, Ph.D. to Frank S. De Silva, Ph.D., Scientific Review Officer, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, MSC 9823, Rockville, MD 20892, (240) 669–5023, *fdesilva@niaid.nih.gov*. The date and time of the meeting remain the same. The meeting is closed to the public.

Dated: October 15, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24240 Filed 10–18–24; 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 Program Project Applications (P01 Clinical Trial Not Allowed).

Date: November 14, 2024.

Time: 12:00 p.m. to 6:00 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 3G31B, Rockville, MD 20892 (Video Assisted Meeting).

Contact Person: James T. Snyder, 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 3G31B, Rockville, MD 20892, (240) 669–5060, *james.snyder@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: October 16, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24242 Filed 10–18–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director; 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: Office of Research Infrastructure Programs Special Emphasis Panel (ZOD1), Office of Research Infrastructure Programs (ORIP) Special Emphasis Panel: Applications for Scientific Conferences.

Date: November 26, 2024.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Kenneth Ryan, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, Rockledge II, Room 903–F, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 435–0229, *ryank2@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: October 15, 2024.

Miguelina Perez,

Program Analyst Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24241 Filed 10–18–24; 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 PAR Panel: International Bioethics Research Education, Curriculum Development and Training.

Date: November 12, 2024.

Time: 10:00 a.m. to 1:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Abigail A. Haydon, Ph.D., Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 435–4806, *haydonaba@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Societal and Ethical Issues in Research.

Date: November 12–13, 2024.

Time: 1:45 p.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Abigail A. Haydon, Ph.D. Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (301) 435–4806, *haydonaba@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Member Conflict: Special Topics in Molecular and Cellular Ophthalmology.

Date: November 12, 2024.

Time: 12:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Susan Gillmor, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (240) 762–3076, *susan.gillmor@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Fellowships: Cancer Immunology and Immunotherapy.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Meeting Format: In Person.

Contact Person: Ola Mae Zack Howard, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4192, MSC 7806, Bethesda, MD 20892, 301–451–4467, *howardz@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Small Business: Biological Chemistry, Biophysics, and Assay Development.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: The Bethesdan Hotel, 8120 Wisconsin Avenue, Bethesda, MD 20814.

Meeting Format: In Person and Virtual Meeting.

Contact Person: John Harold Laity, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–8254, *laityjh@csr.nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group Drug and Biologic Disposition and Toxicity Study Section.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Frederique Yiannikouris, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–3313, *frederique.yiannikouris@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Fellowships: Musculoskeletal, Skin and Oral Sciences.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Richard Ingraham, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4116, MSC 7814, Bethesda, MD 20892, (301) 496–8551, *ingrahamrh@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Small Business: Biomedical Sensing, Measurement and Instrumentation.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Steven Anthony Ripp, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–3010 *steven.ripp@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Small Business: Biobehavioral Processes.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jeanne M. McCaffery, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–3854 *jeanne.mccaffery@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Fellowships: Genes, Genomes and Genetics.

Date: November 14–15, 2024.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: The Bethesdan Hotel, 8120 Wisconsin Avenue, Bethesda, MD 20814.

Meeting Format: In-Person Meeting.

Contact Person: Linda Wagner Jurata, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–8032 *linda.jurata@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: October 15, 2024.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24237 Filed 10–18–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Institutional Research Training Grants (T32).

Date: November 19–20, 2024.

Time: 11:00 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Emma Perez-Costas, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, 6001 Executive Blvd., Rockville, MD 20852, (240) 936–6720, email: *emma.perez-costas@nih.gov.*

Name of Committee: National Institute of Mental Health Special Emphasis Panel; NIMH Biobehavioral Research Awards for Innovative New Scientists (NIMH BRAINS).

Date: November 22, 2024.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: David W. Miller, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Bethesda, MD 20892–9608, (301) 443–9734, email: *millerda@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: October 16, 2024.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24239 Filed 10–18–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Advisory Committee on Research on Women's Health.

The meeting will be open to the public as a virtual meeting. Individuals who plan to view the virtual meeting and need special assistance or other reasonable accommodations to view the meeting, should notify the Contact Person listed below in advance of the meeting. The meeting will be videocast and can be accessed from the NIH Videocasting and Podcasting website (*https://videocast.nih.gov/*).

Name of Committee: Advisory Committee on Research on Women's Health.

Date: December 9, 2024.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: Briefing on the National Academies of Science, Engineering, and Medicine's (NASEM) Assessment of NIH Research on Women's Health.

Place: National Institutes of Health, 9000 Rockville Pike, Building 31, Bethesda, MD 20892 (In-Person and Virtual Meeting).

Contact Person: Vivian Ota Wang, Ph.D., FACMG, CGC, Deputy Director, Office on Research for Women's Health, Division of Program Coordination, Planning and Strategic Initiatives, National Institutes of Health, 6707 Democracy Blvd., Bethesda, MD 20892, 240–550–9892, *otawangv@nih.gov.*

Any member of the public interested in presenting oral comments to the committee may notify the Contact Person listed on this notice at least 10 days in advance of the meetings. Interested individuals and representatives of organizations may submit a letter of intent, a brief description of the organization represented, and a short description of the oral presentation. Only one representative of an organization may be allowed to present oral comments and if accepted by the committee, presentations may be limited to five minutes. Both printed and electronic copies are requested for the record. In addition, any interested person may file written comments with the committee by forwarding their statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: *https://orwh.od.nih.gov/,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: October 15, 2024.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24238 Filed 10–18–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; 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 on Deafness and Other Communication Disorders Special Emphasis Panel; U01 Cooperative Agreement for Clinical Trials in Hearing Disorders.

Date: November 12, 2024.

Time: 10:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate cooperative agreement applications.

Address: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852.

Meeting Format: Virtual Meeting.

Contact Person: Sonia Elena Nanescu, Ph.D., Scientific Review Officer, Division of Extramural Activities, NIDCD, NIH, 6001 Executive Blvd., Suite 8300, Bethesda, MD 20892, (301) 496–8683, *sonia.nanescu@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: October 15, 2024.

Victoria E. Townsend,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–24199 Filed 10–18–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Final Scientific Integrity Policy of the National Institutes of Health

AGENCY: National Institutes of Health, HHS.

ACTION: Notice of final policy.

SUMMARY: The National Institutes of Health (NIH) is issuing this Final NIH Scientific Integrity Policy to promote a continuing culture of scientific integrity at NIH. This Policy codifies NIH's long-standing expectations to preserve scientific integrity throughout all NIH activities, establishes key roles and responsibilities for those who will lead the agency's scientific integrity program, and, as appropriate, establishes relevant reporting and evaluation mechanisms.

DATES: This Final Policy is effective on December 30, 2024.

FOR FURTHER INFORMATION CONTACT: Jessica Tucker, Ph.D., Acting Deputy Director, Office of Science Policy, NIH, at (301) 496–9838 or *SciencePolicy@od.nih.gov.*

SUPPLEMENTARY INFORMATION:

Background

Scientific integrity aims to make sure that science is conducted, managed, communicated, and used in ways that preserve its accuracy and objectivity and protect it from suppression, manipulation, and inappropriate influence (*https://www.whitehouse.gov/wp-content/uploads/2022/01/01-22-Protecting_the_Integrity_of_Government_Science.pdf*). In support of our mission, NIH has always sought to incorporate robust scientific integrity principles and practices throughout every level of its scientific enterprise. In fostering scientific integrity, NIH aims to ensure that (1) scientific findings are objective, credible, and readily available to the public, and (2) the development and implementation of policies and programs is transparent, accountable, and evidence-based. NIH has numerous policies and procedures to ensure the Nation's investment in biomedical

research is scientifically robust and rigorous and that our workforce maintains the highest standards of integrity. In supporting the NIH mission, all NIH researchers and staff are expected to:

- Foster an organizational culture of scientific integrity,
- Protect the integrity of the research process,
- Communicate science with integrity, and
- Safeguard scientific integrity.

In 2012, NIH summarized its continuing efforts to foster scientific integrity in its NIH Policies and Procedures for Promoting Scientific Integrity Report (*www.nih.gov/sites/default/files/about-nih/nih-director/testimonies/nih-policies-procedures-promoting-scientific-integrity-2012.pdf*). In this report, NIH outlines the various roles it plays in fostering scientific integrity as a funder of research, a research institution, and a policy development agency. In 2021, the White House released its Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking (*www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/*). The Memorandum tasks NIH and other agencies to update their scientific integrity policies as appropriate to ensure agency alignment with the principles set forth therein and in Protecting the Integrity of Government Science (*www.whitehouse.gov/wp-content/uploads/2022/01/01-22-Protecting_the_Integrity_of_Government_Science.pdf*), a report of the Scientific Integrity Fast-Track Action Committee of the National Science and Technology Council (NSTC), and A Framework for Federal Scientific Integrity Policy and Practice (*https://www.whitehouse.gov/wp-content/uploads/2023/01/01-2023-Framework-for-Federal-Scientific-Integrity-Policy-and-Practice.pdf*), a guidance document released by the Scientific Integrity Framework Interagency Working Group of the NSTC. In response to the Memorandum, and in accordance with its continued commitment to promoting scientific integrity, NIH has developed the Final NIH Scientific Integrity Policy, which is in alignment with the guidance set forth in the Presidential Memorandum and the Final Scientific Integrity Policy of the U.S. Department of Health and Human Services (*https://www.hhs.gov/programs/research/scientificintegrity/index.html*). The Final NIH Scientific Integrity Policy articulates the procedures and processes in place at NIH that help maintain rigorous scientific integrity practices and outlines several new functions to further enhance scientific integrity at NIH and throughout the NIH biomedical research enterprise.

NIH accomplishes its mission by funding extramural researchers throughout the country, conducting research within its intramural research program, and developing policies and programs to responsibly advance biomedical research. In 2022, NIH updated its NIH Policies and Procedures for Promoting Scientific Integrity (2022) report (*https://osp.od.nih.gov/wp-content/uploads/2023/09/SI_Compendium-2022Update.pdf),* which describes the robust processes in place to support scientific integrity for NIH-supported extramural research, intramural research, and policies and programs. Building upon this existing infrastructure for scientific integrity, the Final NIH Scientific Integrity Policy outlines several new functions to further enhance existing practices and processes. For example, the Final NIH Scientific Integrity Policy includes a Federal definition of scientific integrity that is shared across the U.S. Government as outlined in the White House Framework. This alignment across the U.S. Government will help ensure consistency in guidance and language, lending clarity and uniformity to interagency efforts concerning scientific integrity. The Final NIH Scientific Integrity Policy also establishes the appointments of, and roles and responsibilities for, the positions of the NIH Chief Scientist (CS) and the NIH Scientific Integrity Official (SIO). The CS and SIO will have prominent and critical responsibilities in steering the NIH scientific integrity efforts, advising NIH leadership on scientific issues, and playing key roles in NIH adjudication efforts related to scientific integrity. The Final NIH Scientific Integrity Policy also includes NIH practices that will address important emerging topics in biomedical research, such as protecting against political interference.

Overview of Public Comments

NIH released its Request for Information on the Draft NIH Scientific Integrity Policy on September 25, 2023 (88 FR 65696: *https://www.federalregister.gov/documents/2023/09/25/2023-20733/request-for-information-on-the-draft-scientific-integrity-policy-of-the-national-institutes-of;* comment period closed on November 9, 2023). In response to the Draft Policy, NIH received 26 responses from interested parties, and the comments are publicly available at *https://osp.od.nih.gov/policies/scientific-integrity/.* The largest group of respondents reported no affiliation, followed by affiliation with professional societies, with a small percentage of respondents indicating affiliation with research institutions, industry, and advocacy coalitions. Respondents typically identified themselves as members of the public, while another sizeable section self-identified as scientific researchers. Remaining respondents identified as institutional officials, and smaller percentages self-identified as medical providers, government officials, and scholarly publishers. NIH considered all feedback in the development of the Final NIH Scientific Integrity Policy, and a discussion of the public comments on specific topics follows below.

Discussion of Public Comments on the Draft NIH Scientific Integrity Policy

Policy Scope

Draft Policy: The Draft NIH Scientific Integrity Policy explicitly outlined the categories of NIH employees and staff with defined roles and responsibilities when in the course of their official duties they propose, conduct, review, or communicate about science and scientific activities on behalf of NIH. It also stated that NIH has implemented separate policies for contractors, collaborators, awardees, and volunteers to uphold the principles of scientific integrity.

Public Comments: While commenters were generally supportive of the overall scope of the Draft NIH Scientific Integrity Policy, a few suggested clarifying how it might impact the extramural community, applicability to HHS officials and political appointees, and NIH employees engaging in program administrative roles.

Final Policy: The Final NIH Scientific Integrity Policy clarifies that the Policy applies to all NIH employees; Public Health Service Commissioned Corps officers assigned to NIH; NIH political appointees; NIH intramural clinical, research, and postdoctoral fellows; NIH intramural doctoral trainees; advisory committee members in their capacity as special Government employees; and all levels of employees managing scientific activities, engaging in program administrative roles, and using scientific information in decision making when in the course of their official duty activities they propose, conduct, review, or communicate about science and scientific activities on

behalf of NIH. Extramural investigators are not encompassed under this Policy unless they otherwise meet the qualifications of a covered individual (*e.g.,* membership on a Federal Advisory Committee in their capacity as a special Government employee); nevertheless, many individuals across the entire scientific enterprise have a role in supporting scientific integrity more broadly.

Roles and Responsibilities of the Chief Scientist and the Scientific Integrity Official

Draft Policy: The Draft NIH Scientific Integrity Policy proposed the appointments as well as roles and responsibilities for the positions of NIH Chief Scientist (CS) and NIH Scientific Integrity Official (SIO). It indicated that the CS and SIO will have prominent and critical responsibilities in steering NIH scientific integrity efforts, advising NIH leadership on scientific issues, and playing key roles in agency adjudication efforts related to scientific integrity.

Public Comments: While commenters were generally supportive of the establishment and proposed roles and responsibilities of the CS and SIO, a few suggested clarifying both roles and adding additional roles and responsibilities for other NIH leadership. Suggestions also included clearly defining the adjudication processes for losses of scientific integrity and ensuring adequate resources are allotted to the SIO and staff to implement the Policy and proactively seek out potential allegations of losses of scientific integrity.

Final Policy: The Final NIH Scientific Integrity Policy affirms the roles and responsibilities of the CS and SIO required by the 2021 Presidential Memorandum and includes some additional roles and responsibilities suggested by public comments. Detailed processes for adjudicating findings of loss of scientific integrity will be outlined in a NIH Manual Chapter and/or additional guidance. Additionally, NIH will ensure the SIO and other relevant agency offices and staff receive adequate support and resources to fulfill the functions outlined in the Policy.

Roles and Responsibilities of the Scientific Integrity Council

Draft Policy: The Draft NIH Scientific Integrity Policy proposed the establishment of a NIH Scientific Integrity Council comprising career employees from across NIH to be led by the NIH SIO. It indicated that the Council would assist the SIO in iterative review, policy development, and priority setting to ensure that the existing policies and procedures are responsive to issues that arise in the scientific integrity space.

Public Comments: Commenters were generally supportive of the establishment and proposed roles and responsibilities of the Council and suggested ensuring that it include a well-informed and a high-level group of experts on scientific integrity. Among the comments were suggestions for including desired areas of expertise for Council members, articulating a more explicit role of the Council in the adjudication process, and requiring the group to work with offices such as the NIH Tribal Health Research Office to consider any potential cultural implications. Additionally, a few commenters suggested that the NIH Scientific Integrity Council, the CS, and the SIO should consult with and/or include external experts to avoid potential conflicts of interest.

Final Policy: The Final NIH Scientific Integrity Policy describes desired expertise areas for Council members and affirms the roles and responsibilities of the Council. Processes for the role the Council will play in adjudicating findings of loss of scientific integrity will be outlined in additional implementation guidance. The Council will work with all pertinent NIH offices and seek public input when needed to ensure appropriate expertise on pertinent topics. All members of the Council, the CS, and the SIO will be expected to comply with existing conflict of interest policies and procedures.

Promoting a Culture of Scientific Integrity

Draft Policy: The Draft NIH Scientific Integrity Policy stated that diversity, equity, inclusion, and accessibility (DEIA) are integral components of the entire scientific process, and that attention to DEIA can improve the success of the scientific workforce, foster innovation in the conduct and use of science, and provide for more equitable participation in science by diverse communities. The Draft Policy additionally noted that all NIH employees will receive scientific integrity information or training as new employees, and NIH, in concert with HHS, will make available training for covered individuals and others, as applicable.

Public Comments: Several commenters expressed support for the inclusion of DEIA within scientific integrity principles. Several commenters noted the importance of mandatory training for all NIH employees, not just the sharing of information on scientific integrity.

Final Policy: The Final NIH Scientific Integrity Policy affirms the NIH stance that a strong culture of scientific integrity begins with ensuring a professional environment that is safe, equitable, fair, just, impartial, honest, and inclusive; DEIA are integral components of the entire scientific process. The Policy also states that scientific integrity training will be made available to all covered individuals, and some covered individuals may be required to complete role-specific training or refresher training as appropriate.

Ensuring Free Flow of Scientific Information

Draft Policy: The Draft NIH Scientific Integrity Policy affirmed NIH's commitment to the broad and equitable dissemination and promotion of rigorous and objective scientific information. It highlighted the role of the NIH Office of Communications and Public Liaison in disseminating objective and evidence-based research findings to the public and responding to public inquiries. It also reiterated that NIH scientists may communicate their scientific activities objectively without political interference or other inappropriate influence.

Public Comments: While commenters were generally supportive of the Draft NIH Scientific Integrity Policy provisions on ensuring the free flow of scientific information, a few noted that further delineation of scientists' ability to communicate with the media and public freely about their areas of expertise was needed and indicated that protection from potential bad faith attacks should be provided. Some commenters also suggested clarifying the differences between and processes for scientific technical review and media review.

Final Policy: The Final NIH Scientific Integrity Policy provides additional guidance on how NIH scientists may communicate scientific information while performing official duty activities and defines and protects against retaliation. The Final Policy reaffirms that NIH scientists and other covered individuals can communicate their personal or individual views to the media or the public in their personal capacities, including on social media, subject to the limitations of government ethics rules, HHS supplemental ethics regulations, social media regulations, and obligation to protect nonpublic information. The Final Policy also clarifies the requirements and

protections for scientific technical review processes.

Protections

Draft Policy: The Draft NIH Scientific Integrity Policy described NIH's commitment to prioritizing safe and respectful work environments as well as existing protections for employees to disclose information that the individual reasonably believes is evidence of a violation of law, rule, or regulation; gross mismanagement; gross waste of funds; and abuse of authority; or a substantial and specific danger to public health or safety. The Draft Policy also affirmed NIH's commitment to hiring and retaining candidates for NIH scientific and technical positions based on the candidate's scientific and technical knowledge, credentials, experience, and integrity.

Public Comments: Some commenters expressed the need for further protections for individuals who report allegations of loss of scientific integrity. Several commenters affirmed the importance of promoting DEIA with regard to the NIH workforce, grantmaking apparatus, and other activities and recommended further elaboration of specific groups who should be included and considered in efforts to promote diversity.

Final Policy: The Final NIH Scientific Integrity Policy describes protections from reprisal for individuals who report allegations of loss of scientific integrity, including whistleblower protections. The Final Policy also affirms NIH's commitment to promoting equity in the scientific workforce and includes a robust description of the types of demographic groups that will be considered regarding efforts to promote equity.

Policy Implementation

Draft Policy: The Draft NIH Scientific Integrity Policy proposed a delay between a final policy release and its effective date in order to communicate policy expectations to covered individuals and develop specific implementation details and plans. Expected implementation activities would include the establishment of an evaluation plan to regularly measure, monitor, and evaluate ongoing scientific integrity activities and outcomes. As part of the monitoring and evaluation plan, an annual report on the number and outcomes of investigations involving allegations of loss of scientific integrity would be published.

Public Comments: Several commenters requested that additional implementation details be added to the Policy, including information on the allegations reporting and appeals processes, applicable consequences, an evaluation plan, publication best practices, and plans for public input, including meaningful engagements to build trust with marginalized communities. Specifically, a comment noted that the annual report should include specific details regarding the allegation, the inquiry process, and the outcome of the investigation.

Final Policy: Consistent with other NIH policy development activities, additional implementation details will continue to be developed and publicly released. Given the bulk of implementation activities fall on NIH directly and not on our grantee institutions or contractors, NIH has chosen to enact a three-month implementation period. All implementation plans will comply with existing policies and regulations regarding conflicts of interest, whistleblower protections, etc. The Final NIH Scientific Integrity Policy notes that, for investigations that have been resolved, the annual report will include the types of corrective actions recommended by the investigation panel to restore scientific integrity, and the types of actions ultimately taken. Additionally, NIH will continue to seek input from the public, and the scientific integrity reporting process will also allow opportunities for public transparency. NIH is committed to promoting equity across the biomedical research enterprise and will consider additional methods to engage with communities historically underrepresented in biomedical research, including through existing robust outreach programs and initiatives.

Additional Changes to Final Policy

Some additional changes were made to the Final NIH Scientific Integrity Policy in response to public comments, for clarity, or to maintain consistency with the Final HHS Scientific Integrity Policy. Some of these additional changes include slight revisions to the definition of ''political interference,'' a new definition of ''retaliation,'' clarification of training requirements, and under ''Protecting Scientific Processes,'' a statement noting that early termination of extramural awards is prohibited except under certain specific circumstances.

Concluding Points

The Final NIH Scientific Integrity Policy builds upon and consolidates NIH's longstanding efforts to foster an organizational culture of scientific integrity, protect the integrity of the research process, communicate science with integrity, and safeguard scientific integrity. This Final NIH Scientific Integrity Policy is another step in ensuring that NIH's work as an institution maintains the highest standards of integrity and represents the best of the Nation's investment in biomedical research.

NIH looks forward to continuing to work across the U.S. Government to support our shared commitment to responsible stewardship of the Nation's investment in biomedical research by maintaining and bolstering rigorous scientific integrity practices in taxpayer-funded biomedical research.

The Final NIH Scientific Integrity Policy is set forth below.

Scientific Integrity Policy of the National Institutes of Health

Purpose

The purpose of this policy is to promote a continuing culture of scientific integrity at the National Institutes of Health (NIH). This policy aims to ensure the integrity of all aspects of NIH scientific activities, including proposing, conducting, reviewing, managing, and communicating about science and scientific activities, and using the results of science to inform policy and program decision making.

Scientific Integrity at NIH

In support of our mission, NIH funds extramural researchers throughout the country, conducts research within its intramural research program, and develops policies and programs to responsibly advance biomedical research. Embedding principles of scientific integrity throughout the NIH enterprise relies on two key elements. The first element is an all-hands-on-deck approach in which scientific rigor and research quality are prioritized. The second element is having inclusive, robust processes that safeguard scientific integrity.

In fostering scientific integrity, NIH aims to ensure that (1) scientific findings are objective, credible, and readily available to the public, and (2) the development and implementation of policies and programs is transparent, accountable, and evidence-based. NIH has numerous policies and procedures to ensure the Nation's investment in biomedical research is scientifically robust and rigorous and that our workforce maintains the highest standards of integrity.

Public input and accountability are woven throughout NIH processes to assure the public of the credibility of

our science and our scientific findings. These activities range from presenting potential scientific solicitations at public meetings (*e.g.,* concept clearance) to soliciting community feedback during decision making activities. In supporting the NIH mission, all NIH researchers and staff are expected to:

- Foster an organizational culture of scientific integrity,
- Protect the integrity of the research process,
- Communicate science with integrity, and
- Safeguard scientific integrity.

NIH's long-standing commitment to fostering scientific integrity was summarized in its 2012 report, NIH Policies and Procedures for Promoting Scientific Integrity at *https://www.nih.gov/sites/default/files/about-nih/nih-director/testimonies/nih-policies-procedures-promoting-scientific-integrity-2012.pdf.* This document was updated in 2022 at *https://osp.od.nih.gov/wp-content/uploads/2023/09/SI_Compendium-2022Update.pdf,* partly in response to the 2021 Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking at *https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/,* to reflect more than a decade of updates to agency policies and procedures that support scientific integrity. The NIH Scientific Integrity Policy articulates expectations to preserve scientific integrity throughout all NIH activities, establishes key roles and responsibilities for those who will lead the agency's scientific integrity program, and, as appropriate, establishes relevant reporting and evaluation mechanisms with a goal of ensuring scientific integrity is foundational to all NIH activities. The NIH Scientific Integrity Policy is consistent with the U.S. Department of Health and Human Services (HHS) Scientific Integrity Policy at *https://www.hhs.gov/programs/research/scientificintegrity/index.html.* The majority of procedures regarding scientific integrity described herein are longstanding and foundational to NIH-supported research. The NIH Scientific Integrity Policy integrates existing and new practices under a single harmonized framework.

Effective Date and Policy Amendments

This policy goes into effect on December 30, 2024. This policy will be evaluated by NIH one year after its effective date and every two years thereafter. Proposals to amend this policy will be overseen by the NIH Scientific Integrity Official (SIO), in collaboration with the NIH Scientific Integrity Council (Council) described below, and any such amendments will be communicated to HHS and the Director of the White House Office of Science and Technology Policy (OSTP) no later than 30 days after adoption.

Applicability & Scope

All NIH employees; Public Health Service Commissioned Corps officers assigned to NIH; NIH political appointees; NIH intramural clinical, research, and postdoctoral fellows; NIH intramural doctoral trainees; advisory committee members in their capacity as special Government employees; and all levels of employees managing scientific activities, engaging in program administrative roles, and using scientific information in decision making, are expected to adhere to this policy when in the course of their official duties they propose, conduct, review, or communicate about science and scientific activities on behalf of NIH. When relevant, NIH has also implemented separate policies for entities who are not covered individuals, such as contractors, collaborators, extramural awardees, peer reviewers and volunteers, to uphold the principles of scientific integrity established by this policy while carrying out activities on behalf of NIH or within the scope of NIH support or engagement. The primary focus of this policy is on covered individuals' performance of official duty activities on behalf of NIH. Federal employees must adhere to the Standards of Ethical Conduct for Employees of the Executive Branch,[1] which delineates requirements (and certain restrictions) for Federal employees when acting on behalf of the Federal government.

Exceptions

This policy will be implemented consistent with applicable Federal law and Executive Orders.

Definitions

For the purposes of this policy, NIH adopts the following definitions:

Allegation refers to a disclosure of a suspected loss of scientific integrity.

Chief Scientist (CS) provides oversight of all NIH scientific integrity policies and procedures. NIH recognizes organizational culture starts with leadership at the highest levels. It has designated the NIH Principal Deputy Director as the NIH CS.

Corrective scientific action refers to actions taken to restore the accuracy of the scientific record after a loss of scientific integrity has been determined, consistent with this policy, such as correction or retraction of published materials.

Covered individuals include all NIH employees; Public Health Service Commissioned Corps officers assigned to NIH; NIH political appointees; NIH intramural clinical, research, and postdoctoral fellows; NIH intramural doctoral trainees; advisory committee members in their capacity as special Government employees; and all levels of employees who manage scientific activities, engage in program administrative roles, and use scientific information in decision making when in the course of their official duty activities they propose, conduct, review, or communicate about science and scientific activities on behalf of NIH. NIH contractors, partners, permittees, lessees, grantees, extramural trainees and fellows (*i.e.,* those supported by NIH grants to non-NIH organizations), and volunteers who engage or assist in NIH scientific activities are not considered covered individuals but are strongly encouraged to uphold the principles of scientific integrity described in this policy while carrying out activities on behalf of NIH or within the scope of NIH support or engagement, particularly those described in the Protecting Scientific Processes, Ensuring the Free Flow of Scientific Information, Protections, and Professional Development sections of this policy; additionally, specific requirements may be incorporated into the terms of their engagement with NIH.

Decision making refers to (1) development of policies or making determinations about policy or management; (2) making determinations about expenditures of Federal agency funds; (3) implementing or managing activities that involve, or rely on, scientific activities.

Ethical behavior refers to activities that reflect norms for conduct that distinguish between acceptable and unacceptable behavior, such as honesty, lawfulness, equity, and professionalism, and adherence to statutes, regulations, policies, and guidelines governing employee conduct.

Federal agency refers to an Executive department, a U.S. Government corporation, or an independent establishment.

[1] Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635) provide the basic guidelines for official duty activities, and NIH sets the policy for implementing the guidelines at the agency. Available at: *https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635.*

Inclusivity refers to the practice of providing equal access to opportunities for full participation of all people and all groups, including marginalized, underserved, and underrepresented contributors, without bias or prejudice. Full participation is enabled through implementation of strategies that promote equitable access and fair treatment in the organization.

Inappropriate influence refers to the attempt to shape or interfere in scientific activities or the communication about or use of scientific activities, against well-accepted scientific methods and theories and without scientific, legal, programmatic management, or security justification.[2] [3]

Interference refers to inappropriate, scientifically unjustified intervention in the conduct, management, communication, or use of science. It includes censorship, suppression, or distortion of scientific or technological findings, data, information, or conclusions; inhibiting scientific independence during clearance and review; scientifically unjustified intervention in research and data collection; and inappropriate engagement or participation in peer review processes or on Federal advisory committees (FACs).

Loss of scientific integrity refers to the failure to comply with this Scientific Integrity Policy or to adhere to objectivity, transparency, and ethical behavior when conducting, managing, using the results of, and communicating about science and scientific activities. This loss may include research misconduct or inappropriate influence in the conduct, communication, management, and use of science.

Official duty activity refers to activities performed by an employee as part of, or an extension of, regular official responsibilities.[4]

Policy refers to laws, regulations, procedures, administrative requirements or actions, incentives, or voluntary practices of Governments and other institutions.

Political interference is *inappropriately* shaping or interfering in the conduct, management, communication, or use of science for inappropriate partisan advantage such that it undermines impartiality, objectivity, nonpartisanship, or professional judgment.

Research integrity refers to the use of honest and verifiable methods in proposing, performing, and evaluating research; reporting research results with particular attention to adherence to rules, regulations, and guidelines; and following commonly accepted professional codes or norms.

Research misconduct refers to fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.[5]

Research security refers to safeguarding the research enterprise against the misappropriation of research and development to the detriment of national or economic security, related violations of research integrity, and foreign Government interference.

Retaliation refers to, per 5 U.S.C. 2302(b)(8), taking or failing to take or threatening to take or fail to take a personnel action with respect to any employee or applicant for employment because of any disclosure of information that the employee or applicant reasonably believes evidences any violation of any law, rule, or regulation or gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety if such disclosure is not specifically prohibited by law and if such information is not specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs. An employee or applicant is protected from retaliation for the disclosure of information the employee or applicant reasonably believes is evidence of censorship related to research, analysis, or technical information.[6] [7]

Science refers to the full spectrum of scientific endeavors, including basic science, applied science, evaluation, engineering, technology, economics, social sciences, and statistics, as well as the scientific and technical information derived from these endeavors and including multiple forms of evidence (*e.g.,* Indigenous Knowledge).

Scientific activities refer to activities that involve the application of well-accepted scientific methods and theories in a systematic manner, and includes, but is not limited to, data collection, inventorying, monitoring, evaluation, statistical analysis, surveying, observations, experimentation, study, research, integration, economic analysis, forecasting, predictive analytics, modeling, technology development, and scientific assessment, as well as any findings derived from these activities.

Scientific data refers to recorded factual material commonly accepted in the scientific community as of sufficient quality to validate and replicate research findings, regardless of whether the data are used to support scholarly publications. Scientific data does not include laboratory notebooks, preliminary analyses, completed case report forms, drafts of scientific papers, plans for future research, peer reviews, communications with colleagues, or physical objects, such as laboratory specimens.[8]

Scientific integrity is the adherence to professional practices, ethical behavior, and the principles of honesty and objectivity when conducting, managing, using the results of, and communicating about science and scientific activities. Inclusivity, transparency, and protection from inappropriate influence are hallmarks of scientific integrity. (Note: this is the Official Federal Definition of Scientific Integrity, consistent with OSTP and HHS definitions.[9])

Scientific Integrity Council will assist the NIH SIO in iterative review, policy

[2] Examples may include (1) suppressing a decisionmaker's ability to offer the best judgment based on scientific information; (2) suppressing, altering or delaying the release of a scientific product for any reason other than technical merit, security or legal review, review for compliance with existing policies, or providing advance notification; (3) removing or reassigning scientific personnel for any reason other than performance, conduct, or budgetary constraints; (4) using scientific products that are not representative of the current state of scientific knowledge and research (*e.g.,* because of a lack of appropriate peer review, poor methodology, or flawed analyses) to inform decision making and policy formulation; or (5) misrepresenting the underlying assumptions, uncertainties, or probabilities of scientific products. This is not intended to be an exhaustive list.

[3] Differences of scientific opinion are not necessarily inappropriate influence. Additionally, NIH officials are regularly expected to provide agency perspectives when acting in their official capacity.

[4] The Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635) provide the basic guidelines for official duty activities, and NIH sets the policy for implementing the guidelines at the agency. Available at: *https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635.*

[5] Federal Research Misconduct Policy, 65 FR 76260, 76262 (Dec. 6, 2000) and *https://www.ecfr.gov/current/title-42/chapter-I/subchapter-H/part-93/subpart-A/section-93.103.*

[6] Protection of Certain Disclosures of Information by Federal Employees. Available at: *https://home.treasury.gov/system/files/306/WPEA-2012-PL-112-199.pdf.*

[7] Prohibited personnel practices. Available at: *https://www.govinfo.gov/content/pkg/USCODE-2022-title5/pdf/USCODE-2022-title5-partIII-subpartA-chap23-sec2302.pdf.*

[8] NIH Data Management and Sharing Policy at: *https://sharing.nih.gov/data-management-and-sharing-policy.*

[9] A Framework for Federal Scientific Integrity Policy and Practice. Available at: *https://www.whitehouse.gov/wp-content/uploads/2023/01/01-2023-Framework-for-Federal-Scientific-Integrity-Policy-and-Practice.pdf.*

development, and priority setting to ensure that the existing policies and procedures are responsive to issues that arise in the scientific integrity space.

Scientific Integrity Official (SIO) is the primary official for responsibilities over scientific integrity matters and reports to the NIH CS. This policy empowers the NIH SIO with the independence necessary to gather and protect information to support the review and assessment of scientific integrity concerns. The NIH SIO will also advocate for appropriate engagement of scientific leadership in decision making. NIH recognizes organizational culture starts with leadership at the highest levels. NIH has designated the Associate Director of Science Policy as the NIH SIO.

Scientific record refers to published information resulting from scientific activities. NIH is responsible for ensuring the accuracy of elements of the scientific record that are published by NIH.

Scientist refers to an individual whose responsibilities include collection, generation, use, or evaluation of scientific and technical data, analyses, or products. NIH scientists are NIH employees and other covered individuals who conduct these activities. It does not refer to individuals with scientific and technical training whose primary job functions are in non-scientific roles (*e.g.,* policymakers, communicators).

Roles and Responsibilities

Chief Scientist and Scientific Integrity Official

The Chief Scientist (CS) will:

1. Provide oversight of all NIH scientific integrity policies and procedures, including the periodic updates of those policies and procedures;
2. Engage in agency efforts regarding diversity, equity, inclusion, and accessibility;
3. Provide for the resourcing and staffing needs of the NIH scientific integrity program;
4. Promote scientific integrity across the agency; and
5. Serve as an alternate in scientific integrity adjudication processes if the NIH SIO is alleged to have violated the NIH or HHS Scientific Integrity Policies.

The Scientific Integrity Official (SIO) will:

1. Report to the CS on all matters related to scientific integrity;
2. Periodically update the NIH Scientific Integrity Policy;
3. Provide regular reporting on NIH scientific integrity allegations and outcomes to OSTP and the public;
4. Determine the resourcing and staffing needs of the NIH scientific integrity program;
5. Promote scientific integrity across the agency;
6. Lead the NIH Scientific Integrity Council, and participate on the HHS Scientific Integrity Council and other interagency efforts regarding scientific integrity;
7. Serve as a focal point for the receipt of agency scientific integrity allegations (particularly related to political interference) that fall outside of existing processes managed by the Office of Extramural Research (OER), the Office of Intramural Research (OIR), the Office of Management Assessment (OMA), and the HHS Office of the Inspector General (OIG) (*e.g.,* as related to waste, fraud, abuse, and illegal activities);
8. Lead the review and adjudication of allegations of loss of NIH scientific integrity (particularly related to political interference) in cases where such allegations fall outside of existing processes managed by OER, OIR, OMA, and OIG (*e.g.,* as related to waste, fraud, abuse, and illegal activities); and
9. Promote agency efforts regarding diversity, equity, inclusion, and accessibility.

NIH Scientific Integrity Council

The NIH SIO will establish and convene an NIH Council comprising career employees with expertise in ethics, research integrity, research misconduct, communications, whistle blower protections, and other relevant administrative areas from across NIH and from relevant NIH offices. This committee will assist the SIO in iterative review, policy development, and priority setting to ensure that the existing policies and procedures are responsive to issues that arise in the scientific integrity space.

The primary responsibilities of the Council are to:

1. Ensure that a well-informed and high-level group of experts supports scientific integrity at NIH;
2. Ensure that the NIH Scientific Integrity Policy is implemented consistently across NIH;
3. Review, assess, and revise the NIH Scientific Integrity Policy as needed;
4. Engage NIH leadership in upholding the principles of scientific integrity and maintaining leadership awareness of scientific integrity issues as necessary and appropriate;
5. As requested, assist the NIH SIO in adjudicating allegations of loss of scientific integrity (particularly related to political interference) in cases where such allegations fall outside of existing processes managed by OER, OIR, OMA, and OIG (*e.g.,* waste, fraud, abuse, and illegal activities);
6. In addition to being composed of relevant experts, confer with relevant offices (*e.g.,* Tribal Health Research Office, Chief Officer for Scientific Workforce Diversity, and Sexual and Gender Minority Research Office) when additional expertise is needed; and
7. Determine handling of investigation and adjudication proceedings from which the NIH SIO is recused.

Background on NIH Functions

Intramural Research

The Intramural Research Program (IRP) is the internal research program of NIH, known for its synergistic approach to biomedical science. The IRP is the largest biomedical research program on earth, and its unique environment means the IRP can facilitate opportunities to conduct both long-term and high-impact science that would otherwise be difficult to undertake. The NIH IRP conducts research and training within its laboratories and clinics, and when appropriate, collaborates with the private sector to develop technologies of importance to public health. To help ensure the high quality and integrity of its intramural programs, NIH has developed and implemented NIH-wide policies and review standards for research, training, and technology transfer. The NIH Policy Manual at *https://policymanual.nih.gov/*is an official mechanism of issuing NIH-wide policy and all Manual Chapter issuances. More information about the NIH IRP can be found on the NIH OIR website at *https://oir.nih.gov/.*

Extramural Research

Approximately 80 percent of NIH's investment in biomedical and behavioral research supports extramural researchers at institutions in every state in the country. Given the size and breadth of this investment, NIH has a robust infrastructure to ensure scientific integrity is embedded throughout the extramural research continuum and its workforce. While the covered individuals for this policy consist primarily of NIH employees, the principles of scientific integrity are foundational to NIH's role in funding extramural biomedical research, and the importance of scientific integrity is integrated throughout all NIH does as a funder of biomedical research. As such, existing policies to maintain scientific integrity of extramural research will continue. More information about the NIH extramural research program can be found on the NIH OER website at

https://grants.nih.gov/aboutoer/intro2oer.htm.

NIH as a Policy Development Agency

NIH promotes progress in the biomedical research enterprise through the development of sound and comprehensive policies. To achieve this, NIH engages partners within and outside of NIH to develop policies on a wide range of issues including biosafety, biosecurity, genetic testing, genomic data sharing, public access to the results of NIH-funded research, human subjects and research animal protections, the organization and management of NIH, and the outputs and value of NIH-funded research. This is accomplished through a wide range of analyses and reports, commentary on emerging policy proposals, and the development of policy proposals for consideration by NIH, the Federal Government, and the public. More information about NIH policy development can be found on the NIH Office of Science Policy (OSP) website at *https://osp.od.nih.gov/.*

Policy Requirements

Promoting a Culture of Scientific Integrity

NIH leadership at all levels recognizes, supports, and promotes this policy and its underlying principles, and models behavior consistent with a strong culture of scientific integrity. NIH works to promote a culture of scientific integrity by creating an empowering environment for innovation and protecting scientists and the process of science from inappropriate interference. Scientific findings and products must not be suppressed, delayed, or altered for political purposes and must not be subjected to political interference or inappropriate influence.

A strong culture of scientific integrity begins with ensuring a professional environment that is safe, equitable, fair, just, impartial, honest, and inclusive. Diversity, equity, inclusion, and accessibility (DEIA) are integral components of the entire scientific process. Attention to DEIA can improve the success of the scientific workforce, foster innovation in the conduct and use of science, and provide for more equitable participation in science by diverse communities. The responsible and ethical conduct of research and other scientific activities requires an environment that is equitable, inclusive, safe, and free from harassment and discrimination.

NIH also works to apply scientific integrity practices in ways that are inclusive of non-traditional modes of science, such as citizen science, community-engaged research, participatory science, and crowdsourcing. This may include expanded scientific integrity practices and expectations, such as seeking greater input from communities and participants into the research questions and design, recognition of data and knowledge sovereignty, and inclusion of multiple forms of evidence, such as Indigenous Knowledge.

NIH will prominently post and maintain the NIH Scientific Integrity Policy on its website and will ensure education is available for all covered individuals, as well as contractors who perform scientific activities for the agency, on their rights and responsibilities related to scientific integrity. Scientific integrity training will be made available to all covered individuals, and some covered individuals may be required to complete role-specific training or refresher training as appropriate.

To promote a culture of scientific integrity at NIH, this policy outlines seven specific areas:

I. Protecting Scientific Processes
II. Ensuring the Free Flow of Scientific Information
III. Supporting Decision Making Processes
IV. Ensuring Accountability
V. Protections
VI. Professional Development for Government Scientists, and
VII. Federal Advisory Committees

I. Protecting Scientific Processes

NIH has implemented a suite of complementary efforts to protect the integrity of research processes from bias and interference, which is essential to upholding public trust and confidence. These efforts rely on transparent processes, diverse community engagement, management of real or apparent conflicts of interest, and robust and open dialogue. NIH utilizes a variety of mechanisms to achieve these aims, such as holding policy discussions in open settings, soliciting public input on future research directions, and the use of Federal advisory committees (FACs) to advise the agency. In addition, for covered individuals, NIH explicitly prohibits political interference or *inappropriately* shaping or interfering in the conduct, management, communication, or use of science for inappropriate partisan advantage such that it undermines impartiality, objectivity, nonpartisanship, or professional judgment. Further processes will be developed and documented to support this policy in an NIH Manual Chapter and/or additional guidance.

It is the policy of NIH to:

1. Prohibit political interference or other inappropriate influence in the design, proposal, conduct, review, management, evaluation, communication of, and use of scientific activities and scientific information conducted by covered individuals.

2. Prohibit inappropriate restrictions on resources and capacity that limit and reduce the availability of science and scientific products (*e.g.,* manuscripts for scientific journals, presentations for workshops, conferences, and symposia) outside of normal budgetary or priority-setting processes or without scientific, legal, or security justification.[10]

3. Require that leadership and management ensure that covered individuals engaged in scientific activities can conduct their work objectively, free from political interference or other inappropriate influence, and free from retaliation.

4. Require reasonable efforts by covered individuals to ensure the fidelity of the scientific record and to correct identified inaccuracies that pertain to their contribution to any scientific records.

5. Require that covered individuals represent their contributions to scientific work fairly and accurately and neither accept nor assume unauthorized and/or unwarranted credit for another's accomplishments. To be named as an author, contributors should, at a minimum, have (1) made a substantial contribution or provided editorial revisions that include critical intellectual content, (2) approved the final version, and (3) agreed to be accountable for all aspects of the work to which they contributed. Prior consent should be obtained from each author to be represented on a particular work. Obtaining prior consent for acknowledgements is also a good practice.[11]

6. Ensure independent review of scientific activities conducted by covered individuals as appropriate to ensure scientific integrity.[12]

7. Require that covered individuals comply with NIH policies and procedures for planning and conducting

[10] This provision is further outlined in the NIH Policy Manual Chapter 3005 on Review and Evaluation of Intramural Programs. Available at: *https://policymanual.nih.gov/3005.*

[11] This provision is further outlined in the 2023 8th Edition of Guidelines and Policies for the Conduct of Research in the Intramural Research Program at NIH. Available at: *https://oir.nih.gov/system/files/media/file/2023-08/guidelines-conduct_research.pdf.*

[12] This provision is further outlined in the NIH Policy Manual Chapter 3005 on Review and Evaluation of Intramural Programs. Available at: *https://policymanual.nih.gov/3005.*

scientific activities and show appropriate diligence toward protecting and conserving Federal research resources, such as equipment and other property, and records of data and results that are entrusted to them.

8. Prohibit research misconduct, the deliberate or reckless use of improper or inappropriate research methods or processes, and noncompliance with practices that safeguard the quality of research and other scientific activities or enhance research security for covered individuals.[13]

9. Require that covered individuals design, conduct, manage, evaluate, and communicate about scientific research and other scientific activities honestly and thoroughly, and disclose any conflicts of interest to their supervisor or other appropriate NIH official(s) for their determination as to whether a recusal, disclaimer, or other action is appropriate, consistent with NIH ethics policies and procedures.[14]

10. Require that research conducted by covered individuals involving the participation of human subjects and the use of non-human animals is conducted in accordance with applicable, established laws, regulations, policies, and ethical considerations.[15]

11. Support and enhance scientific integrity with the understanding that violations of scientific integrity can have a disproportional impact on underrepresented groups or weaken the equitable delivery of Federal Government programs.

12. Consistent with OSTP guidance and relevant HHS and NIH policy, prohibit NIH personnel engaged in intramural research from participation in foreign talent recruitment programs, unless the participation is in an international conference or other international exchange, partnership, or program for which such participation has been approved by the appropriate authority in NIH.[16]

13. Consistent with OSTP guidance and relevant HHS and NIH policy, require disclosure of participation in foreign talent recruitment programs, including the provision of copies of all grants, contracts, or other agreements related to such programs, and other supporting documentation related to such programs, as a condition of receipt of Federal extramural research funding awarded through NIH.[17]

14. Prohibit the suspension or early termination of an extramural grant awarded by NIH except as consistent with applicable law and grants policies.[18] [19]

II. Ensuring the Free Flow of Scientific Information

NIH is committed to the broad and equitable dissemination and promotion of rigorous and objective scientific information. The NIH Office of Communications and Public Liaison (OCPL) and communication offices within the NIH Institutes, Centers, and Offices (NIH ICOs) disseminate objective and evidence-based research findings to the public through websites, listservs, brochures, videos, social media, and other modes of communication as appropriate. NIH OCPL and the ICO communication offices also respond to public inquiries and engage with technical and non-technical audiences through media and online forums to ensure responsible communication regarding the research it funds.

At the foundation of the NIH mission is the generation of reliable and rigorous research results, and their publication in reputable, peer-reviewed scientific journals. NIH's IRP researchers adhere to the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635)[20] and the NIH-wide Policy for Manuscript and Abstract Clearance Procedures at *https://oir.nih.gov/sourcebook/submitting-research-publications/publication-abstract-clearance,* and follow established guidance to ensure transparency in research findings through Processes for Authorship Dispute Resolution at *https://oir.nih.gov/sourcebook/ethical-conduct/authorship-guidelines-resources/nih-irp-authorship-conflict-resolution-process* if the situation arises.

It is the policy of NIH to:

1. Facilitate the free flow of scientific and technological information, to the extent permissible by Federal laws and regulations.[21] Consistent with open science expectations, NIH will expand and promote access to scientific and technological information by making it available freely and without embargo to the public in an online digital format.[22] [23] [24] [25]

2. Ensure that scientific findings and products created by NIH scientists are not unduly suppressed, delayed, or altered for political purposes and are not subjected to inappropriate influence.

3. Encourage, but not require, NIH scientists to participate in their official capacities in communications with the

[13] This provision is further outlined in the NIH Policy Manual Chapter 3006 on NIH Intramural Research Program (IRP) Research Misconduct Proceedings. Available at: *https://policymanual.nih.gov/3006.*

[14] This provision is further outlined in the NIH Conflict of Interest and Confidentiality Certification for Individuals Evaluating all NIH Intramural Programs. Available at: *https://oir.nih.gov/system/files/media/file/2021-08/conflict_of_interest-bsc_reviews.pdf.*

[15] This provision is further outlined in the NIH Policy Manual Chapter 3014 on NIH Intramural Human Research Protection Program and the NIH Policy Manual Chapter 3040–2 on Animal Care and Use in the Intramural Research Program. Available at: *https://policymanual.nih.gov/3014* and *https://policymanual.nih.gov/3040-2* respectively.

[16] Health Extenders, Improving Access to Medicare, Medicaid, and CHIP, and Strengthening Public Health Act of 2022, Public Law 117–328, Division FF, Title II, Section 2321 (Jan 3, 2023) at *https://www.congress.gov/117/plaws/publ328/PLAW-117publ328.pdf* and Chips and Science Act, Public Law 117–167, Title VI, Subtitle D, Section 10631 (Aug 9, 2022) at *https://www.congress.gov/117/plaws/publ167/PLAW-117publ167.pdf.* OSTP guidance and relevant HHS and NIH policies to implement this legislation are available at: *https://www.whitehouse.gov/wp-content/uploads/2024/02/OSTP-Foreign-Talent-Recruitment-Program-Guidelines.pdf* and *https://grants.nih.gov/policy/foreign-interference/requirements-for-disclosure.*

[17] Health Extenders, Improving Access to Medicare, Medicaid, and CHIP, and Strengthening Public Health Act of 2022, Public Law 117–328, Division FF, Title II, Section 2321 (Jan 3, 2023) at *https://www.congress.gov/117/plaws/publ328/PLAW-117publ328.pdf* and Chips and Science Act, Public Law 117–167, Title VI, Subtitle D, Section 10631 (Aug 9, 2022) at *https://www.congress.gov/117/plaws/publ167/PLAW-117publ167.pdf.* OSTP guidance and relevant HHS and NIH policies to implement this legislation are available at: *https://www.whitehouse.gov/wp-content/uploads/2024/02/OSTP-Foreign-Talent-Recruitment-Program-Guidelines.pdf and https://grants.nih.gov/policy/foreign-interference/requirements-for-disclosure.*

[18] *https://grants.nih.gov/policy/nihgps/index.htm*

[19] 45 CFR 75.372. Available at: *h*ttps://www.govinfo.gov/content/pkg/CFR–2022-title45-vol1/pdf/CFR–2022-title45-vol1-sec75–372.pdf.

[20] Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635) provide the basic guidelines for official duty activities, and NIH sets the policy for implementing the guidelines at the agency. Available at: *https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635.*

[21] Per the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635), ''Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.'' Available at: *https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635.*

[22] White House Office of Science and Technology Policy Memorandum for the Heads of Executive Departments and Agencies on Increasing Access to the Results of Federally Funded Scientific Research. February 22, 2013. Available at: *https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/ostp_public_access_memo_2013.pdf.*

[23] White House Office of Science and Technology Policy Memorandum for the Heads of Executive Departments and Agencies on Ensuring Free, Immediate, and Equitable Access to Federally Funded Research. August 25, 2022. Available at: *https://www.whitehouse.gov/wp-content/uploads/2022/08/08-2022-OSTP-Public-Access-Memo.pdf.*

[24] This provision is further outlined in the NIH Policy Manual Chapter 1184 on Preparation and Clearance of Scientific, Technical, and Public Information Presented by NIH Employees or Produced for Distribution by NIH. Available at: *https://policymanual.nih.gov/1184.*

[25] This provision is further outlined in the NIH Data Management and Sharing Policy. Available at: *https://sharing.nih.gov/data-management-and-sharing-policy.*

media regarding their scientific activities and areas of expertise, subject to limitations of Government ethics rules (5 CFR part 2635). In communicating with the media, NIH scientists must seek advice from career NIH communications experts when acting in their official capacities.

4. Allow NIH scientists and other covered individuals to express their personal views and opinions to the media with appropriate written or oral disclaimers, including on social media, subject to the limitations of Government ethics rules, HHS supplemental ethics regulations, social media regulations, and obligation to protect nonpublic information.[26] NIH scientists and other covered individuals may name NIH as their employer as one biographical fact among several; however, their title and position cannot receive more prominence than any other biographical fact. They should not be sourced by the media as an NIH representative and shall refrain from making or publishing statements that could be construed as being judgments of, or recommendations on, NIH or any other Federal Government policy, including the use of NIH or other U.S. Government seals or logos, unless they have secured appropriate prior approval to do so.[27]

5. Require that technical review and clearance processes include provisions for timely clearance and expressly forbid censorship, unreasonable delay, and suppression of objective communication of data and results without valid scientific, legal, or security justification. Deviations from clearance policies or procedures that result in suppression, delay, or alteration of scientific and technological information without scientific, legal, or security justification may constitute violations of the NIH Scientific Integrity Policy and may be reported under the Addressing Scientific Integrity Concerns section in this document.

6. Prohibit NIH officials, including communications officers, from altering, or directing NIH scientists and technology experts to alter, scientific and technological research findings or presentation of research findings in a manner that may compromise the objectivity or accurate representation of those findings.

7. Ensure that scientific information is accurately represented in responses provided by NIH to Congressional inquiries, tribal inquiries, testimony, and other requests.

8. Ensure that the work and conclusions of NIH scientists and the work and conclusions of scientists funded or supported by the Federal government are accurately represented in NIH communications. If communication documents significantly rely on a scientist's research, identify them as an author, or represent their scientific opinion, the scientist will be given the option to review the scientific content of proposed communication documents prior to publication or public release.

9. Accurately represent the work and conclusions of NIH scientists in NIH social media communications and provide appropriate guidance to NIH scientists on the use of NIH social media. If NIH scientists whose work is represented in NIH social media identify any errors in those representations regarding their scientific activities and areas of expertise, NIH social media managers are responsible for making appropriate corrections.

10. When offering spokespersons in response to media requests, offer knowledgeable spokespersons who can, in an objective and nonpartisan manner, describe the relevant scientific or technological aspects of their work.

11. Ensure that NIH scientists may communicate their scientific activities objectively without political interference or other inappropriate influence consistent with HHS [28] and NIH [29] communication and media policies. Scientific products must adhere to relevant NIH technical review procedures.

III. Supporting Decision Making Processes

NIH utilizes multiple mechanisms for ensuring transparency and accountability in developing policy and informing decision making. The development of science policy at NIH generally follows procedures set forth under the Administrative Procedure Act (5 U.S.C. Subchapter II) at *https://www.archives.gov/federal-register/laws/administrative-procedure,* where applicable, and draft policy proposals are routinely issued through the NIH Guide and the **Federal Register**, as appropriate, to obtain early feedback into policy proposals. Once a proposal has been issued for public comment, it is often supplemented with informational webinars, interactive discussion sessions, and a robust public engagement plan to promote broad dissemination and engagement in the policymaking process. NIH considers all comments submitted on draft polices and policy proposals to ensure final policy proposals are informed by the community and capable of responding to emerging opportunities and challenges. Final policies are also issued through the NIH Guide and the **Federal Register**, as appropriate, and incorporated into the NIH Grants Policy Statement and NIH Policy Manual, as appropriate. Policies are also posted to NIH websites with additional resources such as Frequently Asked Questions and other supplemental resources as needed.

It is the policy of NIH to:

1. Ensure the quality, accuracy, and transparency of scientific information used to support policy and decision making, including by:

a. Using scientific information that is subject to well-established scientific processes.

b. Ensuring that scientific data and research used to support policy decisions undergo review by qualified experts, where feasible and appropriate, and consistent with law.

c. Adhering to the Office of Management and Budget Final Information Quality Bulletin for Peer Review.[30] For example, as described in the Bulletin, when independent peer reviews of scientific information products are conducted by contractors, a conflict-of-interest review will be conducted.

d. Reflecting scientific information appropriately and accurately and making scientific findings or conclusions considered or relied on in policy decisions publicly available online and in open formats, to the extent practicable.

2. Where legally permissible and appropriate, directly consult with

[26] Per the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635), ''Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.'' Available at: *https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635.*

[27] These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection.

[28] This provision is further outlined in the HHS Guidelines on the Provision of Information to the News Media. Available at: *https://www.hhs.gov/sites/default/files/media_policy.pdf.*

[29] This provision is further outlined in the NIH Policy Manual Chapter 1184 on Preparation and Clearance of Scientific, Technical, and Public Information Presented by NIH Employees or Produced for Distribution by NIH. Available at: *https://policymanual.nih.gov/1184.*

[30] Office of Management and Budget. ''Final Information Quality Bulletin for Peer Review.'' **Federal Register**. Doc. 05–769. Available at: *https://www.federalregister.gov/documents/2005/01/14/05-769/final-information-quality-bulletin-for-peer-review.*

scientists whose work is being used in policy and management decisions to ensure that the science is accurately represented and interpreted.

3. Ensure, to the extent possible, the accuracy of NIH communication of the science upon which a policy decision is based.

4. Ensure that covered individuals are free to express differing scientific opinions free from political interference or inappropriate influence.

IV. Ensuring Accountability

NIH is firmly committed to establishing and formalizing procedures to identify and adjudicate allegations regarding compromised scientific processes or technological information. NIH has established several adjudication processes within distinct offices (*i.e.,* OER, OIR, and OMA), to address different ways in which scientific integrity may be violated. Each office handles allegations pertaining to its respective jurisdiction, but individuals may submit an oral or written allegation via email or hotline. When an allegation or complaint is received, the appropriate office determines if it is specific, credible, and meets the definition of research misconduct or an integrity violation. The procedures each office takes for investigating allegations or complaints, adjudication, and appeals are further detailed in the 2022 update to the NIH Policies and Procedures for Promoting Scientific Integrity at *https://osp.od.nih.gov/wp-content/uploads/2023/09/SI_Compendium-2022Update.pdf.* The designation of an NIH SIO will allow for more centralized interagency communication and coordination concerning allegations to help ensure effective oversight and promote scientific integrity within the Federal Government. Additionally, the NIH SIO will provide review and adjudication of allegations (particularly related to political interference) that do not fall under the purview of these existing offices.

It is the policy of NIH to:

1. Ensure correction of the scientific record and implementation of corrective scientific actions when allegations of a loss of scientific integrity are substantiated. Corrective actions may include correction or retraction of published scientific work or related media releases, release of inappropriately suppressed scientific materials, monitoring or supervision of future scientific activities, or required validation of data sources.

2. Encourage and facilitate early informal or formal consultation between covered individuals and scientific integrity officials to advise on preventing loss of scientific integrity, to determine whether a loss of scientific integrity has potentially occurred, and to ascertain whether an allegation should be referred elsewhere for resolution.

3. Provide clear guidance on how to formally and confidentially report concerns and allegations of loss of scientific integrity. Those who report concerns and allegations need not be directly involved or witness a violation.

4. Ensure that the NIH SIO or other NIH entities draft procedures, as needed, to respond to allegations of loss of scientific integrity in a timely, objective, and thorough manner. These procedures will include an initial assessment and review, a fact-finding process, an adjudication or determination including description of remedies and preventative measures to safeguard the science, and reporting.

5. These procedures will document the necessary aspects for each step of the process as well as the roles of the NIH SIO and other agency staff in the process.

V. Protections

NIH prioritizes safe and respectful work environments that are free from harassment, including sexual harassment, discrimination, or other forms of inappropriate conduct that can result in a hostile work environment. Additionally, it is unlawful for NIH to take or threaten to take a personnel action against an employee because they made a protected disclosure of wrongdoing. A protected disclosure is defined as a disclosure of information that the individual reasonably believes is evidence of a violation of law, rule, or regulation; gross mismanagement; gross waste of funds; and abuse of authority; or a substantial and specific danger to public health or safety. Personnel actions that are covered by this can include poor performance review, demotion, suspension, termination, or revocation or downgrade of a security clearance. If staff members believe that whistleblower retaliation has occurred, they may get more information from the HHS OIG at *https://oig.hhs.gov/about-oig/.*

It is the policy of NIH to:

1. Select and retain candidates for NIH scientific and technical positions based on the candidate's scientific and technical knowledge, credentials, experience, and integrity, and hold them and their supervisors to the highest standards of professional and scientific ethics.[31] Support scientists and researchers including, but not limited to, Black, Latino, Indigenous and Native American persons, Asian Americans and Pacific Islanders, and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality; and advance the equitable delivery of Federal programs.

2. Promote diversity, equity, inclusion, and accessibility in the scientific workforce and create and support the creation of safe workspaces that are free from harassment and discrimination.[32]

3. Protect from reprisal those individuals who report allegations in good faith of loss of scientific integrity. Efforts will be made to protect the privacy of individuals involved in allegations.

4. Prevent covered individuals from intimidating or coercing NIH scientists to alter scientific data, findings, or professional opinions or from inappropriately influencing scientific advisory boards.

5. Comply with whistleblower protections, specifically:

a. The requirements of the Whistleblower Protection Act of 1989, and its expanded protections enacted by Public Law 103–424 and the Whistleblower Protection Enhancement Act of 2012, 5 U.S.C. part 2302(b)(8)–(9).

b. The National Defense Authorization Act's expansion of certain whistleblower protections to employees of Federal Government contractors, subcontractors, and grant recipients in 41 U.S.C. part 4712.

c. Presidential Policy Directive 19, which prohibits supervisors from taking, failing to take, or threatening to take or fail to take any action affecting an employee's eligibility for access to classified information in retaliation for making a protected disclosure.

d. The Military Whistleblower Protection Act (codified at 10 U.S.C. 1034), which is made applicable to the Public Health Service Commissioned

[31] This provision is further outlined in the NIH Sourcebook on Personnel. Available at: *https://oir.nih.gov/sourcebook/personnel.*

[32] This provision is further outlined in the NIH Policy Manual Chapter 1311 on Preventing and Addressing Harassment and Inappropriate Conduct and the NIH Sourcebook Addendum to BSC Policies and Procedures. Available at: *https://policymanual.nih.gov/1311* and *https://oir.nih.gov/sourcebook/processes-reviewing-nih-intramural-science/boards-scientific-counselors/addendum-policies-procedures.*

Corps officers through 42 U.S.C. 213a(a)(18) and implemented by Commissioned Corps Directive 121.06.

6. Ensure scientific integrity staff at NIH are protected by all applicable employee rights as required by law. An SIO or other scientific integrity staff may only be terminated or reassigned for reasons consistent with applicable law.

VI. Professional Development for Government Scientists

A key aspect of the NIH effort to advance scientific integrity is encouraging NIH scientists and covered individuals to engage with the broader research community in maintaining the highest ethical standards and scientific norms, while adhering to the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635).[33] Creating an inclusive environment for scientists from all backgrounds, including those from traditionally underrepresented groups, is essential to supporting scientific integrity. The IRP promotes professional development of all researchers from trainees at every level, to tenure-track and tenured investigators, and all other research staff. Scholarly writing, lecturing, editing, and publishing are essential parts of research and professional development. These activities are in the public interest and bring credit and distinction to both NIH and its employees. In encouraging researchers to share information about their official and professional activities, NIH seeks to advance scientific knowledge and contribute to its employees' professional education.

It is the policy of NIH to:

1. Encourage timely publication of research conducted by covered individuals such as in peer-reviewed, professional, scholarly journals, NIH technical reports and publications, or other appropriate outlets.[34]

2. Encourage the sharing of scientific activities, findings, and materials developed by covered individuals through appropriate avenues including digital repositories.[35]

3. Encourage covered individuals to participate in and present research at professional meetings including workshops, conferences, and symposia.[36]

4. When appropriate, permit covered individuals to serve on editorial boards, as peer reviewers, or as editors of professional or scholarly journals.

5. When appropriate, permit covered individuals to participate in professional societies, committees, task forces, and other specialized bodies of professional societies, including removing barriers to serving as officers or on governing boards of such societies, to the extent allowed by law.[37]

6. Permit NIH scientists to receive honors and awards for contributions to scientific activities and discoveries to the extent allowed by law, and to accrue the professional recognition of such honors or awards.

7. Permit covered individuals to perform outreach and engagement activities, such as speaking to community and student groups, as part of their official duties as appropriate.

VII. Federal Advisory Committees

FACs, as defined by the Federal Advisory Committee Act (FACA) at *https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-management/legislation-and-regulations/the-federal-advisory-committee-act,* are an important tool within NIH for ensuring the credibility, quality, and transparency of NIH science. NIH will adhere to FACA and develop policies in coordination with the General Services Administration and consistent with the guidance on lobbyists serving on FACs when convening FACs tasked with giving scientific advice.

Consistent with all applicable laws and guidance regarding FACs, it is the policy of NIH to:

1. Promote transparency in the recruitment of new FAC members, including, when practical and appropriate, announcing vacancies with a notification in the **Federal Register**.

2. Select members to serve on a scientific or technical FAC based on expertise, knowledge, and contribution to the relevant subject area.[38] [39] Additional factors that may be considered are availability of the member to serve, alignment with the relevant Federal Advisory Committee Membership Balance Plan, and the ability to work effectively on advisory committees.[40] Ensure committee membership is fairly balanced in terms of points of view represented with respect to the functions to be performed by the FAC.[41] [42]

3. Comply with current standards governing conflict of interest as defined in statutes and implementing regulations.[43] [44]

4. Except when prohibited by law and to the extent practical, agencies should appoint members of scientific and technical FACs as Special Government Employees.

5. Treat all reports, recommendations, and products produced by FACs solely as the reports, recommendations, and products of such committees rather than of the U.S. Government, and thus not subject to intra- or inter-agency revision. The role of the FACs is to provide advice or recommendations to the agency. The agency may then craft policy based on the FACs' advice or recommendations if it chooses to adopt those recommendations.

Addressing Scientific Integrity Concerns

The NIH SIO has primary responsibility for assessing scientific

[33] Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR part 2635) provide the basic guidelines for official duty activities, and NIH sets the policy for implementing the guidelines at the agency. Available at: *https://www.ecfr.gov/current/title-5/chapter-XVI/subchapter-B/part-2635.*

[34] This provision is further outlined in the NIH Public Access Policy. Available at: *https://sharing.nih.gov/public-access-policy.*

[35] This provision is further outlined in the NIH Data Management and Sharing Policy. Available at: *https://sharing.nih.gov/data-management-and-sharing-policy.*

[36] This provision is further outlined in the NIH Sourcebook on Tenure in the NIH Intramural Research Program. Available at: *https://oir.nih.gov/sourcebook/tenure-nih-intramural-research-program.*

[37] This provision is further outlined in the NIH Sourcebook on Activities with Outside Organizations and the NIH Official Duty Activities Chart. Available at: *https://oir.nih.gov/sourcebook/ethical-conduct/research-ethics/nih-policies/intramural-extramural-collaborations/activities-outside-organizations and https://ethics.od.nih.gov/sites/default/files/topics/ODA/2-ODA-Chart.pdf.*

[38] This provision is further outlined in How Scientists Are Selected to Be Members of a Chartered Review Group. Available at: *https://public.csr.nih.gov/ForReviewers/BecomeAReviewer/CharteredReviewers.*

[39] This provision refers to not only FACA Councils that have SGE members but also peer review FACA committees that have NIH peer review consultants as members.

[40] This provision is further outlined in the NIH Selection Criteria for NIH Advisory Committees. Available at: *https://ofacp.nih.gov/committees/selection_criteria.*

[41] 2010 Memorandum from the White House Office of Science and Technology Policy on Scientific Integrity. Available at: *https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/scientific-integrity-memo-12172010.pdf.*

[42] General Services Administration 41 CFR part 102–3 Federal Management Regulation: Federal Advisory Committee Management. Available at: *https://www.regulations.gov/document/GSA-FMR-2022-0015-0010.*

[43] This provision is further outlined in the NIH Policy Manual Chapter 1810 on Procedures for Avoiding Conflict of Interest for Special and other Federal Employees Serving as Advisory Committee Members. Available at: *https://policymanual.nih.gov/1810-1.*

[44] The NIH Office of Federal Advisory Committee Policy maintains the Special Government Employee (SGE) Portal for those interested in serving on an NIH Federal advisory committee as an SGE. The Portal contains all the requirements expected of advisory committee members who serve on advisory committees as SGEs, including ethics training, Foreign Activities and Lobbyist Certification, and the Confidential Financial Disclosure Report (OGE 450) at: *https://sgeportal.od.nih.gov/Pages/default.aspx.*

integrity concerns and will develop procedures for addressing allegations of loss of scientific integrity and concerns that span or fall outside existing NIH adjudication mechanisms under the purview of OER, OIR, OMA, or OIG (*e.g.,* as related to waste, fraud, abuse, and illegal activities).[45] In particular, the NIH SIO will manage scientific integrity concerns related to political interference, if they do not fall within existing processes. Procedures for handling scientific integrity concerns will be made available on the NIH website. For information about rights and remedies against retaliation, employees may contact the HHS OIG Whistleblower Protection Coordinator.[46] As noted above, existing procedures under the purview of OER, OIR, OMA, and OIG (*e.g.,* as related to waste, fraud, abuse, and illegal activities) should continue to be followed. When those existing mechanisms do not cover a scientific integrity concern:

1. Concerns about a potential loss of scientific integrity at NIH may be reported to the NIH SIO by any individual who has knowledge of the situation. Reporting can be done anonymously.

2. NIH employees are encouraged to seek an informal consultation with the NIH SIO or other relevant agency integrity officials to discuss whether a concern constitutes a potential loss of scientific integrity before submitting a formal complaint. Employees ultimately have the discretion to submit a formal complaint as they see fit without reprisal.

3. The SIO will oversee an initial assessment of each reported concern and determine whether to request additional information from the complainant or others, as appropriate and feasible, and to determine whether a formal investigation is warranted. Additionally, if any reported concern falls within the purview of existing OER, OIR, OMA, or OIG processes, those mechanisms will instead be utilized.

4. Should an investigation be opened, an investigation committee consisting of the NIH SIO and other agency integrity officials (including from the NIH Scientific Integrity Council, as appropriate) will be convened to develop a factual record by exploring the allegation(s) in detail and consulting with subject matter experts, interviewing witnesses, and reviewing documentation as needed.

5. Once the investigation is complete, the NIH SIO will determine whether scientific integrity was lost and report findings to the appropriate management entity.

6. The complainant and respondent will be given the opportunity to appeal a finding or any corrective scientific actions taken.

Handling Differing Scientific Opinions

Science and decisions based on science are strengthened by vigorous discussion and debate and by considering all available evidence. The process of challenging and improving ideas helps to guard against inadequate science and flawed analysis. Scientists can hold differing opinions without violating scientific integrity, and NIH encourages its scientists to respectfully express and engage with differing views as an integral part of the scientific process.[47] Differing scientific opinions are diverging views held by researchers who are substantively engaged in the science subject area. In some cases, such as when a scientific dispute has a significant impact on public health or policy, a formal scientific dispute resolution process may be necessary. The goal of scientific dispute resolution should be to ensure that all perspectives are heard and documented in an unbiased way. A satisfactory resolution may involve adopting one opinion over another, deciding to conduct additional studies, formulating an alternate theory reconciling the differing opinions, or documenting the disagreement for the benefit of policymakers and fellow scientists. These steps may be completed in any order and are not necessarily an exhaustive list of dispute resolution measures. In general:

- A team member or group of team members with a differing opinion may engage with their colleagues to resolve the issue as soon as the difference of opinion is known. NIH recommends this type of internal discussion as a first step in most dispute resolution proceedings.
- A team may choose to consult a manager. First-level managers may defer to an appropriate higher-level manager if the first-level manager has a conflict of interest or cannot offer an impartial opinion for any reason.
- If the matter cannot be satisfactorily resolved by other means, a team may request assistance from OIR. The NIH SIO may be consulted if their assistance is requested or if there is a conflict of interest or perceived conflict of interest with relevant OIR staff.

Monitoring, Evaluating, and Reporting Scientific Integrity Activities and Outcomes

NIH, working through HHS, will develop and implement an evaluation plan to regularly measure, monitor, and evaluate ongoing scientific integrity activities and outcomes. The plan will include a roadmap of activities, evaluation metrics, and methods of measurement for the purpose of ongoing improvement of scientific integrity processes, procedures, and policies. As part of the monitoring and evaluation plan, an annual report on the number and outcomes of investigations involving allegations of loss of scientific integrity will be published. For investigations that have been resolved, the report will include an aggregate summary of the types of corrective actions recommended by the investigation panel to restore scientific integrity, and a summary of the types of actions ultimately taken. To the extent possible, all descriptions of investigations will be anonymized.

Related Policies and Statutes

Violations of related and supporting policies may result in a loss of scientific integrity and it is appropriate for the SIO to coordinate across the agency in these matters, as appropriate. The following policies and programs intersect with the development of the culture of scientific integrity within the agency.

Research Misconduct

- Federal Research Misconduct Policy: *https://www.federalregister.gov/documents/2000/12/06/00-30852/executive-office-of-the-president-*

[45] OER reviews and refers allegations of research misconduct involving extramural researchers and peer review of grant applications to the HHS Office of Research Integrity (ORI) and may take corrective action against a grantee or peer reviewer based on the conduct identified in ORI findings. OIR reviews allegations related to research integrity involving NIH IRP researchers. The NIH Division of Program Integrity within OMA manages the review of allegations involving misuse of NIH grant or contractor funds, grantee or contractor conflicts of interest, and other misconduct or misuses of NIH resources by NIH employees or others doing business with NIH. The HHS OIG investigates allegations of criminal fraud, waste, and abuse.

[46] As appropriate, employees can also contact the NIH Office of Equity, Diversity, and Inclusion for information regarding retaliation based on protected equal employment opportunity or the HHS Office of Special Counsel for information regarding retaliation based on whistleblowing. Further information can be found at: *https://www.edi.nih.gov/services/federal-EEO-complaint-process* and *https://oig.hhs.gov/fraud/whistleblower/.* Additionally, although encouraged to use the process detailed herein, employees may also disclose wrongdoing to their supervisor or another individual higher up in management, the HHS OIG, the Office of Special Counsel, or to Congress.

[47] Further information on the NIH IRP Authorship Conflict Resolution Process can be found in the NIH Sourcebook. Available at: *https://oir.nih.gov/sourcebook/ethical-conduct/authorship-guidelines-resources/nih-irp-authorship-conflict-resolution-process.*

federal-policy-on-research-misconduct-preamble-for-research
- Public Health Service Policies on Research Misconduct: *https://www.ecfr.gov/current/title-42/chapter-I/subchapter-H/part-93*
- NIH Policy Manual Chapter 3006—NIH Intramural Research Program (IRP) Research Misconduct Proceedings: *https://policymanual.nih.gov/3006*
- NIH IRP Policies and Procedures for Research Misconduct Proceedings: *https://oir.nih.gov/system/files/media/file/2021-08/policy-nih_irp_research_misconduct_proceedings.pdf*

Diversity, Equity, Inclusion, and Accessibility in Addressing and Strengthening Scientific Integrity and the Disproportional Impact of Scientific Integrity Policy Violations on Underrepresented Groups

- HHS Equal Employment Opportunity and Anti-Harassment Policy: *https://www.hhs.gov/about/agencies/asa/eeo/policy/index.html*
- Government-Wide Strategic Plan to Advance Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce: *https://www.whitehouse.gov/wp-content/uploads/2021/11/Strategic-Plan-to-Advance-Diversity-Equity-Inclusion-and-Accessibility-in-the-Federal-Workforce-11.23.21.pdf*
- HHS Diversity, Equity, Inclusion, and Accessibility Strategic Plan 2022: *https://www.hhs.gov/sites/default/files/2022-hhs-deia-strategic-plan.pdf*
- NIH-Wide Strategic Plan for Diversity, Equity, Inclusion, and Accessibility Fiscal Years 2023–2027: *https://www.nih.gov/sites/default/files/about-nih/nih-wide-strategic-plan-deia-fy23-27.pdf*

Public Access

- NIH Public Access Policy: *https://sharing.nih.gov/public-access-policy*
- OSTP Memorandum on Increasing Access to the Results of Federally Funded Research (2013): *https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/ostp_public_access_memo_2013.pdf*
- OSTP Memorandum on Ensuring Free, Immediate, and Equitable Access to Federally Funded Research (2022): *https://www.whitehouse.gov/wp-content/uploads/2022/08/08-2022-OSTP-Public-Access-Memo.pdf*
- 5 U.S.C. part 552—Freedom of Information Act: *https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-A/part-5*

Human and Animal Subject Protections

- Federal Policy for Protection of Human Research Subjects (the Common Rule): *https://www.hhs.gov/ohrp/regulations-and-policy/regulations/common-rule/index.html*
- Animal Welfare Act and Regulations: *https://www.aphis.usda.gov/animal_welfare/downloads/AC_BlueBook_AWA_508_comp_version.pdf*
- Public Health Service Policy on Humane Care and Use of Laboratory Animals: *https://olaw.nih.gov/policies-laws/phs-policy.htm*
- Guide for the Care and Use of Laboratory Animals: *https://grants.nih.gov/grants/olaw/guide-for-the-care-and-use-of-laboratory-animals.pdf*
- U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training: *https://olaw.nih.gov/policies-laws/gov-principles.htm*
- NIH Policy Manual Chapter 3014—NIH Intramural Human Research Protection Program: *https://policymanual.nih.gov/3014*
- NIH Policy Manual Chapter 3040–2—Animal Care and Use in the Intramural Research Program: *https://policymanual.nih.gov/3040-2*

Research Security

- National Security Presidential Memorandum 33 (NSPM 33): *https://trumpwhitehouse.archives.gov/presidential-actions/presidential-memorandum-united-states-government-supported-research-development-national-security-policy/*
- Guidance for Implementing NSPM 33: *https://www.whitehouse.gov/wp-content/uploads/2022/01/010422-NSPM-33-Implementation-Guidance.pdf*

Whistleblower Protections

- 5 U.S.C. part 2302—Prohibited personnel practices: *https://uscode.house.gov/view.xhtml?req=29&f=treesort&num=125*
- Public Law 101–12—Whistleblower Protection Act of 1989: *https://www.govinfo.gov/content/pkg/STATUTE-103/pdf/STATUTE-103-Pg16.pdf*
- Public Law 103–424—Expansion of Whistleblower Protection Act of 1989: *https://www.govinfo.gov/content/pkg/STATUTE-108/pdf/STATUTE-108-Pg4361.pdf#page=3*
- Public Law 112–199—Whistleblower Protection Enhancement Act of 2012: *https://www.congress.gov/112/statute/STATUTE-126/STATUTE-126-Pg1465.pdf*
- 41 U.S.C. part 4712—Enhancement of contractor protection from reprisal for disclosure of certain information: *https://uscode.house.gov/view.xhtml?req=(title:41%20section:4712%20edition:prelim)*
- Presidential Policy Directive 19—Protecting Whistleblowers with Access to Classified Information: *https://www.usda.gov/sites/default/files/documents/ppd.pdf*
- U.S. Office of Special Counsel: *https://osc.gov/*
- 10 U.S.C. part 1034, made applicable to the Public Health Service Commissioned Corps through 42 U.S.C. 213a(a)(18) and implemented by Commissioned Corps Directive (CCD) 121.06: *https://dcp.psc.gov/ccmis/ccis/documents/CCD121_06.pdf*

Other Related Policies

- NIH Data Management and Sharing Policy: *https://sharing.nih.gov/data-management-and-sharing-policy*
- Public Law 115–435—Foundations for Evidence-Based Policymaking Act (''Evidence Act''): *https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf*
- Public Law 107–174—Notification and Federal Employee Antidiscrimination and Retaliation Act (''No FEAR Act''): *https://uscode.house.gov/statutes/pl/107/174.pdf*
- U.S. Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern: *https://www.phe.gov/s3/dualuse/documents/durc-policy.pdf*
- U.S. Government Policy for Oversight of Life Sciences Dual Use Research of Concern: *https://www.phe.gov/s3/dualuse/Documents/us-policy-durc-032812.pdf*
- Public Law 92–463—The Federal Advisory Committee Act: *https://uscode.house.gov/statutes/pl/92/463.pdf*
- Public Law 104–13—Paperwork Reduction Act: *https://www.congress.gov/104/plaws/publ13/PLAW-104publ13.pdf*

Authorities

Pursuant to the 2021 Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking at *https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/,* and consistent with the 2009 Presidential Memorandum on Scientific Integrity at *https://obamawhitehouse.archives.gov/the-press-office/memorandum-heads-executive-departments-and-agencies-3-9-09* and the 2010 Memorandum from

the White House Office of Science and Technology Policy on Scientific Integrity at *https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/scientific-integrity-memo-12172010.pdf,* all Federal agencies must establish a scientific integrity policy. The requirements of this policy are derived from the 2022 National Science and Technology Council (NSTC) Report of the Scientific Integrity Fast Track Action Committee, Protecting the Integrity of Government Science, at *https://www.whitehouse.gov/wp-content/uploads/2022/01/01-22-Protecting_the_Integrity_of_Government_Science.pdf,* and align with the principles set forth in the NSTC guidance document, A Framework for Federal Scientific Integrity Policy and Practice, at *https://www.whitehouse.gov/wp-content/uploads/2023/01/01-2023-Framework-for-Federal-Scientific-Integrity-Policy-and-Practice.pdf.*

This policy is established in accordance with:

1. Public Law 111–358—The America COMPETES Reauthorization Act of 2010, Section 103, as amended
2. Public Law 115–435—The Foundations for Evidence-based Policymaking Act of 2018
3. Public Law 106–554—The Information Quality Act of 2000
4. 67 FR 8451—OMB Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies
5. 70 FR 2664—OMB Final Information Quality Bulletin for Peer Review
6. 65 FR 76260–76264—Federal Policy on Research Misconduct
7. Public Law 101–12—The Whistleblower Protection Act (WPA) of 1989, as amended
8. 41 U.S.C. part 4712—The National Defense Authorization Act, Enhancement of contractor protection from reprisal for disclosure of certain information
9. 5 U.S.C. part 13103 *et seq.*—The Ethics in Government Act of 1978, as amended, and 5 CFR parts 2634 and 2635, Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture and Standards of Ethical Conduct for Employees of the Executive Branch
10. 18 U.S.C. parts 201–209—Statutes regarding Bribery, Graft and Conflicts of Interest
11. 5 CFR parts 5501 and 5502—Supplemental Standards of Ethical Conduct for Employees of the Department of Health and Human Services
12. 5 U.S.C. Ch. 10—The Federal Advisory Committee Act of 1972
13. 45 CFR part 73—Standards of Conduct
14. 5 CFR part 735—Employee Responsibilities and Conduct
15. 45 CFR part 46—HHS Protection of Human Subjects Regulation
16. PPD 19—Protecting Whistleblowers with Access to Classified Information, 2012
17. M–20–12—OMB Phase 4 Implementation of the Foundations for Evidence-Based Policymaking Act of 2018: Program Evaluation Standards and Practices
18. 42 CFR part 93—Public Health Service Policies on Research Misconduct
19. 10 U.S.C. part 1034, made applicable to the Public Health Service Commissioned Corps through 42 U.S.C. 213a(a)(18) and implemented by Commissioned Corps Directive (CCD) 121.06
20. Public Law No 117–328—Health Extenders, Improving Access to Medicare, Medicaid, and CHIP, and Strengthening Public Health Act of 2022, Division FF, Title II, Section 2321
21. Public Law No 117–167—CHIPS and Science Act of 2022, Title VI, Subtitle D, Section 10631

Dated: October 15, 2024.

Lawrence A. Tabak,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2024–24225 Filed 10–18–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a summary of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer at (240) 276–0166.

Project: State Opioid Response (SOR)/Tribal Opioid Response (TOR) Program Instrument (OMB No. 0930–0384)—Revision

SAMHSA is requesting approval to modify its existing SOR/TOR Program Instrument by (1) broadening language from 'naloxone' to 'naloxone and other opioid overdose reversal medications' due to the availability of new FDA-approved non-naloxone overdose reversal medications; (2) broadening language from 'fentanyl test strips' to 'drug checking technologies as directed by SAMHSA due to the availability of new drug checking technology, including test strips for other emerging substances; (3) adding five questions to collect treatment and recovery support data that were previously reported biannually in the performance progress reports; (4) adding one question to collect data on clients who received contingency management for the treatment of stimulant use disorder; (5) adding a sub-recipient entity inventory table to collect expenditure data for each grant sub-recipient in response to the Consolidated Appropriations Act, 2023 (42 U.S.C. 300x–52(a)); (6) combining four questions with similar themes into two questions for clarity; (7) removing question 12 because it is comprised of more than one question with several different ideas, making it unsuited for this instrument; and (8) adding one question at the request of the Office of National Drug Control Policy (ONDCP) to collect information on Congressionally mandated and programmatic activities, and to comply with reporting requirements. The program-level information is collected quarterly for questions 1 to 13b, and annually for the sub-recipient entity inventory table, and entered and stored in SAMHSA's Performance Accountability and Reporting System (SPARS), which is a real-time, performance management system that captures information on the SAMHSA-funded substance use and substance use disorder prevention, harm reduction, treatment, and recovery support services, and mental health services delivered in the United States. Continued approval of this information collection will allow SAMHSA to continue to meet Government Performance and Results Modernization Act of 2010 reporting requirements that quantify the effects and accomplishments of its discretionary grant programs.

The SOR/TOR programs are authorized under the Further Consolidated Appropriations Act, 2024, Division D, Title II, and section 1003 of the 21st Century Cures Act [Public Law 114–255] (42 U.S.C. 290ee–3a), as amended. SAMHSA anticipates 189 recipients (states, territories, and tribal entities) will participate in these grant programs. Grantee-level data will include information related to: reported

overdose reversals; the purchase and distribution of naloxone and other opioid overdose reversal medications; types of entities that distribute naloxone and other opioid overdose reversal medications; training on recognizing an opioid overdose and appropriate use of naloxone and other opioid overdose reversal medications; implementation of prevention and education activities; the purchase and distribution of drug checking technologies as directed by SAMHSA; treatment services for opioid use disorder (OUD) and stimulant use disorder; types of recovery support services; and the expenditure amounts for each SOR and TOR grant sub-recipient. This grantee-level information will be collected quarterly for questions 1 to 13b, and annually for the sub-recipient entity inventory table.

The revisions to the tool will continue to enable SAMHSA to better assess grantee accountability and performance on the required prevention, education, harm reduction, treatment, and recovery support activities for the SOR/TOR programs. The revisions will continue to assist SAMHSA in providing comprehensive data on the full range of required activities to inform Congressionally mandated reports for the SOR program.

The Center for Substance Abuse Treatment (CSAT) anticipates that the time required to collect and report the program-level information is approximately 33 minutes per response. Since the submission of the previous OMB package, there has been an increase in the number of respondents. The estimated burden associated with the program-level instrument includes an adjustment to reflect the current number of grantees.

TABLE 1—ESTIMATE OF ANNUALIZED HOUR BURDEN FOR SOR/TOR GRANTEES

SAMHSA data collection	Number of respondents	Responses per respondent	Total number of responses	Burden hours per response	Total burden hours	Hourly wage [1]	Total wage cost
Grantee-Level Instrument	189	4	756	.30	226.80	$28.89	$6,552.25
Grantee-Level Instrument	189	1	189	.25	47.25	28.89	1,365.05
Total	378	5	945	.55	274.05	28.89	7,917.30

[1] The hourly wage estimate is $28.89 based on the Occupational Employment and Wages, Mean Hourly Wage Rate for 21–1018 Substance Abuse, Behavioral Disorder, and Mental Health Counselors= $28.89/hr. as of May 2023 (*https://www.bls.gov/oes/current/oes211018.htm* Accessed on September 23, 2024.)

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.

Krishna Palipudi,

Social Science Analyst.

[FR Doc. 2024–24250 Filed 10–18–24; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2024–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below. The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP).

DATES: The date of February 14, 2025 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at *https://msc.fema.gov* by the date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at *https://msc.fema.gov.*

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Nicholas A. Shufro,

Assistant Administrator (Acting) for Risk Management, Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Bourbon County, Kansas and Incorporated Areas Docket No.: FEMA–B–2385	
City of Bronson	City Hall, 505 Clay Street, Bronson, KS 66716.
City of Fort Scott	City Hall, 123 South Main Street, Fort Scott, KS 66701.
City of Fulton	City Hall, 214 West Osage Street, Fulton, KS 66738.
City of Mapleton	Community Center, 565 North Eldora Street, Mapleton, KS 66754.
City of Redfield	Community Center, 312 North Pine Street, Redfield, KS 66769.
Unincorporated Areas of Bourbon County	Bourbon County Courthouse, 210 South National Avenue, Fort Scott, KS 66701.
Adair County, Missouri and Incorporated Areas Docket No.: FEMA–B–2393	
City of Brashear	City Hall, 105 East Main Street, Brashear, MO 63533.
City of Kirksville	City Hall, 201 South Franklin Street, Kirksville, MO 63501.
City of Novinger	City Hall, 302 Marion Avenue, Novinger, MO 63559.
Unincorporated Areas of Adair County	Adair County Courthouse, 106 West Washington Street, Kirksville, MO 63501.
Yankton County, South Dakota and Incorporated Areas Docket No.: FEMA–B–2377	
City of Irene	City Hall, 110 South Till Avenue, Irene, SD 57037.
City of Yankton	City Hall, 416 Walnut Street, Yankton, SD 57078.
Town of Gayville	Town Shop, 408 Merchant Street, Gayville, SD 57031.
Town of Mission Hill	City Hall, 118 Washington Avenue, Mission Hill, SD 57046.
Town of Utica	Utica Multiuse Facility, 303 3rd Street, Utica, SD 57067.
Town of Volin	Town Hall, 300 Main Street, Volin, SD 57072.
Unincorporated Areas of Yankton County	Yankton County Government Center, 321 West 3rd Street, Yankton, SD 57078.
Carter County, Tennessee and Incorporated Areas Docket No.: FEMA–B–2371	
City of Elizabethton	City Hall Building Department, 136 South Sycamore Street, Elizabethton, TN 37643.
Unincorporated Areas of Carter County	Carter County Planning and Zoning, 300 North Main Street, Elizabethton, TN 37643.
Dekalb County, Tennessee and Incorporated Areas Docket No.: FEMA–B–2290	
Unincorporated Areas of Dekalb County	Dekalb County Courthouse, 1 Public Square, Room 204, Smithville, TN 37166.
Putnam County, Tennessee and Incorporated Areas Docket No.: FEMA–B–2307	
Unincorporated Areas of Putnam County	Putnam County Planning Office, 67 South Elm Avenue, Cookeville, TN 38501.
Smith County, Tennessee and Incorporated Areas Docket No.: FEMA–B–2303	
Town of Carthage	Municipal Building, 314 Spring Street, Carthage, TN 37030.
Town of Gordonsville	City Hall, 63 East Main Street, Gordonsville, TN 38563.
Town of South Carthage	South Carthage Town Hall/Municipal Building, 106 South Main Street, Carthage TN 37030.
Unincorporated Areas of Smith County	Smith County Planning Commission, 303 High Street North, Carthage, TN 37030.
Amherst County, Virginia and Incorporated Areas Docket No.: FEMA–B–2370	
Town of Amherst	Town Hall, 174 South Main Street, Amherst, VA 24521.
Unincorporated Areas of Amherst County	Amherst County Administration Building, 153 Washington Street, Amherst, VA 24521.
Klickitat County, Washington and Incorporated Areas Docket No.: FEMA–B–2292	
City of Bingen	City Hall, 112 North Ash Street, Bingen, WA 98605.
City of Goldendale	City Hall, 1103 South Columbus Avenue, Goldendale, WA 98620.
City of White Salmon	City Hall, 100 North Main Street, White Salmon, WA 98672.
Unincorporated Areas of Klickitat County	Klickitat County Services Building, 115 West Court Street, Mail Stop 302, Goldendale, WA 98620.

[FR Doc. 2024–24352 Filed 10–18–24; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA–2024–0013]

Agency Information Collection Activities: Incident Reporting Form and Associated Submission Tools (ICR 1670–0037)

AGENCY: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

ACTION: 30-Day notice and request for comments.

SUMMARY: The Cybersecurity Division (CSD) within the Cybersecurity and Infrastructure Security Agency (CISA) submits the following information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance. CISA previously published this information collection request (ICR) in the **Federal Register** on June 26, 2024, for a 60-day public comment period. CISA received no comments related to this information collection during the comment period. The purpose of this notice is to allow additional 30-days for public comments.

DATES: Comments are encouraged and will be accepted until November 20, 2024. Submissions received after the deadline for receiving comments may not be considered.

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.

The Office of Management and Budget is particularly interested in comments which:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

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

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

FOR FURTHER INFORMATION CONTACT: Brian DeWyngaert; 202–657–1360; *Brian.dewyngaert@cisa.dhs.gov*.

SUPPLEMENTARY INFORMATION: CISA serves as ''a Federal civilian interface for the multi-directional and cross-sector sharing of information related to cyber threat indicators, defensive measures, cybersecurity risks, incidents, analysis, and warnings for Federal and non-Federal entities.'' 6 U.S.C. 659(c)(1).

CISA is responsible for performing, coordinating, and supporting response to information security incidents, which may originate outside the Federal community and affect users within it, or originate within the Federal community and affect users outside of it. CISA uses the information from incident reports to develop timely and actionable information for distribution to federal departments and agencies; state, local, tribal and territorial (SLTT) governments; critical infrastructure owners and operators; private industry; and international organizations. Often, the effective handling of security incidents relies on information sharing among individual users, industry, and the Federal Government, which may be facilitated by and through CISA.

Pursuant to the Federal Information Security Modernization Act of 2014 (FISMA), 44 U.S.C. 3552 *et seq.,* CISA operates the federal information security incident center for the United States Federal Government. *44 U.S.C. 3556*. Federal agencies notify and consult with CISA regarding information security incidents involving federal information systems. CISA provides federal agencies with technical assistance and guidance on detecting and handling security incidents, compile and analyze incident information that threatens information security, inform agencies of current and potential threats and vulnerabilities, and provide intelligence or other information about cyber threats, vulnerabilities, and incidents to agencies. 44 U.S.C. 3556(a). CISA also receives voluntary incident reports from non-federal entities.

CISA's website (at *https://www.cisa.gov/*) is a primary tool used by constituents to report incident information, access information sharing products and services, and interact with CISA. Constituents, which may include anyone or any entity in the public, use forms located on the website to complete these activities. Incident reports are primarily submitted using CISA's internet reporting system, available at *https://www.cisa.gov/forms/report*. CISA collects cyber threat indicators and defensive measures in accordance with the requirements of the Cybersecurity Information Sharing Act of 2015 through CISA's Cyber Threat Indicator and Defensive Measure Submission System, *https://www.cisa.gov/forms/share-indicators*. CISA shares cyber threat indicators and defensive measures it receives with certain federal entities in an automated and real-time manner. 6 U.S.C. 1504(c).

By accepting incident reports and feedback, and interacting among federal agencies, industry, the research community, state and local governments, and others to disseminate reasoned and actionable cybersecurity information to the public, CISA has provided a way for citizens, businesses, and other institutions to communicate and coordinate directly with the Federal Government about cybersecurity. The information is collected via the following forms:

1. The Incident Reporting Form, DHS Cyber Threat Indicator and Defensive Measure Submission System, and Malware Analysis Submission Form enable end users to report incidents and indicators as well as submit malware artifacts associated with incidents to CISA. This information is used by DHS to conduct analyses and provide warnings of system threats and vulnerabilities, and to develop mitigation strategies as appropriate. These forms also request the user's name, email address, organization, and infrastructure sector. The primary purpose for the collection of this information is to allow DHS to contact requestors regarding their request.

2. The Mail Lists Form enables end users to subscribe to the National Cyber Awareness System's mailing lists, which deliver the content of and links to CISA's information sharing products. The user must provide an email address in order to subscribe or unsubscribe, though subscribing or unsubscribing are optional. The primary purpose for the collection of this information is to allow DHS to contact requestors regarding their request.

3. The Cyber Security Evaluation Tool (CSET) Download Form, which requests the name, email address, organization, infrastructure sector, country, and intended use of those seeking to download the CSET. All requested fields are optional. The primary purpose for the collection of this information is to allow DHS to contact requestors regarding their request.

Web form submission is also used as the collection method for the other forms listed. In addition to web-based electronic forms, information may be collected through email or telephone. These methods enable individuals, private sector entities, personnel working at other federal or state agencies, and international entities, including individuals, companies and other nations' governments to submit information.

This information collection request is a renewal of an existing collection of information. There are minor changes to the forms, questions, or other collection instruments. These changes reflect the addition of questions for reporting purposes. With this renewal, CISA is replacing the current Advanced Malware Analysis Capability (AMAC) submission form with the Malware Analysis Submission Form (''Malware Next-Gen''), but that form's questions will not change. CISA is also updating the Incident Reporting Form by removing one question, modifying some of the existing questions, and adding questions in order to both improve user experience and help the agency efficiently categorize incident reporting data. To review the developmental digital copy of this updated information collection, please contact the POC listed above in this notice request.

This collection of information will not have a significant economic impact on a substantial number of small entities. Due to increases in wage rates, the changes to the collection since the previous OMB approval include updated burden and cost estimates. The annual burden cost increased by $42,540, from $543,401 to $585,941. The annual government cost increased by $610,548, from $1,886,112 to $2,496,660.

Analysis

Agency: Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

Title: Agency Information Collection Activities: Incident Reporting Form and Associated Submission Tools.

OMB Number: 1670–0037.

Frequency: Annually.

Affected Public: State, Local, Tribal, and Territorial Governments, Private Sector, and Academia.

Number of Respondents: 139,125.

Estimated Time per Respondent: 0.3333 hours, 0.1667 hours, or 0.0167 hours.

Total Burden Hours: 13,852 hours.

Total Annual Burden Cost: $585,941.

Total Government Burden Cost: $2,496,660.

Robert J. Costello,

Chief Information Officer, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.

[FR Doc. 2024–24312 Filed 10–18–24; 8:45 am]

BILLING CODE 9111–LF–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7091–N–06]

60-Day Notice of Proposed Information Collection: Application for the Community Development Block Grant (ICDBG) Program for Indian Tribes and Alaska Native Villages; OMB Control No.: 2577–0191

AGENCY: Office of Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* December 20, 2024.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal.

Written comments and recommendations for the proposed information collection can be sent within 60 days of publication of this notice to *www.regulations.gov.* Interested persons are also invited to submit comments regarding this proposal and comments should refer to the proposal by name and/or OMB Control Number and should be sent to: *Colette.Pollard@hud.gov,* Clearance Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410–5000.

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email *Colette.Pollard@hud.gov,* telephone (202) 402–3400. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.* Copies of available documents submitted to OMB may be obtained from Colette Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Indian Community Development Block Grant Information Collection.

OMB Approval Number: 2577–0191.

Type of Request: Renewal of a currently approved collection.

Form Number: SF–425, HUD–2516, and Annual Status and Evaluation Report (ASER).

Description of the need for the information and proposed use: Title I of the Housing and Community Development Act of 1974 authorizes Indian Community Development Block Grants (ICDBG) and requires that grants be awarded annually on a competitive basis. The purpose of the ICDBG program is to develop viable Indian and Alaska Native communities by creating decent housing, suitable living environments, and economic opportunities primarily for low- and moderate-income persons. Consistent with this objective, not less than 70 percent of the expenditures are to benefit low- and moderate-income persons. Eligible applicants include Federally recognized tribes, which includes Alaska Native communities, and tribally authorized tribal organizations. Eligible categories of funding include housing rehabilitation, land acquisition to support new housing, homeownership assistance, public facilities and improvements, economic development, and microenterprise programs. For a complete description of eligible activities, please refer to 24 CFR part 1003, subpart C.

The ICDBG program regulations are at 24 CFR part 1003. The ICDBG program requires eligible applicants to submit information to enable HUD to select the best projects for funding during annual competitions. Additionally, the information submitted is essential for HUD in monitoring grants to ensure that grantees are complying with applicable statutes and regulations and implementing activities as approved.

ICDBG recipients are required to submit a quarterly Federal Financial Report (SF–425) that describes the use of grant funds drawn from the

recipient's line of credit. The reports are used to monitor cash transfers to the recipients and obtain expenditure data from the recipients. (2 CFR 200.327)

The regulations at 24 CFR part 200 require that grantees and sub-grantees take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. Consistent with these regulations, 24 CFR 1003.506(b) requires that ICDBG grantees report on these activities on an annual basis, with Contract and Subcontract Activity Report being due to HUD on October 10 of each year (HUD–2516).

The regulations at 24 CFR 1003.506 instruct recipients to submit to HUD an Annual Status and Evaluation Report (ASER) that describes the progress made in completing approved activities with a listing of work to be completed; a breakdown of funds expended; and when the project is completed, a program evaluation expressing the effectiveness of the project in meeting community development needs. The ASER is due by November 15 each year and at grant closeout. The information collected will allow HUD to accurately audit the program.

Respondents: Federally recognized Native American Tribes, Alaska Native communities and corporations, and tribal organizations.

ESTIMATED NUMBER OF RESPONDENTS, RESPONSES, AND BURDEN HOURS PER ANNUM

Type of submission	Number of respondents	Frequency of submissions	Total responses	Estimate average time (hours)	Estimate annual burden (hours)	Hourly rate *	Total annual cost
Federal Financial Report (SF–425)	240	0	0	0	0	0	0
Contract and Subcontract Activity Report (HUD–2516)	240	1	240	0.5	120	$43.55	$5,226
Annual Status and Evaluation Report (ASER)	240	1.25	300	4	1,200	43.55	52,260
Total	720		1,500	5.5	1,320		57,486

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

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

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

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

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35.

Sylvia Whitlock,

Acting Director, Office of Policy, Programs and Legislative Initiatives.

[FR Doc. 2024–24185 Filed 10–18–24; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R3–ES–2024–N055; FXES11130300000–245–FF03E00000]

Endangered and Threatened Species; Receipt of Recovery 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, have received applications for permits to conduct scientific research to promote conservation or other activities intended to enhance the propagation or survival of endangered or threatened species under the Endangered Species Act. 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.

DATES: We must receive your written comments on or before November 20, 2024.

ADDRESSES: *Document availability and comment submission:* Submit requests for copies of the applications and related documents, as well as any comments, by one of the following methods. All requests and comments should specify the applicant name(s) and application number(s) (*e.g.,* ESXXXXXX; see table in **SUPPLEMENTARY INFORMATION**):

- *Email (preferred method): permitsR3ES@fws.gov.* Please refer to the respective application number (*e.g.,* Application No. ESXXXXXX) in the subject line of your email message.
- *U.S. Mail:* Regional Director, Attn: Nathan Rathbun, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437–1458.

FOR FURTHER INFORMATION CONTACT: Nathan Rathbun, 612–713–5343 (phone); *permitsR3ES@fws.gov* (email). 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, invite review and comment from the public and local, State, Tribal, and Federal agencies on applications we have received for permits to conduct certain activities with endangered and threatened species under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. Documents and other information submitted with the applications are available for review, subject to the requirements of the

Privacy Act and the Freedom of Information Act.

Background

The ESA prohibits certain activities with endangered and threatened species unless authorized by a Federal permit. The ESA and our implementing regulations in part 17 of title 50 of the Code of Federal Regulations (CFR) provide for the issuance of such permits and require that we invite public comment before issuing permits for activities involving endangered species.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Applications Available for Review and Comment

The ESA requires that we invite public comment before issuing these permits. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies. Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild.

Application Number	Applicant	Species	Location	Activity	Type of take	Permit action
ES809630	Allen Kurta, Ypsilanti, MI.	Add new species—tricolored bat (*Perimyotis subflavus*)—to existing authorized species: Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*).	IL, IN, MI, OH	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture with mist nets or harp traps, identify, handle, collect non-intrusive measurements, band, radio tag, enter hibernacula, and release.	Renew and amend.
ESPER0009122	Emily Grossman, O'Fallon, MO.	Add new species—western fanshell (*Cyprogenia aberti*) and Ouachita fanshell (*Cyprogenia sp. cf. aberti*) to the list of 21 freshwater mussel species.	AR, IA, IL, IN, KS, KY, LA, MI, MN, MO, MS, NC, NE, NY, OH, OK, PA, SD, WI, WV.	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Capture, dentify, handle, collect non-intrusive measurements, tag, and relocate in special circumstances.	Amend.
ES64081B	Joseph Hoyt, Blacksburg, VI.	Indiana bat (*Myotis sodalis*) and northern long-eared bat (*M. septentrionalis*).	IL, MI, NY, WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts.	Add harp trapping to mist netting, pit tagging, capture, handle, enter hibernacula, bio sample and release.	Amend.

Public Availability of Comments

Written comments we receive become part of the administrative record associated with this action. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. 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.

Next Steps

If we decide to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Lori Nordstrom,

Assistant Regional Director, Ecological Service, Midwest Region.

[FR Doc. 2024–24254 Filed 10–18–24; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2024–0155; FXES11140400000–245–FF04EG1000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Eastern Indigo Snake; Decatur County, GA; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Tri-State II Solar Project, LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed threatened eastern indigo snake incidental to the construction and operation of a solar facility in Decatur

County, Georgia. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the Council on Environmental Quality's National Environmental Policy Act (NEPA) regulations, the Department of the Interior's (DOI) NEPA regulations, and the DOI Departmental Manual. To make this preliminary determination, we prepared a draft environmental action statement and low-effect screening form, both of which are also available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

DATES: We must receive your written comments on or before November 20, 2024.

ADDRESSES:

Obtaining Documents: The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R4–ES–2024–0155 at *https://www.regulations.gov.*

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing by one of the following methods:

- *Online: https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2024–0155.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2024–0155; U.S. Fish and Wildlife Service, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Michele Elmore, Georgia Ecological Services Field Office, by phone at 706–613–9493 or via email at *GAES_assistance@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 Fish and Wildlife Service (Service), announce receipt of an application from Tri-State II Solar Project, LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed threatened eastern indigo snake (*Drymarchon couperi*) incidental to the construction and operation of a solar facility in Decatur County, Georgia. We request public comment on the application, which includes the applicant's habitat conservation plan (HCP), and on the Service's preliminary determination that this proposed ITP qualifies as low effect, and may qualify for a categorical exclusion pursuant to the Council on Environmental Quality's National Environmental Policy Act (NEPA) regulations (40 CFR 1501.4), the Department of the Interior's (DOI) NEPA regulations (43 CFR 46), and the DOI's Departmental Manual (516 DM 8.5(C)(2)). To make this preliminary determination, we prepared a draft environmental action statement and low-effect screening form, both of which are also available for public review.

Proposed Project

The applicant requests a 10-year ITP to take three eastern indigo snakes and one nest via the conversion of approximately 600 acres (ac) of occupied nesting, foraging, and sheltering habitat incidental to the construction and operation of a solar facility on a 788-ac parcel. The parcel is approximately 3 miles northwest of the city of Bainbridge, Georgia, between Highways 27 and 84. The applicant proposes to avoid and minimize take of the species to the greatest extent possible by implementing the Service's standard protection measures for the eastern indigo snake during implementation of activities associated with the construction and operation of the solar facility. The applicant proposes to mitigate for take of the eastern indigo snake by contributing $157,500.00 to the Wildlife Foundation of Florida's Eastern Indigo Snake Conservation Fund. These funds will be used for the management or restoration of eastern indigo snake habitat, purchase of occupied habitat, purchase of development rights of occupied habitat, or a combination thereof, in Georgia. The Service would require the applicant to provide the contribution of the funds prior to engaging in any phase of the project.

Our Preliminary Determination

The Service has made a preliminary determination that the applicant's proposed project, including the construction and operation of the solar facility, would individually and cumulatively have a minor effect on the eastern indigo snake and the human environment. Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a low-effect ITP that individually or cumulatively would have a minor effect on eastern indigo snakes and may qualify for application of a categorical exclusion pursuant to the Council on Environmental Quality's NEPA regulations, DOI's NEPA regulations, and the DOI Departmental Manual. A low-effect ITP is one that would result in (1) minor or nonsignificant effects on species covered in the HCP; (2) nonsignificant effects on the human environment; and (3) impacts that, when added together with the impacts of other past, present, and reasonable foreseeable actions, would not result in significant cumulative effects to the human environment.

Next Steps

The Service will evaluate the application and the comments to determine whether to issue the requested ITP. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding and other matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number PER12687707 to Tri-State II Solar Project, LLC.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. 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.

Authority

The Service provides this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and

its implementing regulations (50 CFR 17.32) and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1500–1508 and 43 CFR 46).

Peter Maholland,

Field Supervisor, Georgia Ecological Services Office.

[FR Doc. 2024–24261 Filed 10–18–24; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R1–ES–2024–N050; FXES11130100000–234–FF01E00000]

Endangered Species; Receipt of Recovery Permit Application

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit application; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received an application for a permit to conduct activities intended to enhance the propagation and survival of endangered species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on this application. Before issuing the requested permit, we will take into consideration any information that we receive during the public comment period.

DATES: We must receive your written comments on or before November 20, 2024.

ADDRESSES: *Document availability and comment submission:* Submit a request for a copy of the application and related documents and submit any comments by one of the following methods. All requests and comments should specify the applicant name and application number (*e.g.,* Dana Ross, ES001705):

- *Email: permitsR1ES@fws.gov.*
- *U.S. Mail:* Paul Leonard, Acting Regional Program Manager, Restoration and Endangered Species Classification, Ecological Services, U.S. Fish and Wildlife Service, Pacific Regional Office, 911 NE 11th Avenue, Portland, OR 97232–4181.

FOR FURTHER INFORMATION CONTACT: Karen Colson, Regional Recovery Permit Coordinator, Ecological Services, (503) 231–6283 (telephone); *permitsR1ES@fws.gov* (email). 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, invite the public to comment on an application for a permit under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permit would allow the applicant to conduct activities intended to promote recovery of a species listed as endangered under the ESA.

Background

With some exceptions, the ESA prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA's definition of ''take'' includes such activities as pursuing, harassing, trapping, capturing, or collecting, in addition to hunting, shooting, harming, wounding, or killing.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found in the Code of Federal Regulations (CFR) at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Application Available for Review and Comment

Proposed activities in the following permit request are for the recovery and enhancement of propagation or survival of the species in the wild. The ESA requires that we invite public comment before issuing the requested permit. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to this application. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
ES003483–35	U.S. Geological Survey, Pacific Island Ecosystems Research Center, Honolulu, HI.	Pacific sheath-tailed bat (*Emballonura semicaudata rotensis*).	Hawaii	Harass by videographic and acoustic monitoring and collection of cave information.	Amend.

Public Availability of Comments

Written comments we receive become part of the administrative record associated with this action. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Next Steps

If we decide to issue a permit to the applicant listed in this notice, we will publish a notice in the **Federal Register**.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Paul B. Leonard,

Acting Regional Program Manager for Restoration and Endangered Species Classification, Pacific Region.

[FR Doc. 2024–24260 Filed 10–18–24; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GX24EN05ESBJF00]

Announcement of Advisory Council for Climate Adaptation Science Meeting

AGENCY: U.S. Geological Survey, Department of the Interior.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act (FACA) of 1972, the U.S. Geological Survey (USGS) is publishing this notice to announce that a Federal Advisory Committee meeting of the Advisory Council for Climate Adaptation Science (ACCAS) will take place and is open to members of the public.

DATES: The meeting will be held in person on Wednesday, November 13, 2024, from 8:30 a.m. to 5 p.m., and on Thursday, November 14, 2024, from 8:30 a.m. to 3 p.m. Central Time. A virtual attendance option will be provided. The final schedule will be made available in advance of the meeting at *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.*

ADDRESSES: The meeting will be held at the University of Minnesota Campus Club, 403 Coffman Memorial Union, 300 Washington Avenue SE, Minneapolis, MN 55455.

FOR FURTHER INFORMATION CONTACT: Isabella Ullerick, ACCAS Designated Federal Officer, USGS, by email at *iullerick@usgs.gov,* or by phone at 571–477–4309.

SUPPLEMENTARY INFORMATION: This meeting is being held consistent with the provisions of the FACA (5 U.S.C. Ch. 10), the Government in the Sunshine Act of 1976 (5 U.S.C. 552B, as amended), and 41 CFR part 102–3.

Purpose of the Meeting: The ACCAS advises the Secretary of the Interior on the operations of the USGS Climate Adaptation Science Centers (CASCs). ACCAS members represent state and local governments; Tribes and Indigenous organizations; non-governmental organizations; academia; and the private sector. Additional information about the ACCAS is available at: *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.*

Agenda Topics: Agenda topics will cover (a) subcommittee progress (if any) since the previous full-Council meeting; (b) discussion of key items on the horizon for the CASCs; (c) development and discussion of next key priorities and workplan for the ACCAS; (d) changes to or development of new subcommittees; (e) process for upcoming membership nominations and charter renewal. The final agenda will be made available in advance of the meeting at: *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.* The meeting will include opportunities for public comment on both meeting days, November 13 and 14. Comments may also be submitted to the council in writing by email to *iullerick@usgs.gov.*

Meeting Accessibility/Special Accommodations: The meeting is open to the public; however, seating may be limited due to room capacity. A virtual attendance option will be provided to those who register. Public attendees should register by completing the form found at *https://www.usgs.gov/programs/climate-adaptation-science-centers/advisory-council-climate-adaptation-science.* Registration is due by November 6, 2024.

Please make requests in advance for sign-language interpreter services, assistive listening devices, language translation services, or other reasonable accommodations. We ask that you contact *iullerick@usgs.gov* at least seven (7) business days prior to the meeting to give the Department of the Interior sufficient time to process your request. All reasonable accommodation requests are managed on a case-by-case basis.

Individuals in the United States who are deaf, blind, 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.

Public Disclosure of Comments: There will be an opportunity for public comment during the meeting. Depending on the number of people who wish to speak and the time available, the time for individual comments may be limited. Written comments may also be sent to the ACCAS for consideration. To allow for full consideration of information by ACCAS members, written comments must be provided to *iullerick@usgs.gov* at least three (3) business days prior to the meeting.

Before including your address, phone number, email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you may ask us in your comment to withhold your PII from public view, we cannot guarantee that we will be able to do so.

(Authority: 5 U.S.C. Ch. 10)

Thomas Beard,

Senior Administrator, National Climate Adaptation Science Center.

[FR Doc. 2024–24269 Filed 10–18–24; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_CO_FRN_MO4500180361; COC–63081–01]

Public Land Order No. 7950; Withdrawal for Upper Colorado River Special Recreation Management Area; Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This Public Land Order (PLO) withdraws 12,121 acres of public lands from settlement, sale, location, and entry under the general land laws, including from location and entry under the United States mining laws, and 939.56 acres of reserved Federal mineral interest from location and entry under the United States mining laws, for a period of 20 years to protect scenic and recreation values in the Upper Colorado River Special Recreation Management Area, subject to valid existing rights.

DATES: This PLO takes effect on October 21, 2024.

ADDRESSES: Information regarding the withdrawal, including environmental and other reviews, is available at the Bureau of Land Management (BLM) Colorado State Office, Denver Federal Center Building 40, Lakewood, Colorado 80215.

FOR FURTHER INFORMATION CONTACT: Jennifer Jardine, Realty Specialist, BLM Colorado State Office, telephone: 970–385–1224, email: *jjardine@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The purpose of this withdrawal is to maintain the current condition of the lands identified to protect the

recreational sites, settings, and opportunities within the withdrawal area, and to protect the important resource values including riparian, ecological, cultural, paleontological, historic, and elk and deer critical winter habitat. Both the public lands and the Federal mineral interest lands remain open to leasing under the mineral or geothermal leasing laws. The Upper Colorado River Special Recreation Management Area was previously withdrawn by PLO No. 7466 (65 FR 61182), which expired on October 15, 2020. A Notice of Proposed Withdrawal and Public Meeting was published in the **Federal Register** on July 1, 2022 (87 FR 39547).

Order

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, the following described lands are hereby withdrawn from settlement, sale, location, and entry under the general land laws, including from location and entry under the United States mining laws, but not from leasing under the mineral or geothermal leasing laws, to protect scenic and recreation values in the Upper Colorado River Special Recreation Management Area, Colorado, for a period of 20 years.

Public Lands

Sixth Principal Meridian, Colorado

T. 1 N., R. 79 W.,
Sec. 8, Parcels A, B, C, and D;
Sec. 17, Parcels A and B, NE¼NW¼, S½NW¼, and N½SW¼;
Sec. 18, lot 3.
T. 1 N., R. 80 W.,
Sec. 13, lots 1 thru 4;
Sec. 14, SW¼SE¼ and that portion of the S½SW¼ lying southerly of the northerly right-of-way fence of Grand County Road No. 33, described in the warranty deed recorded April 23, 1999, with Reception No. 99004513, and depicted on Survey Plat LS400, filed on July 13, 1995, in the official records of Grand County, Colorado;
Sec. 15, lots 9 and 11, S½SW¼, S½SE¼, and a metes-and-bounds parcel located in the N½SW¼ and described in the warranty deed recorded April 23, 1999, with Reception No. 99004513, and depicted on Survey Plat LS398, filed July 13, 1995, in the official records of Grand County, Colorado;
Sec. 16, those portions of the metes-and-bounds parcels located in the S½SW¼ and S½SE¼ and described in the warranty deed recorded April 23, 1999, with Reception No. 99004513, and depicted on Survey Plats LS398 and LS399, filed July 13, 1995, in the official records of Grand County, Colorado, and that portion of the metes-and-bounds parcel located in the S½SW¼ and described in the deed in Book 127, page 567, recorded November 12, 1958, with Reception No. 88584, and the deed in Book 128, page 235, recorded February 10, 1959, with Reception No. 89020, in the official records of Grand County, Colorado;
Sec. 19, NE¼SE¼ and a metes-and-bounds parcel located in the N½NE¼ and described in the warranty deed recorded April 23, 1999, with Reception No. 99004513, in the official records of Grand County, Colorado;
Sec. 20, lots 2 and 3, S½NE¼, S½NW¼, and NE¼SW¼;
Sec. 21, N½NE¼, S½NW¼, and that portion of the N½NW¼ lying northerly of the centerline of Grand County Road No. 33 and described in the warranty deed recorded April 23, 1999, with Reception No. 99004513, and depicted on Survey Plat LS399, filed July 13, 1995, in the official records of Grand County, Colorado, and that portion of the metes-and-bounds parcel located in the N½NW¼ and described in the deed in Book 127, page 567, recorded November 12, 1958, with Reception No. 88584, and in the deed in Book 128, page 235, recorded February 10, 1959, with Reception No. 89020, in the official records of Grand County, Colorado;
Sec. 22, lots 1 thru 4.
T. 1 N., R. 81 W.,
Sec. 13, SW¼SW¼;
Sec. 23, SE¼NW¼, NE¼SW¼, and NE¼SE¼;
Sec. 24, S½NE¼, S½NW¼, and N½SE¼;
Sec. 27, lots 1 thru 15;
Sec. 28, SE¼SW¼ and SE¼;
Sec. 32, E½ and SW¼;
Sec. 33, N½NE¼, SW¼NE¼, and W½.
T. 1 S., R. 81 W.,
Sec. 5, lots 8 and 9;
Sec. 6, lots 6 and 7 and lots 9 thru 18;
Sec. 7, lots 5 thru 19;
Sec. 18, lots 1 and 2 and E½NW¼.
T. 1 S., R. 82 W.,
Sec. 12, lots 1 thru 5, SW¼NE¼, E½SW¼, SW¼SW¼, and W½SE¼;
Sec. 13, lots 1 thru 9, W½SW¼, and that portion of tract 53 lying westerly of the medial line, an ambulatory line, of the Colorado River;
Sec. 14, SE¼SW¼, E½SE¼, and SW¼SE¼;
Sec. 22, SE¼;
Sec. 23, NE¼, E½NW¼, SW¼, and N½SE¼;
Sec. 24, lots 1, 2, and 3, NW¼NW¼, and S½NW¼;
Sec. 27, SW¼NW¼, a metes-and-bounds parcel located in the W½NE¼ and E½NW¼ and described in the warranty deed in Book 420, pages 660–662, recorded June 26, 1987, with Reception No. 258382, in the official records of Grand County, Colorado, and a metes-and-bounds parcel located in the N½NW¼ and described in the deed in Book 695, pages 988–999C, recorded September 29, 1986, with Reception No. 374902, in the official records of Grand County, Colorado;
Sec. 28, lots 4, 5, and 6, NE¼NE¼, S½NE¼, NE¼SW¼, NW¼SE¼, and SE¼SE¼;
Sec. 32, those portions of unpatented M.S. No. 13963 and tract 82 located in the E½, excepting M.S. Nos. 18347 A and 18670;
Sec. 33, lot 1, lots 3 thru 6, lots 8 thru 11, NE¼, E½NW¼, SW¼NW¼, and that portion of the Bona Dea Placer located in sec. 33;
Sec. 34, lot 1 and NW¼NW¼.
T. 2 S., R. 82 W.,
Sec. 4, lots 12, 14, 15, 17, 18, and 19, lots 26 thru 30, S½NW¼, NW¼SW¼, and that portion of the Bona Dea Placer located in sec. 4;
Sec. 5, lots 5, 6, and 11, lots 14 thru 22, lots 25 and 26, S½NE¼, N½SE¼, and that portion of the Bona Dea Placer located in sec. 5;
Sec. 6, lots 20, 30, 31, 32, 37, and 38, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 7, lots 5 thru 7, lots 11 thru 21, NE¼NE¼, SE¼SW¼, and SW¼SE¼;
Sec. 18, lots 5 thru 12 and lots 14 thru 17.
T. 2 S., R. 83 W.,
Sec. 12, lot 4;
Sec. 13, lots 1 thru 4, W½NE¼, E½SW¼, and W½SE¼;
Sec. 23, E½NE¼, S½SW¼, NE¼SE¼, SW¼SE¼, N½SE¼SE¼, N½SW¼SE¼SE¼, and N½SE¼SE¼SE¼;
Sec. 24, lot 1, W½NE¼, W½, and W½SE¼;
Sec. 25, NW¼;
Sec. 26, NW¼NW¼NE¼, S½NW¼NE¼, S½NE¼, and NW¼.
The areas described aggregate 12,121 acres.

Reserved Federal Mineral Interests

Sixth Principal Meridian, Colorado

T. 1 N., R. 80 W.,
Sec. 20, NW¼NW¼.
T. 1 N., R. 81 W.,
Sec. 28, N½SW¼ and SW¼SW¼;
Sec. 29, SE¼SE¼.
T. 1 S., R. 82 W.,
Sec. 14, SW¼SW¼;
Sec. 22, N½NE¼, SW¼NE¼, and SW¼;
Sec. 23, NW¼NW¼;
Sec. 26, lot 1 and SW¼NW¼;
Sec. 27, lots 1 and 2 and N½SE¼;
Sec. 33, that portion of tract 70 located in sec. 33.
T. 2 S., R. 82 W.,
Sec. 4, lot 22;
Sec. 7, that portion of tract 41 located in sec. 7.

The areas described aggregate 939.56 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the land other than under the general land laws and the United States mining laws. The public lands described in this order will remain open to such other forms of disposition as may be allowed by law on the public lands. Licenses, permits, and cooperative agreements for discretionary land use authorizations of a temporary nature that would not

significantly impact the values to be protected may be allowed with the approval of the authorized officer.

3. This withdrawal will expire 20 years from the effective date of this Order, unless, as a result of a review conducted prior to the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal should be extended.

(Authority: 43 U.S.C. 1714)

Robert T. Anderson,

Solicitor.

[FR Doc. 2024–24198 Filed 10–18–24; 8:45 am]

BILLING CODE 4331–16–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_AZ_FRN_MO4500181097]

30-Day Extension of the Call for Nominations for the Bears Ears National Monument Advisory Committee, the Grand Staircase-Escalante National Monument Advisory Committee, the San Rafael Swell Recreation Area Advisory Council, and the Utah Resource Advisory Council Committee

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of extension.

SUMMARY: The Bureau of Land Management (BLM) is seeking nominations for membership on the Bears Ears National Monument Advisory Committee (MAC), the Grand Staircase-Escalante National MAC, the San Rafael Swell Recreation Area Advisory Council, and the Utah Resource Advisory Council (RAC) to fill existing vacancies and for member terms that are scheduled to expire. This is a 30-day extension of the call for nominations published in the **Federal Register** on September 18, 2024.

DATES: The deadline for submission of nominations, as announced in a **Federal Register** notice that published on September 18, 2024, at 89 FR 76501, is extended. Nominations for membership on the advisory councils must be received no later than November 20, 2024.

ADDRESSES: Nominations should be sent to the appropriate BLM offices listed in the **SUPPLEMENTARY INFORMATION** section of this Notice.

FOR FURTHER INFORMATION CONTACT: Please contact the individuals listed in the **SUPPLEMENTARY INFORMATION** section of this notice. 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: The Federal Land Policy and Management Act, as amended (FLPMA), directs the Secretary of the Interior to involve the public in planning and issues related to management of lands administered by the BLM through the establishment of 10- to 15-member citizen-based advisory councils that are managed in accordance with the Federal Advisory Committee Act (FACA).

All BLM advisory councils are regulated by FACA, section 309 of FLPMA, and the regulations contained in 43 CFR subpart 1784. Members are appointed to serve three-year terms and their duties and responsibilities are solely advisory in nature. As required by applicable regulations, membership must be balanced and representative of the various interests concerned with the management of the public lands.

Individuals may nominate themselves or others. Nominees must be residents of the State of Utah. The BLM will evaluate nominees based on their education, training, experience, and knowledge of the geographic area of the councils. Nominees should demonstrate a commitment to collaborative resource decision-making. Simultaneous with this notice, the Utah State Office will issue online announcements regarding specific vacancies and providing additional information for submitting nominations at *https://www.blm.gov/get-involved/resource-advisory-council/near-you/Utah.*

Bears Ears National MAC

Nominations for the Bears Ears National MAC should be sent to Anna Rehkopf, BLM Canyon Country District Office, 82 Dogwood Avenue, Moab, UT 84532; phone: (435) 259–2100; Attention: Bears Ears National MAC Nominations, or email: *arehkopf@blm.gov* with the subject line ''Bears Ears National MAC Nominations.''

The Bears Ears National MAC is composed of 15 members including an elected official from local government within San Juan County representing the county; and representatives of State government; the paleontological community; the archaeological community; the conservation community; livestock grazing permittees; Tribal interests; developed outdoor recreation, off-highway vehicle users, or commercial recreation activities; dispersed recreational activities; private landowners; local business owners; and the public-at-large. Further information on the MAC can be found at *https://www.blm.gov/get-involved/rac-near-you/utah/benm-mac.*

Grand Staircase-Escalante National MAC

Nominations for the Grand Staircase-Escalante National MAC should be sent to David Hercher, BLM Paria River District Office, 669 South Highway 89A, Kanab, UT 84741; phone: (435) 899–0415; Attention: Grand Staircase-Escalante National MAC Nominations, or email: *dhercher@blm.gov* with the subject line ''Grand Staircase-Escalante National MAC Nominations.''

The MAC is composed of 15 members including elected officials from Garfield County and Kane County; and representatives of State government; Tribal government with ancestral interest in the Monument; the educational community; the conservation community; developed outdoor recreation, off-highway vehicle users, or commercial recreation activities in the Monument; livestock grazing permittees operating in the Monument; local business owners, private landowners, or the public-at-large; the paleontological community; the archaeological community; the geological community; the biological (entomology, botany, or wildlife) community; the social science community; and the systems ecology community. Further information on the MAC can be found at *https://www.blm.gov/get-involved/resource-advisory-council/near-me/utah/gsenm-mac.*

San Rafael Swell Recreation Area Advisory Council

Nominations for the San Rafael Swell Recreation Area Advisory Council should be sent to Cindy Gallo, BLM Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, UT 84101; phone: (435) 899–0415; Attention: San Rafael Swell Recreation Area Advisory Council Nominations, or email: *cgallo@blm.gov* with the subject line ''San Rafael Swell Recreation Area Advisory Council Nominations.''

The San Rafael Swell Recreation Area Advisory Council is composed of seven members including representatives of the Emery County Commission; motorized recreational users; non-motorized recreational users; grazing allotment permittees within the Recreation Area; conservation

organizations; someone with expertise in the historical uses of the Recreation Area; and an elected leader of a federally recognized Tribe that has significant cultural or historic connections to, and expertise in, the landscape, archeological sites, or cultural sites within the County. Further information on the San Rafael Swell Recreation Area Advisory Council can be found at *https://www.blm.gov/get-involved/resource-advisory-council/near-you/utah/San-Rafael-Swell-RAC.*

Utah RAC

Nominations for the Utah RAC should be sent to Christina Judd, BLM Utah State Office, 440 West 200 South, Suite 500, Salt Lake City, UT 84101, Attention: Utah RAC Nominations, or email: *cjudd@blm.gov* with the subject line ''Utah RAC Nominations.''

The Utah RAC is composed of 15 members in the following three membership categories:

(1) *Category One*—Holders of Federal grazing permits or leases within the area for which the RAC is organized; represent interests associated with transportation or rights-of-way; represent developed outdoor recreation, off-highway vehicle users, or commercial recreation activities; represent the commercial timber industry; or represent energy and mineral development.

(2) *Category Two*—Representatives of nationally or regionally recognized environmental organizations; dispersed recreational activities; archaeological and historical interests; or nationally or regionally recognized wild horse and burro interest groups.

(3) *Category Three*—Hold State, county, or local elected office; are employed by a State agency responsible for the management of natural resources, land, or water; represent Indian Tribes within or adjacent to the area for which the RAC is organized; are employed as academicians in natural resource management or the natural sciences; or represent the affected public at large.

Further information on the MACs, the RAC, and the Council can be found at *https://www.blm.gov/get-involved/resource-advisory-council/near-you/utah/RAC.*

Nominating Procedures: Nominations for potential members to the Bears Ears National MAC, the Grand Staircase-Escalante National MAC, and the San Rafael Swell Recreation Area Advisory Council should include a resume providing an adequate description of the nominee's qualifications, including information that would enable the Department of the Interior to make an informed decision regarding the membership requirements and permit the Department of the Interior to contact a potential member. Nominees are strongly encouraged to include supporting letters from employers, associations, professional organizations, and/or other organizations that indicate support by a meaningful constituency for the nominee. Please indicate any BLM permits, leases, or licenses that you hold personally or are held by your employer. Nominations for potential members for the Utah RAC must include a completed application (OMB Control No. 1004–0204) available at *https://www.blm.gov/sites/default/files/docs/2022-05/BLM-Form-1120-19_RAC-Application.pdf;* letters of reference from the represented interests or organizations; and any other information that speaks to the candidate's qualifications.

The original call for nominations was published in the **Federal Register** (89 FR 76501) on September 18, 2024, with a 45-day nomination period ending October 18, 2024. This notice provides additional time for nominations (see **DATES**, above).

(Authority: 43 CFR 1784.4–1)

Joseph Mendez,

Acting BLM Utah State Director.

[FR Doc. 2024–24197 Filed 10–18–24; 8:45 am]

BILLING CODE 4331–25–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–38944; PPWOCRADI0, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before October 12, 2024, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by November 5, 2024.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line ''Public Comment on <property or proposed district name, (County) State>.'' If you have no access to email, you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 7228, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 7228, Washington, DC 20240, *sherry_frear@nps.gov,* 202–913–3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before October 12, 2024. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers.

Key: State, County, Property Name, Multiple Name (if applicable), Address/Boundary, City, Vicinity, Reference Number.

ALABAMA

Pike County

Troy Masonic Temple, 200 N Three Notch Street, Troy, SG100011023

FLORIDA

Alachua County

Lakeshore Towers, 2306 Southwest 13th Street, Gainesville, SG100011031

Liberty County

Torreya State Park (Boundary Increase), Address Restricted, Bristol vicinity, BC100011036

INDIANA

Allen County

Fort Wayne Performing Arts Theatre, 303 East Main Street, Fort Wayne, SG100011042

Carroll County

Delphi Residential Historic District, Roughly bounded by the Norfolk & Southern Railroad on the north and west, Front Street on the south, and Bowen Street (or a continuation thereof) on the east. Delphi, SG100011037

Dubois County

Ferdinand Historic District, Roughly bounded by 1st Street on the south,

Missouri Street on the west, 15th Street on the north, and Michigan Street on the east. Main Street includes extensions to the north and south. Ferdinand, SG100011043

Jefferson County

Hanover College Historic District, Roughly bounded by Prospect Street, College Avenue, and Ball Drive, Hanover, SG100011040

Johnson County

Franklin College Historic District, Roughly bounded by East Monroe Street on the north, South Forsythe Street on the east, Grizzly Drive and Park Avenue on the south, and Branigin Boulevard on the west. Franklin, SG100011041

Steuben County

Pryor's Country Place, 1540 West Fox Lake Road, Angola, SG100011038

Tippecanoe County

David and Harriet Hopwood House, 602 N Fifth Street, Lafayette, SG100011039

KANSAS

Douglas County

Malin, James and Pearl House, (Lawrence, Kansas MPS), 1541 University Drive, Lawrence, MP100011034

MASSACHUSETTS

Essex County

David S. Lynch Memorial Park, 55 Ober Street, Beverly, SG100011047

MONTANA

Fergus County

Manley's General Store, 42 Garneill Road, Garneill, SG100011024

NEW JERSEY

Mercer County

The Old School Baptist Church and Cemetery of Hopewell, 46 West Broad Street, Hopewell Borough, SG100011029

PENNSYLVANIA

Carbon County

Bowmanstown School, (Educational Resources of Pennsylvania MPS), 490 Ore Street, Bowmanstown, MP100011046

Dauphin County

Craig Family Cemetery, (African American Churches and Cemeteries in Pennsylvania, c. 1644–c. 1970 MPS), 401 Fishing Creek Valley Road, Harrisburg, MP100011045

UTAH

Salt Lake County

Symphony Hall, 123 W South Temple, Salt Lake City, SG100011033

Utah County

Thurber School, 40 S Main St., Spanish Fork, SG100011044

Additional documentation has been received for the following resource(s):

FLORIDA

Hillsborough County

Circulo Cubano de Tampa (Additional Documentation), 10th Ave. and 14th St., Tampa, AD72000320

St. Johns County

Abbott Tract Historic District (Additional Documentation), Roughly bounded by Matanza's Bay, Pine, San Marco, and Shenandoah Aves., St. Augustine, AD83001438

MASSACHUSETTS

Worcester County

Washburn Square-Leicester Common Historic District (Additional Documentation), Main St., Washburn Sq., 3 Paxton St., Leicester, AD06000062

OREGON

Washington County

Sweek, John, House (Additional Documentation), 18815 SW Boones Ferry Rd., Tualatin, AD74001724

TENNESSEE

Bedford County

Cooper, Gov. Prentice, House (Additional Documentation), 413 E Lane St., Shelbyville, AD75001729

Dickson County

Promise Land School (Additional Documentation), 707 Promise Land Road, Promise, AD07000159

Fayette County

Crawford General Store (Additional Documentation), 15360 TN–193, Williston, AD75001752

Washington County

Sulphur Springs Methodist Campground (Additional Documentation), 101 Bayless Road, Jonesborough vicinity, AD75001796

Williamson County

Rainey House (Additional Documentation), 244 1st Ave., Franklin, AD70000621

(Authority: 36 CFR 60.13)

Sherry A. Frear,

Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2024–24258 Filed 10–18–24; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–607 and 731–TA–1417 and 1419 (Review)]

Steel Propane Cylinders From China and Thailand; Notice of Commission Determination To Conduct Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to the Tariff Act of 1930 to determine whether revocation of the countervailing duty order on steel propane cylinders from China and the antidumping duty orders on steel propane cylinders from China and Thailand would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date.

DATES: October 4, 2024.

FOR FURTHER INFORMATION CONTACT: Kenneth Gatten III (202–708–1447), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov*.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

SUPPLEMENTARY INFORMATION: On October 4, 2024, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)). The Commission found that both the domestic interested party group response and the respondent interested party group response from Thailand to its notice of institution (89 FR 54531, July 1, 2024) were adequate, and determined to conduct full reviews of the orders on imports from Thailand. The Commission also found that the respondent interested party group response from China was inadequate but determined to conduct full reviews of the orders on imports from China in order to promote administrative efficiency in light of its determination to conduct a full review of the order with respect to Thailand. A record of the Commissioners' votes will be available

from the Office of the Secretary and at the Commission's website.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: October 16, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–24295 Filed 10–18–24; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1421]

Certain Rechargeable Batteries and Components Thereof; Notice of Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 12, 2024, under section 337 of the Tariff Act of 1930, as amended, on behalf of LithiumHub, LLC of Norris, South Carolina; Lithiumhub Technologies, LLC of Marshall, Texas; and Mr. Martin Koebler of Norris, South Carolina. Supplements to the complaint were filed on September 30, October 2, and October 7, 2024. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain rechargeable batteries and components thereof by reason of the infringement of certain claims of U.S. Patent No. 9,412,994 (''the '994 patent'') and U.S. Patent No. 9,954,207 (''the '207 patent''). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2024).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on October 15, 2024, *ordered that—*

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 4–9, 11–16, and 18–23 of the '994 patent and claims 1–10 and 12–20 of the '207 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''lithium-ion batteries with 6V or more electrical potential, and components used for domestic assembly of lithium-ion batteries with 6V or more electrical potential, specifically, battery management systems and lithium-based rechargeable cells'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

LithiumHub, LLC, 125 Tate Road, Norris, SC 29667

Lithiumhub Technologies, LLC, 104 E Houston, Ste. 150, Marshall, TX 75670

Mr. Martin Koebler, 125 Tate Road, Norris, SC 29667

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Bass Pro Outdoor World LLC, 2500 East Kearney Street, Springfield, MO 65898

Cabela's LLC, 2500 East Kearney Street, Springfield, MO 65898

Navico Group Americas LLC, N85 W12545 Westbrook Crossing, Menomonee Falls, WI 53051

Relion Battery (Shenzhen) Technology Co., Room 410, 4th Floor, Cui Hua Da Industrial, Park, No. 144 Botanical Garden Road, Nanyu E Community, Shenzhen, China

Renogy New Energy Co., LTD, 25A, Hengye Platinum, No. 1338, Sanxiang Road, Gusu District, Suzhou City, Jiangsu, China

RNG International Inc., 5050 S Archibald Avenue, Ontario, CA 91762

Clean Republic SODO LLC, 225 S Lucile St., Seattle, WA 98108

Shenzhen Yichen S-Power Tech Co. LTD, Floor 7, Building B4b, Yingzhan Industrial Zone, Longtian Community, Zehgzi Street, Pingshan District, Shenzhen, China

Shenzhen Fbtech Electronics LTD, No 4–5, Fendmenyuan Industrial Park, Fenfhuang Avenue, Longgang Shenzhen, Guangdong, China

Shenzhen LiTime Technology Co., LTD, Room 301, Building B, Baolong 5th Road, Baolong Community, Baolong Street, Shenzhen, Guangdong, China

Dragonfly Energy Corp., 1190 Trademark Dr. #108, Reno, NV 89521

Dragonfly Energy Holdings Corp., 1190 Trademark Dr. #108, Reno, NV 89521

MillerTech Energy Solutions LLC, 14632 Old State Road, Middlefield, OH 44062

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainants of the complaint and the notice of investigation. Extensions of time for

submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: October 16, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–24285 Filed 10–18–24; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 23–65]

Neeraj B. Shah, M.D.; Decision and Order

On August 30, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Neeraj B. Shah, M.D., (Respondent) of Austin, Texas. Administrative Law Judge Exhibit (ALJX) 1 (OSC), at 1. The OSC proposed the revocation of Respondent's DEA Certificate of Registration (registration), No. FS2968444, and alleged that Respondent's continued registration is inconsistent with the public interest. *Id.* (citing 21 U.S.C. 823(g)(1), 824(a)(4)).

A hearing was held before DEA Administrative Law Judge (ALJ) Teresa A. Wallbaum who, on March 8, 2024, issued her Recommended Rulings, Findings of Fact, Conclusions of Law, and Decision of the Administrative Law Judge (RD). The RD recommended that Respondent's registration be revoked. RD, at 33. Neither party filed exceptions to the RD. Having reviewed the entire record, the Agency adopts and hereby incorporates by reference the entirety of the ALJ's rulings, credibility findings,[1] findings of fact, conclusions of law, sanctions analysis, and recommended sanction in the RD and summarizes and expands upon portions thereof herein.[2]

I. Findings of Fact

The Agency finds from clear, unequivocal, and convincing evidence that Respondent failed to maintain sole possession of his hard token for issuing electronic controlled substance prescriptions, that he allowed unauthorized individuals to issue electronic controlled substance prescriptions using his DEA credentials, and that in doing so, he allowed controlled substances to be prescribed outside the usual course of professional practice and without a legitimate medical purpose. RD, at 24–27.

Respondent's Hard Token, Credentials, and Electronic Prescribing

In July 2019, Respondent[3] received an unsolicited fax offering employment as a prescribing practitioner with a telemedicine platform called Church Ekklasia Sozo (CES).[4] RD, at 11–12; Tr. 184–86, 327; Respondent's Exhibit (RX) 1. The company was based out of North Carolina and Respondent lived and worked in Texas. RD, at 4, 10, 12; ALJX 8, at 2, Stips. 1–3. Respondent joined CES in September 2019 and had his first patient intake and clinical encounter in May 2020. RD, at 12; Tr. 197–98. Respondent worked as a contractor physician for CES from September 9, 2019, to December 13, 2021. RD, at 4, 11–12; Tr. 40, 192–94; ALJX 8, at 2, Stip. 2. As a condition of employment at CES, Respondent was required to obtain a hard token[5] for the purpose of issuing electronic controlled substance prescriptions and to give the hard token to CES staff in North Carolina. RD, at 4, 6–7, 13; Tr. 44–45, 58–59, 227–29, 231, 280, 284. Respondent admitted to giving his hard token to CES and allowing the company to keep his electronic signature on file to issue controlled substance prescriptions under his DEA registration. *Id.*

On December 1, 2021, a DEA Diversion Investigator (DI)[6] conducted a regulatory inspection of Respondent's registered premises. RD, at 3–4; Tr. 28, 31–38, 138, 141–42, 156; Government's Exhibit (GX) 2. At the inspection, the DI informed Respondent that over 1,900 prescriptions for buprenorphine products (a schedule III controlled substance) had been issued under his registration in the past two years. RD, at 4; Tr. 41–43. Respondent stated that this number was ''too high'' because he only saw ''about 20 to 25 patients.'' *Id.* The DI asked Respondent to show her a prescription that he had issued, and Respondent pulled up a recently issued controlled substance prescription for patient J.O. RD, at 5–6; Tr. 50–53; GX 20, at 29. The prescription bore a time stamp indicating that it had been signed by Respondent while the DI was conducting the inspection. *Id.* Although the prescription for J.O. purported to be signed by Respondent, Respondent told the DI that he did not know this patient,

[1] The Agency adopts the ALJ's summary of the witnesses' testimonies as well as the ALJ's assessment of the witnesses' credibility. RD, at 3–21.

[2] On May 30, 2024, Respondent signed a DEA Form 104, Surrender for Cause of DEA Certificate of Registration. *See* 21 CFR 1301.52(a). Even when a registration is terminated, the Agency has discretion to adjudicate the OSC to finality. *See Jeffrey D. Olsen, M.D.,* 84 FR 68,474, 68,479 (2019) (declining to dismiss an immediate suspension order when the registrant allowed the registration to expire before final adjudication); *Steven M. Kotsonis, M.D.,* 85 FR 85667, 85668–69 (2020) (concluding that termination of a registration under 21 CFR 1301.52 does not preclude DEA from issuing a final decision and that the Agency would assess such matters on a case-by-case basis to determine if a final adjudication is warranted); *The Pharmacy Place,* 86 FR 21008, 21008–09 (2021) (''Adjudicating this matter to finality will create a public record to educate current and prospective registrants about the Agency's expectations regarding the responsibilities of registrant[s] . . . under the CSA and allow stakeholders to provide feedback regarding the Agency's enforcement priorities and practices.''); *Creekbend Community Pharmacy,* 86 FR 40627, 40628 n.4 (2021) (''Adjudicating this matter to finality will create an official record the Agency can use in any future interactions with Respondent . . . or other persons who were associated with Respondent.''). As in these cases, the Agency has evaluated the circumstances of this matter and determined that the matter should be adjudicated to finality for the purpose of creating an official record of the allegations and evidence, and educating the registrant community, the public, and stakeholders about the responsibilities associated with holding a DEA registration and the Agency's enforcement priorities.

[3] The ALJ found that ''to the extent [Respondent's] testimony contradicts with that offered by [the Diversion Investigator], [she] gives full credit to the [Diversion Investigator]'s testimony.'' RD, at 21. The Agency agrees with the amount of weight that the ALJ afforded Respondent's testimony.

[4] CES's staff did not hold DEA registrations. RD, at 5, 16; Tr. 50, 225–26.

[5] A hard token is a physical device similar to a key fob that may be used to authenticate an electronic prescription. Tr. 45; 21 CFR 1311.115(a)(3), 1311.140(a)(5). The hard token which Respondent used was not offered into evidence. Tr. 47. Instead, a picture of a hard token similar to one used by Respondent was admitted into evidence. Tr. 45–48; GX 22. The picture shows a small device, roughly two inches in length, with a small screen on which a PIN number would be displayed. *Id.* When a hard token is used to sign a prescription, the token generates a unique identification PIN number which serves as the signature on the prescription. RD, at 5; Tr. 46. The PIN is unique to each prescription and can be traced to the prescriber. *Id.*

[6] The Agency agrees with the ALJ's assessment that the DI was ''a credible, reliable'' witness and that her testimony was clear, objective, consistent, precise, and ''corroborated by the documentary evidence.'' RD, at 9. The ALJ found that ''[t]o the extent her testimony conflicts with Respondent's testimony, . . . [she] credits [the DI].'' *Id.* The Agency agrees with the amount of weight that the ALJ afforded Respondent's testimony.

had never conducted a telemedicine appointment for this patient, and had never established a doctor-patient relationship with this patient. RD, at 8–9, 18; Tr. 107–09, 148–56, 161–63, 234, 236, 286–87, 296–97, 332; GX 24.

The DI asked how Respondent could have signed and issued this prescription during the inspection when Respondent had not conducted any telemedicine visits during that time. RD, at 5–6; Tr. 53. Respondent explained that CES had his signature on file, which allowed the company's unregistered staff to issue electronic prescriptions on his behalf. RD, at 4; Tr. 44–45. Respondent also stated that he had given his hard token to CES in North Carolina as a condition of his employment with CES.[7] RD, at 6–7, 13; Tr. 58–59, 227–29, 231, 280, 284–85. Further, CES's owner telephonically explained that it was CES's standard procedure for nurses to sign the prescriptions, ''because the [nurses] were [ ] agent[s] of the doctor.'' RD, at 4–6; Tr. 53–54.

II. Discussion

A. The Five Public Interest Factors

Under the CSA, ''[a] registration . . . to . . . dispense a controlled substance . . . may be suspended or revoked by the Attorney General upon a finding that the registrant . . . has committed such acts as would render his registration under [21 U.S.C. 823] inconsistent with the public interest as determined under such section.'' 21 U.S.C. 824(a). In making the public interest determination, the CSA requires consideration of the following factors:

(A) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(B) The [registrant's] experience in dispensing, or conducting research with respect to controlled substances.

(C) The [registrant's] conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(D) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(E) Such other conduct which may threaten the public health and safety.

21 U.S.C. 823(g)(1).

The Agency considers these public interest factors in the disjunctive. *Robert A. Leslie, M.D.,* 68 FR 15227, 15230 (2003). Each factor is weighed on a case-by-case basis. *Morall* v. *Drug Enf't Admin.,* 412 F.3d 165, 173–74 (D.C. Cir. 2005). Any one factor, or combination of factors, may be decisive. *David H. Gillis, M.D.,* 58 FR 37507, 37508 (1993). The inquiry is ''focuse[d] on protecting the public interest.'' *Jayam Krishna-Iyer, M.D.,* 74 FR 459, 462 (2009).

The Government has the burden of proof in this proceeding. 21 CFR 1301.44. While the Agency has considered all the public interest factors in 21 U.S.C. 823(g)(1), the Government's evidence in support of its *prima facie* case for revoking Respondent's registration is confined to Factors B and D. RD, at 24 n.24 (finding that Factors A, C, and E do not weigh for or against the sanction sought by the Government). Having reviewed the record and the RD, the Agency adopts the ALJ's analysis, and agrees that the Government's evidence satisfies its *prima facie* burden of showing that Respondent's continued registration would be inconsistent with the public interest. RD, at 27, 33; 21 U.S.C. 824(a)(4).

B. Factors B and D

Evidence is considered under public interest factors B and D when it reflects compliance or non-compliance with laws related to controlled substances and experience dispensing controlled substances. *See Sualeh Ashraf, M.D.,* 88 FR 1,095, 1,097 (2023); *Kareem Hubbard, M.D.,* 87 FR 21,156, 21,162 (2022).

DEA regulations allow registrants to issue electronic prescriptions for controlled substances in schedules II–V. 21 CFR 1311.100(b); RD, at 23. To issue an electronic prescription for a controlled substance, the prescriber must authenticate the prescription using at least two of the following factors: (1) ''Something only the practitioner knows, such as a password or response to a challenge question''; (2) ''Something the practitioner is, biometric data such as a fingerprint or iris scan''; and/or (3) ''Something the practitioner has, a device (hard token) separate from the computer to which the practitioner is gaining access.'' 21 CFR 1311.115(a), 1311.120(b)(5), (11); RD, at 23; Tr. 45. This two-factor authentication process ''constitute[s] the signing of the prescription by the practitioner.'' 21 CFR 1311.140(a)(5). ''[O]nly the registrant may sign the prescription,'' and when signing the prescription, the registrant must comply with the two-factor authentication requirement. 21 CFR 1311.135(a); RD, at 23. Although DEA regulations permit a non-registered agent to enter data on the prescription, the registrant must sign the prescription himself. *Id.*

DEA regulations make clear that ''[t]he practitioner must retain sole possession of the hard token'' and ''must not allow any other person to use the token.''[8] 21 CFR 1311.102(a); RD, at 23. The regulation further states that the practitioner ''must not share the password or other knowledge factor, or biometric information, with any other person'' and ''[t]he practitioner must not allow any other person to use the token or enter the knowledge factor or other identification means to sign prescriptions for controlled substances.'' *Id.* ''Failure by the practitioner to secure the hard token, knowledge factor, or biometric information may provide a basis for revocation or suspension of registration.'' *Id.*

Regarding the hard token, substantial record evidence, including Respondent's admission, establishes that Respondent gave his hard token to CES staff in North Carolina and allowed them to maintain physical possession of it. RD, at 25–26; Tr. 53–59, 66–67, 227–31, 237, 285. Accordingly, substantial record evidence establishes that Respondent failed to ''retain sole possession of the hard token,'' in violation of 21 CFR 1311.102(a). RD, at 25–26; *see also Allan Alexander Rashford, M.D.,* 87 FR 77637, 77637–38 (2022) (revoking respondent's registration, in part, for violating 21 CFR 1311.102(a) due to ''entrusting his secure credentials to his wife and son and allowing them to access and provide his PIN'' to prescribe controlled substances).

Regarding credentials, substantial record evidence, including Respondent's admission, establishes that Respondent allowed CES to keep his signature on file to use in conjunction with the hard token in order to complete the two-factor authentication process for signing and issuing electronic controlled substance prescriptions on his behalf. RD, at 26; Tr. 44–45, 53–59, 157, 163, 222, 225–27, 229, 231, 280, 284; GX 14; GX 20–21 (prescriptions issued by CES staff to J.O. and three other patients). In so doing, Respondent violated federal and state regulations that prohibit any person other than the registrant from signing

[7] The DI informed Respondent and CES's owner that CES must cease using Respondent's registration for prescribing controlled substances and that the hard token must be returned to Respondent. RD, at 6; Tr. 58, 157, 163. After the inspection ended, Respondent sent an email to CES's owner directing CES to stop using his registration for issuing prescriptions and to overnight return his hard token to his home. RD, at 7, 17; Tr. 62, 66–69, 159, 237; GX 14.

[8] It is important to emphasize the clarity with which this requirement is stated in the regulation. The requirement to ''retain sole possession'' is stated simply, clearly, and unambiguously in plain language. *See* Electronic Prescriptions for Controlled Substances, 75 FR 16236, 16277 (Mar. 31, 2010). To further emphasize this point, the RD put it well: the requirement to retain sole possession of the hard token is set forth ''in plain, simple English, and is consistent with basic common sense.'' RD, at 32.

and authenticating an electronic controlled substance prescription. RD, at 26; Tr. 57–58; 21 CFR 1311.135(a); 22 Tex. Admin. Code § 315.3(c)(1) (requiring Texas practitioners to comply with the requirements set forth in 21 CFR 1311).

Respondent allowed illegal electronic controlled substance prescriptions to be issued under his registration by giving away his hard token and two-factor authentication credentials.[9] RD, at 4–5, 16, 26, 32; Tr. 42–43, 226. The regulations governing the issuance of electronic controlled substance prescriptions do not ''relieve[] a practitioner of his responsibility to dispense controlled substances only for a legitimate medical purpose while acting in the usual course of his professional practice.'' 21 CFR 1311.102(k); RD, at 23; *see also* 21 CFR 1311.100(f). ''The practitioner has the same responsibilities when issuing [an electronic prescription] as when issuing a paper or oral prescription,'' including the requirement ''to ensure the validity of [that] prescription.'' 21 CFR 1311.102(k); RD, at 23.

Under DEA regulations, a controlled substance prescription may only ''be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice.'' 21 CFR 1306.04(a). Similarly, under Texas law, a controlled substance prescription may only be issued ''for a valid medical purpose and in the course of medical practice.'' Tex. Health & Safety Code § 481.071(a). Texas law states that prescribing a controlled substance ''without first establishing a valid practitioner-patient relationship'' falls outside the scope of professional medical practice. 22 Tex. Admin. Code § 190.8(1)(L).

Respondent admitted that he never established a doctor-patient relationship with J.O., yet thirteen prescriptions were written for J.O. using Respondent's hard token and electronic signature.[10] RD, at 8–9, 18, 26; Tr. 107–09, 148–56, 161–63, 234, 286–87, 296–97, 332; GX 20, 24. Accordingly, these prescriptions were issued without a legitimate medical purpose and outside the usual course of professional practice, in violation of federal and state law.[11] RD, at 26; 21 CFR 1306.04(a); Tex. Health & Safety Code § 481.071(a); 22 Tex. Admin. Code § 190.8(1)(L).

In sum, and in agreement with the RD, the Agency finds that the record contains substantial evidence that Respondent acted in violation of both federal and state law. RD, at 24–27; 21 U.S.C. 823(g)(1), 824(a)(4); 21 CFR 1306.04(a), 1311.100(f), 1311.102(a), (k), 1311.115(a), 1311.120(b)(5), (b)(11), 1311.125(c), 1311.135(a), 1311.140(a)(5); 22 Tex. Admin. Code § 315.3(c)(1); Tex. Health & Safety Code § 481.071(a). In weighing factors B and D, the Agency finds that the Government has established a *prima facie* case that Respondent committed acts that render his registration inconsistent with the public interest and support revocation of his registration. 21 U.S.C. 823(g)(1); RD, at 27.

III. Sanction

Where, as here, the Government has established sufficient grounds to issue a sanction against Respondent's registration, the burden shifts to the registrant to show why he can be entrusted with the responsibility carried by a registration. *Garret Howard Smith, M.D.,* 83 FR 18882, 18910 (2018). ''[T]rust is necessarily a fact-dependent determination based'' on individual circumstances; therefore, the Agency looks at factors such as ''the acceptance of responsibility and the credibility of that acceptance as it relates to the probability of repeat violations or behavior,'' ''the nature of the misconduct that forms the basis for sanction,'' and ''the Agency's interest in deterring similar acts.'' *Robert Wayne Locklear, M.D.,* 86 FR 33738, 33746 (2021). To be effective, acceptance of responsibility must be unequivocal. *Mohammed Asgar, M.D.,* 83 FR 29569, 29573 (2018). When a registrant has committed acts inconsistent with the public interest, he must both accept responsibility and demonstrate that he has undertaken corrective measures. *Holiday CVS, L.L.C., d/b/a CVS/Pharmacy Nos. 219 and 5195,* 77 FR 62316, 62339 (2012) (internal quotations omitted).

Here, Respondent has failed to fully and credibly accept responsibility for the proven misconduct. RD, at 27–29. When asked about his decision to surrender physical possession of the hard token to CES, Respondent expressed regret and remorse. RD, at 28; Tr. 229, 316. Respondent testified that turning over the hard token was ''a decision that [he] now regret[s] and [is] extremely remorseful about.'' RD, at 28; Tr. 229, 316. Regret and remorse, however, are not the same as taking

[9] The Agency finds that it is not necessary to determine the precise number of prescriptions that were issued by CES with Respondent's hard token and credentials. RD, at 26. The record clearly establishes and Respondent admitted that prescriptions were being issued under Respondent's registration for at least one patient he never saw (J.O.) and at quantities that exceeded the patients he did see. *See* RD, at 4, 20, 26; GX 20, at 17–29; Tr. 41–43 (when the DI informed Respondent that the PMP showed 1,900 prescriptions had been issued under his registration, he responded that this number was ''too high'' because he only saw ''about 20 to 25 patients''); Tr. 234, 236, 286–87, 297, 332.

[10] The allegation that Respondent failed to establish a doctor-patient relationship in this case pertains only to J.O. Tr. 92. Although the Government admitted additional prescriptions into evidence that CES staff issued using Respondent's hard token—all of which were issued in violation of 21 CFR 1311.135(a)—the Government has not alleged that Respondent failed to establish a doctor-patient relationship with these patients. Tr. 81–82, 92.

[11] It is a long-standing principle of diversion law that DEA registrants are ''strictly liable for all activities which occur under the authority of their registrations.'' *Sigrid Sanchez, M.D.,* 78 FR 39331, 39336 (2013). In line with this well-established principle, it is reasonable to find that a registrant can be held liable for controlled substances being prescribed outside the usual course of professional practice even when issued by someone else under his registration. For instance, where a registrant's actions allow an unregistered person to prescribe controlled substances, as Respondent did here, the registrant can be found in violation of 21 CFR 1306.04(a). *Robert G. Hallermeier, M.D.,* 62 FR 26818, 26820 (1997). This is because the purpose of § 1306.04(a)—to ensure that ''patients use controlled substances under the supervision of a doctor so as to prevent'' diversion—is thwarted when a registrant allows an unregistered person to prescribe controlled substances under the registrant's registration to patients the registrant has never seen, which occurred in this case. *Gonzales* v. *Oregon,* 546 U.S. 243, 274 (2006). When a registrant allows an unauthorized person to prescribe controlled substances, such as when Respondent allowed CES's unregistered staff to prescribe controlled substances to patients Respondent had never seen, the registrant creates a ''substantial risk that the drugs would be diverted and abused,'' which undermines the purpose of § 1306.04(a)'s prescription requirement. *Arvinder Singh, M.D.,* 81 FR 8247, 8249 (2016).

Holding a registrant liable for violating § 1306.04(a) where prescriptions are issued by someone else under his registration is an extension of the Agency's precedent and the principle that registrants are ''strictly liable for all activities which occur under the authority of their registrations.'' *Sigrid Sanchez, M.D.,* 78 FR at 39336. For example, in the context of electronic prescriptions, the Agency has revoked a registration, in part, due to the registrant ''improperly issu[ing] electronic controlled substance prescriptions by entrusting his secure credentials to his wife and son and allowing them to access and provide his PIN in the issuance of those prescriptions.'' *Allen Alexander Rashford, M.D.,* 87 FR at 77638. Similarly, DEA has long held that when a registrant allows other individuals to use their registration, a serious violation is committed. *See Brian Thomas Nichol, M.D.,* 83 FR 47352, 47367 (2018) (concluding respondent committed a ''serious violation of the CSA'' when he pre-signed prescriptions and gave them to unregistered staff, creating a ''substantial risk'' of diversion and abuse); *Rose Mary Jacinta Lewis, M.D.,* 72 FR 4035, 4041–42 (2007) (affirming an immediate suspension order where a registrant allowed another person to use her DEA credentials to obtain controlled substances and where such misconduct demonstrated ''indifference to her obligations'' and created a danger to public safety); *Anthony L. Cappelli, M.D.,* 59 FR 42288, 42288 (1994) (''By allowing an unregistered and unauthorized person to use his DEA number, Respondent was responsible for any use and misuse of that number. Moreover, such a violation is aggravated by the fact that Respondent allowed a non-practitioner to use his DEA number at an unregistered location.'').

ownership of the misconduct, its gravity, and its threat to public safety.[12]

When specifically asked whether he accepted responsibility, he testified that he ''accept[s] full responsibility for the mistakes that occurred.'' RD, at 28; Tr. 335. However, that acceptance of responsibility was far from unequivocal as Respondent repeatedly blamed his decision to give up possession of the token on CES. RD, at 28. Respondent testified that in trusting CES with his hard token, he had ''the wool pulled over [his] eyes.'' *Id.;* Tr. 238. He testified that CES created an impression of being compliant with state and federal law. RD, at 13–17. Specifically, he testified about receiving a memorandum from the company's CEO detailing the effects of the Drug Addiction Treatment Act (DATA) of 2000 on the company's prescribing practices, RD, at 16; Tr. 199–204; RX 4, and how this memorandum gave him assurance that CES was taking regulatory compliance seriously. RD, at 16; Tr. 209–10. He also testified about a July 2021 audit report written by the company's compliance officer, a former DEA DI, which memorialized the policy that the company and its agents were authorized to issue controlled substance prescriptions on behalf of the provider. RD, at 13–16; Tr. 219–27, 314; RX 2, at 18. Respondent testified that he was ''impressed that [CES] took the trouble and had retained a retired DEA investigator as their chief compliance officer to ensure that the company was following rules and regulations.'' RD, at 12; Tr. 189–93, 334. He testified that all these assurances led him to believe that CES had more expertise than he did regarding regulatory compliance. RD, at 13, 31–32; Tr. 230, 283–84, 321.

Respondent also testified that he read the requirement to retain sole possession of the hard token prior to joining CES,[13] but blamed the company for misinterpreting the regulation.[14] RD, at 28, 31–32; Tr. 315–16. Shifting the blame onto the company further undermines his attempt to accept responsibility.[15] Id.

Furthermore, Respondent testified that when he gave up physical possession of his hard token, he believed CES would only use the token and his credentials to issue controlled substance prescriptions for patients with whom Respondent had established a doctor-patient relationship. RD, at 16, 32; Tr. 222–23, 230, 284. Even if this was his intention, relinquishing control of the token in-and-of-itself was a clear violation of 21 CFR 1311.102(a) that allowed diversion to occur. Respondent's attempt to downplay his misconduct further undermines his acceptance of responsibility and calls into question whether he truly understands the gravity of his misconduct. RD, at 30–32. In sum, the Agency agrees with the RD that Respondent failed to unequivocally accept responsibility for the proven violations. RD, at 27–29.

The Agency is only required to consider remedial measures where a respondent has tendered a full and credible acceptance of responsibility. *Ajay S. Ahuja, M.D.,* 84 FR 5479, 5498 n.33 (2019); *Daniel A. Glick, D.D.S.,* 80 FR at 74810. Here, the Agency need not consider remedial measures given the lack of acceptance of responsibility. RD, at 29. Nevertheless, even if Respondent had accepted responsibility, his proposed remedial measures would not change the outcome of this case.[16] *Id.*

In addition to acceptance of responsibility, the Agency looks to the egregiousness and extent of the misconduct. *Garrett Howard Smith, M.D.,* 83 FR at 18910 (collecting cases), and considers both specific and general deterrence when determining an appropriate sanction. *Daniel A. Glick, D.D.S.,* 80 FR at 74810.

Here, the Agency agrees with the ALJ that Respondent's misconduct was egregious. RD, at 29–30. The CSA establishes a ''closed system for regulating the distribution'' of controlled substances ''to prevent the diversion of these substances to those who would either abuse them or sell them to those who do.'' *Holiday CVS, L.L.C., d/b/a CVS/Pharmacy Nos. 219 and 5195,* 77 FR at 62317 (citing *Gonzales,* 546 U.S. at 250). DEA regulations contain a clear mandate to ''retain sole possession of the hard token'' for a reason: to keep the closed system of distribution closed.[17] *Gonzales,* 546 U.S. at 250–51.

[12] *See Nicholas P. Roussis, M.D.,* 86 FR 59190, 59194 (2021) (explaining ''remorse and acceptance of responsibility are not the same thing'' in that a respondent's remorse is primarily concerned with his unpleasant feelings whereas a full acceptance of responsibility acknowledges the harm his actions posed to the public); *Ibrahim Al-Qawaqneh, D.D.S.,* 86 FR 10354, 10357 (2021) (finding that regret did not amount to acceptance of responsibility).

[13] Respondent testified that he read 21 CFR 1311.102(a) as part of his due diligence before joining CES; however, when the Government asked whether he was aware of a regulation prohibiting the surrender of a hard token to someone else, Respondent stated: ''No. Not before I joined CES. I was not aware of this.'' Tr. 316. The first words of 21 CFR 1311.102(a) are ''[t]he practitioner must retain sole possession of the hard token.'' Respondent's testimony that he read this regulation, given his claim that he was not aware that he had to keep the hard token, causes the Agency to question Respondent's credibility. RD, at 31; *see also Daniel A. Glick, D.D.S.,* 80 FR 74,800, 74809 (2015) (holding ignorance of the CSA or DEA's regulations are no defense to proven violations).

[14] He acknowledged that nowhere in the company's protocols or manuals was there an assurance from the company that surrendering his hard token complied with DEA regulations. RD, at 18; Tr. 318–19.

[15] He testified that he ''understand[s] the gravity of my—the mistakes that have occurred.'' RD, at 28; Tr. 244. Rather than take ownership by calling them ''my mistakes,'' he referred to mistakes in a passive and general sense. *See also* Tr. 335 (referring broadly to ''mistakes that occurred''). Indeed, the majority of his testimony reveals that Respondent understands the ''mistakes'' to mean the mistakes that CES made and the mistake that he made in trusting CES. RD, at 28; *see Sualeh Ashraf, M.D.,* 88 FR at 1098 (discrediting respondent's acceptance of responsibility due to him blaming someone else for being the ''criminal mind'' behind the misconduct); *Michael A. White, M.D.,* 79 FR 62957, 62967–68 (2014) (finding that the standard for accepting responsibility was not met where respondent blamed others for his misconduct); *Robert Raymond Reppy, D.O.,* 76 FR 61,154, 61,180 (2011) (finding that respondent failed to fully and credibly accept responsibility where most of his testimony shifted blame to others and focused on how he was ''duped'' into violating the CSA). Furthermore, although Respondent acknowledged at the hearing that protecting his registration is ''solely'' his responsibility, this after-the-fact realization conflicts with other parts of his testimony where he blamed CES for his failure to protect his DEA registration. Tr. 335.

[16] Respondent's proposed remedial measures included deactivating all tokens that he was no longer using; hiring a third-party to conduct a regulatory compliance audit of his practice; searching the PMP for prescriptions issued under his COR; and writing a controlled substances protocol for other practitioners. Tr. 238–43. Although these measures are not without merit, the proposed remediation fails to convince the Agency that he can be trusted with a registration. *John Qian, M.D.,* 89 FR 59934, 59937–38 (2024). In this regard, even if these measures were enacted, Respondent's insufficient acceptance of responsibility demonstrated that he believes it was CES, not himself, who bore ultimate responsibility for the proven misconduct. RD, at 27–28. In this sense, Respondent's proposed measures are not backed up by his willingness to take personal responsibility for his actions, and therefore, their remedial efficacy rings hollow. *Jeffrey Pollock, P.A.,* 89 FR 54052, 54058 n.38 (2024). Additionally, the proposed measures are misplaced. Deactivating unused tokens and auditing his practice have no relevance to the proven violation of failing to maintain sole possession of his hard token and not sharing his authentication credentials. Likewise, checking the PMP and instructing other practitioners on their responsibilities have no bearing on the misconduct, especially given the fact that he believes the misconduct was primarily CES's fault for misleading him. RD, at 27–28. Furthermore, in light of the egregiousness of the misconduct and the need for deterrence, his proposed remedial measures are insufficient. *Id.* at 29.

[17] In a Notice of Proposed Rulemaking, the Agency explained that by requiring registrants to retain sole possession of the hard token, ''the practitioner can eliminate the risk of fraudulent prescriptions and, if the token is lost, stolen, or compromised, he will be immediately alerted to the threat and have the authentication protocol revoked.'' *See* Electronic Prescriptions for Controlled Substances, 73 FR 36722, 36737 (June 27, 2008). The Agency further explained that the requirement for the practitioner to retain sole possession of the hard token serves to protect the practitioner as well as the pharmacy from forged or fraudulent prescriptions, and to provide ''assurance

In this case, Respondent enabled unregistered individuals at an unregistered location to issue multiple controlled substance prescriptions, including at least a year's worth of controlled substance prescriptions for patient J.O. whom Respondent had never evaluated. RD, at 4–5, 16, 18, 26, 29–30; Tr. 42–43, 50, 225–26. Therefore, by giving away his hard token and two-factor authentication data to unauthorized persons, Respondent committed egregious violations of DEA's regulations that created a risk of diversion and threatened public safety. RD, at 29–31.

The Agency also concludes that revocation of Respondent's registration is necessary to deter the registrant community from engaging in similar misconduct. RD, at 30–31. There is simply no conceivable world in which it is acceptable for a practitioner to give away his or her prescribing credentials to anyone else, including a telemedicine platform. When a practitioner is awarded the privilege of prescribing controlled substances in the form of a registration, that privilege belongs to the registrant and the registrant alone—it cannot be given away. The Agency agrees with the ALJ that the interests of general deterrence support revocation, as a lack of sanction in the current matter would send a message to the registrant community that giving away a hard token and two-factor authentication credentials can be overlooked and excused. RD, at 30; *see also Jeffrey Pollock, P.A.,* 89 FR at 54058. Revocation is also necessary to impress upon Respondent the seriousness of his misconduct and to deter him from committing the same misconduct in the future. *Id.*

In sum, Respondent has not offered sufficient mitigating evidence to establish that he can be trusted with the responsibility of maintaining a DEA registration. RD, at 27–33. Accordingly, the Agency will order that Respondent's registration be revoked. RD, at 33.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. FS2968444 issued to Neeraj B. Shah, M.D. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Neeraj B. Shah, M.D., to renew or modify this registration, as well as any other pending application of Neeraj B. Shah, M.D., for additional registration in Texas. This Order is effective November 20, 2024.

Signing Authority

This document of the Drug Enforcement Administration was signed on October 10, 2024, by Administrator Anne Milgram. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2024–24189 Filed 10–18–24; 8:45 am]

BILLING CODE 4410–09–P

that only a legitimate practitioner issued the prescription.'' *Id.*

DEPARTMENT OF JUSTICE

[CPCLO Order No. 05–2024]

Privacy Act of 1974; Systems of Records

AGENCY: Office of Justice Programs, United States Department of Justice.

ACTION: Notice of a new system of records.

SUMMARY: Pursuant to the Privacy Act of 1974 and Office of Management and Budget (OMB) Circular No. A–108, notice is hereby given that the Office of Justice Programs (hereinafter OJP), a component within the United States Department of Justice (DOJ or Department), proposes to develop a new system of records notice titled Training and Technical Assistance Center Records, JUSTICE/OJP—018. The OJP proposes to establish this system of records to manage data from individuals and organizations that may be providing or requesting training and technical assistance, as well as associated events and deliverables.

DATES: In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice is applicable upon publication, subject to a 30-day period in which to comment on the routine uses, described below. Please submit any comments by November 20, 2024.

ADDRESSES: The public, OMB, and Congress are invited to submit any comments by mail to the United States Department of Justice, Office of Privacy and Civil Liberties, ATTN: Privacy Analyst, National Place Building, 1331 Pennsylvania Avenue NW, Suite 1000, Washington, DC 20530; by facsimile at 202–307–0693; or by email at *privacy.compliance@usdoj.gov.* To ensure proper handling, please reference the above CPCLO Order No. on your correspondence.

FOR FURTHER INFORMATION CONTACT: Nathanial Kenser, Assistant General Counsel, Office of Justice Programs, *Nathanial.T.Kenser@usdoj.gov,* 202–307–0790.

SUPPLEMENTARY INFORMATION: The Office of Justice Programs' Training and Technical Assistance Centers offer rapid, expert, coordinated, research-driven or evidence-based justice-related training and technical assistance (TTA) on a wide range of topics relevant to state and local practitioners, victim service providers, and allied professionals. All TTA is designed to address the needs of practitioners and help improve state and local justice system responses, respond to juvenile delinquency, build capacity, enhance strategic planning, expand the use of evidence-based practices, and improve the quality of services offered to victims of crime.

Pursuant to 5 U.S.C. 552a(b)(12), records maintained in this system of records may be disclosed to a consumer reporting agency without the prior written consent of the individual to whom the record pertains. Such disclosures will only be made in accordance with 31 U.S.C. 3711(e).

In accordance with 5 U.S.C. 552a(r), the Department has provided a report to OMB and Congress on this new system of records.

Dated: October 2, 2024.

Peter A. Winn,

Chief Privacy and Civil Liberties Officer, United States Department of Justice.

SYSTEM NAME AND NUMBER:

Training and Technical Assistance Center Records (TTAC), JUSTICE/OJP—018.

SECURITY CLASSIFICATION:

The system is unclassified.

SYSTEM LOCATION:

Records are maintained at the following locations: Office of Justice Programs (OJP), 810 7th Street NW, Washington, DC 20531; NTT Global, 1625 West National Drive, Sacramento, CA 95834; and Amazon Web Services GovCloud, 13200 Woodland Park Road, Herndon, VA 20171. The cloud computing service provider and its location may change, so this document may not reflect the most current

information available. To confirm information about the current cloud computing service provider, please contact OJP through the OJP service desk at email address *OJP.ITservicedesk@ojp.usdoj.gov.*

SYSTEM MANAGER(S):

Peter Nguyen, Division Director, Enterprise Architecture Division, Office of the Chief Information Officer, Office of Justice Programs, 810 7th Street NW, Washington, DC 20531, *peter.nguyen2@usdoj.gov,* (202) 397–1298.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

28 U.S.C. 530C; 34 U.S.C. 10102(a)(4) and (5); 10110; 10122(c)(1); 10132(c)(1); 10142(3) and (4); 20103(c)(3); and 20111(c)(4).

PURPOSE(S) OF THE SYSTEM:

The Office of Justice Programs' Training and Technical Assistance Centers offer rapid, expert, coordinated, research-driven or evidence-based justice-related training and technical assistance (TTA) on a wide range of topics relevant to state and local justice-related practitioners, victim service providers, and allied professionals. Records in this system are collected, maintained, used, and disseminated in furtherance of OJP-facilitated TTA.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Providers and requesters of training and technical assistance; DOJ personnel and contractors; and other individuals will be granted access to the system as permitted by the Privacy Act and pursuant to the routine uses in this notice.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system will maintain business contact information (*e.g.,* email address, phone number, address of business) for requesters, providers, and DOJ personnel; other personal information of requesters and providers (*e.g.,* gender, race, citizenship, education or employment information, personal mailing address, personal email address, personal phone number, photographs); medical accommodation information; and system administrative/audit data relating to requesters, providers, and DOJ personnel (*e.g.,* user ID, password, date/time of access).

RECORD SOURCE CATEGORIES:

Information may be provided by individuals and organizations applying to either receive or provide training and technical assistance.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b), all or a portion of the records or information contained in this system of records may be disclosed as a routine use pursuant to 5 U.S.C. 552a(b)(3) under the circumstances or for the purposes described below, to the extent such disclosures are compatible with the purposes for which the information was collected:

1. Where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law—criminal, civil, or regulatory in nature—the relevant records may be referred to the appropriate federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law.

2. To complainants and/or victims to the extent necessary to provide such persons with information and explanations concerning the progress and/or results of the investigation or case arising from the matters of which they complained and/or of which they were a victim.

3. To any person or entity that the DOJ has reason to believe possesses information regarding a matter within the jurisdiction of the DOJ, to the extent deemed to be necessary by the DOJ in order to elicit such information or cooperation from the recipient for use in the performance of an authorized activity.

4. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body, when the DOJ determines that the records are arguably relevant to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.

5. To the news media and the public, including disclosures pursuant to 28 CFR 50.2, unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy. Any such disclosure under 28 CFR 50.2 would be in connection with a civil or criminal proceeding.

6. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal Government, when necessary to accomplish an agency function related to this system of records.

7. To appropriate officials and employees of a federal agency or entity that requires information relevant to a decision concerning the hiring, appointment, or retention of an employee; the assignment, detail, or deployment of an employee; the issuance, renewal, suspension, or revocation of a security clearance; the execution of a security or suitability investigation; the letting of a contract, or the issuance of a grant or benefit.

8. To a former employee of the DOJ for purposes of: responding to an official inquiry by a federal, state, or local government entity or professional licensing authority, in accordance with applicable Department regulations; or facilitating communications with a former employee that may be necessary for personnel-related or other official purposes where the Department requires information and/or consultation assistance from the former employee regarding a matter within that person's former area of responsibility.

9. To federal, state, local, territorial, tribal, foreign, or international licensing agencies or associations which require information concerning the suitability or eligibility of an individual for a license or permit.

10. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

11. To the National Archives and Records Administration for purposes of records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

12. To appropriate agencies, entities, and persons when (1) the DOJ suspects or has confirmed that there has been a breach of the system of records; (2) the DOJ has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DOJ (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DOJ's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

13. To another federal agency or federal entity, when the DOJ determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed

breach, or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

14. To any agency, organization, or individual for the purpose of performing authorized audit or oversight operations of DOJ and meeting related reporting requirements.

15. To such recipients and under such circumstances and procedures as are mandated by federal statute or treaty.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Training and Technical Assistance Center (TTAC) records are stored in electronic formant in OJP cloud platforms or in Office for Victims of Crime (OVC) TTAC secure servers. Records are stored securely in accordance with applicable federal laws, regulations, and DOJ directives and guidance.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Information is retrieved by email address, individual and organization name, award number, organization affiliation, profile type, status as an active user, and the date of last login.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records in this system are retained and disposed of in accordance with the National Archives and Records Administration, General Records Schedule 1.2, Item 020: ''Grant and Cooperative Agreement Case Files.''

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

This system meets all DOJ requirements for authorization to operate per DOJ Order 0904, Cybersecurity Program. Specifically, information in this system is maintained in accordance with applicable laws, rules, and policies on protecting individual privacy. Cloud Service Providers maintain system backup information in accordance with a government contract that requires adherence to applicable laws, rules, and policies.

Internet connections are protected by multiple firewalls. Security personnel conduct periodic vulnerability scans using DOJ-approved software to ensure security compliance and security logs are enabled for all computers to assist in troubleshooting and forensics analysis during incident investigations. Users of individual computers can only gain access to the data by a valid user identification and authentication.

RECORD ACCESS PROCEDURES:

All requests for access to records must be in writing and should be addressed to the OJP FOIA Officer, Office of Justice Programs, Office of the General Counsel, 810 7th Street NW, Room 5400, Washington, DC 20531. The envelope and letter should be clearly marked ''Privacy Act Access Request.'' The request must describe the records sought in sufficient detail to enable Department personnel to locate them with a reasonable amount of effort. The request must include a general description of the records sought and must include the requester's full name, current address, and date and place of birth. The request must be signed and either notarized or submitted as a declaration under penalty of perjury.

Although no specific form is required, you may obtain forms for this purpose from the FOIA/Privacy Act Mail Referral Unit, United States Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530, or on the Department of Justice website at *https://www.justice.gov/oip/oip-request.html.*

More information regarding the Department's procedures for accessing records in accordance with the Privacy Act can be found at 28 CFR part 16, subpart D, ''Protection of Privacy and Access to Individual Records Under the Privacy Act of 1974.''

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records maintained in this system of records must direct their requests to the address indicated in the ''RECORD ACCESS PROCEDURES'' paragraph, above. All requests to contest or amend records must be in writing, and the envelope and letter should be clearly marked ''Privacy Act Amendment Request.'' All requests must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record.

More information regarding the Department's procedures for amending or contesting records in accordance with the Privacy Act can be found at 28 CFR 16.46, ''Requests for Amendment or Correction of Records.''

NOTIFICATION PROCEDURES:

Individuals may be notified if a record in this system of records pertains to them when the individuals request information utilizing the same procedures as those identified in the ''RECORD ACCESS PROCEDURES'' paragraph, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

None.

[FR Doc. 2024–23952 Filed 10–18–24; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

[OMB 1140–0003]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Report of Multiple Sale or Other Disposition of Pistols and Revolvers—ATF Form 3310.4

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until November 20, 2024.

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: Matthew Grim, NSC/NTC Division/Tracing Operations & Records Management (TORM), by email at *matthew.grim@atf.gov,* or telephone at 304–260–3683.

SUPPLEMENTARY INFORMATION: The proposed information collection was previously published in the **Federal Register**, volume 89 page 67103, on Monday, August 19, 2024, allowing a 60-day comment period. 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 1140–0003. 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:* Revision of a previously approved collection.

2. *Title of the Form/Collection:* Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* ATF Form 3310.4.

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: State, local and tribal governments, individuals or households, Private Sector-for or not for profit institutions, Federal Government.

Abstract: Title 18, United States Code 923(g)(3) provides that ''Each licensee shall prepare a report of multiple sales of other dispositions whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols or revolvers totaling two or more, to an unlicensed person.'' The report shall be prepared on ATF F 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolver.

Obligation to Respond: The obligation to respond is mandatory per Title 18 U.S.C. 923(g)(3).

5. *Total Estimated Number of Respondents:* 78,657 of respondents.

6. *Estimated Time per Respondent:* 15 minutes.

7. *Frequency:* 8.247 annually.

8. *Total Estimated Annual Time Burden:* 162,163 hours.

9. *Total Estimated Annual Other Costs Burden:* $47,351.

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: October 16, 2024.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2024–24270 Filed 10–18–24; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Telecommunications Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before November 20, 2024.

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: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The Telecommunication Standard requires employers to prepare a certification record that includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification record shall be prepared at the completion of training and shall be maintained on file for the duration of the worker's employment. The information collected would be used by employers as well as compliance officers to determine whether workers have been trained according to requirements. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on July 29, 2024 (89 FR 60925).

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.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: Telecommunications Standard.

OMB Control Number: 1218–0225.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 168,590.

Total Estimated Number of Responses: 212,761.

Total Estimated Annual Time Burden: 4,563 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior Paperwork Reduction Act Analyst.

[FR Doc. 2024–24186 Filed 10–18–24; 8:45 am]

BILLING CODE 4510–26–P

LEGAL SERVICES CORPORATION

Sunshine Act Meetings

TIME AND DATE: The Legal Services Corporation (LSC) Board of Directors and its Audit and Finance committees will hold their fall 2024 quarterly business meeting October 28–29, 2024. On Monday, October 28, the first meeting will begin at 9:00 a.m. ET, with the next meeting commencing at 12:30 p.m. ET. On Tuesday, October 29, the first meeting will begin at 8:30 a.m. ET, with the next meeting commencing promptly upon adjournment of the immediately preceding meeting.

PLACE: Public Notice of Hybrid Meeting.

LSC will conduct its October 28–29, 2024 meetings at the State Bar of Georgia Conference Center, 104 Marietta Street NW, Suite 100, Atlanta, GA 30303, and virtually via Zoom.

Public Observation: Unless otherwise noted herein, the Board and all committee meetings will be open to public observation. Members of the public who wish to participate virtually in the public proceedings may do so by following the directions provided below.

Directions for Open Sessions

Monday, October 28, 2024

- To join the Zoom meeting by computer, please use this link.
  - *https://lsc-gov.zoom.us/j/89157264167?pwd=F4bAVwfs6sBMvmcb2fqg5coCJATKwG.1&from=addon*
  - *Meeting ID:* 891 5726 4167
  - *Passcode:* 102824

Tuesday, October 29, 2024

- To join the Zoom meeting by computer, please use this link.
  - *https://lsc-gov.zoom.us/j/88396199799?pwd=uyxthqpvn5ocgpxexn6jp108fun3ub.1&from=addon*
  - *Meeting ID:* 883 9619 9799
  - *Passcode:* 102924
  - If calling from outside the U.S., find your local number here: *https://lsc-gov.zoom.us/u/acCVpRj1FD*

Once connected to Zoom, please immediately mute your computer or telephone. Members of the public are asked to keep their computers or telephones muted to eliminate background noise. To avoid disrupting the meetings, please refrain from placing the call on hold if doing so will trigger recorded music or other sound.

From time to time, the Board or Committee Chair may solicit comments from the public. To participate in the meeting during public comment, use the 'raise your hand' or 'chat' functions in Zoom and wait to be recognized by the Chair before stating your questions and/or comments.

STATUS: Open, except as noted below.

Audit Committee—Open, except that, upon a vote of the Board of Directors, the meeting may be closed to the public to receive a briefing by the Office of Compliance and Enforcement on active enforcement matter(s) and follow up on open investigation referrals to and from the Office of Inspector General (ACC § VIII A (5)); receive briefings by LSC Management regarding the status of the TN–4 Service Area; and receive briefings on significant grantee oversight activities.

Board of Directors—Open, except that, upon a vote of the Board of Directors, a portion of the meeting may be closed to the public to receive briefings from Management and the Inspector General; to receive the General Counsel's Report on outside counsel expenditures; to consider and act on the General Counsel's Report on potential and pending litigation involving LSC; and to consider and act on a list of prospective Leaders Council and Emerging Leaders Council members.

Any portion of the closed session consisting solely of briefings does not fall within the Sunshine Act's definition of the term ''meeting'' and, therefore, the requirements of the Sunshine Act do not apply to such portion of the closed session.[1]

A verbatim written transcript will be made of the closed sessions of the Audit and the Board of Directors meetings. The transcript of any portions of the closed sessions falling within the relevant provisions of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(6), (7), (9) and (10), will not be available for public inspection. A copy of the General Counsel's certification that, in his opinion, the closing is authorized by law will be available upon request.

MATTERS TO BE CONSIDERED:

Meeting Schedule

Monday, October 28, 2024

Start Time 9:00 a.m. ET

Audit Committee

Open to the Public

1. Approval of Agenda
2. Approval of Minutes of the Committee's Open Session Meeting on July 22, 2024
3. Update on reassessment of the Committee's Charter (Audit Committee Charter (ACC) § D (2))
4. Update on selection of external auditor and the scope and plan for LSC's forthcoming required annual financial statement audit (ACC §§ VII (1) and VIII A (1))
5. Briefing by the Office of Inspector General (ACC § VIII A (3) and (ACC § VIII A (4)), to include:
   a. Update on key activities and accomplishments over the last quarter, and overview of plans and key priorities for the next quarter,
   b. Highlights of recently completed audit work, open recommendations as reported in the latest Semi-Annual Report to Congress, ongoing work, and plans for the next quarter, and
   c. Highlights of recently completed investigative work, ongoing work, and plans for the next quarter.
6. Review LSC's efforts, including training and education, to help ensure that LSC employees and grantees act ethically and safeguard LSC Funds (ACC § VIII C (6))
7. Management Update Regarding Risk Management
8. Briefing by the Office of Compliance and Enforcement on referrals by the Office of Inspector General regarding Audit Reports and Annual Financial Statement Audits of Grantees (ACC § VIII A (5))
9. Public Comment
10. Consider and Act on Other Business
11. Consider and Act on Motion to Adjourn the Open Session Meeting and Proceed to a Closed Session Meeting

Portions Closed to the Public

12. Approval of Minutes of the Committee's Closed Session Meeting on July 22, 2024
13. Briefing by the Office of Compliance and Enforcement on active enforcement matter(s) and follow-up on open investigation referrals to and from the Office of Inspector General (ACC § VIII A (5))

[1] 5 U.S.C. 552b (a) (2) and (b). See also 45 CFR 1622.2 & 1622.3.

14. Briefing by LSC Management Regarding Status of TN–4 Service Area
15. Briefing by LSC Management Regarding Significant Grantee Oversight Activities
16. Consider and Act on Motion to Adjourn the Meeting

Monday, October 28, 2024

Start Time 12:30 p.m. ET

Finance Committee

Open to the Public

1. Approval of Agenda
2. Approval of the Minutes of the Finance Committee's Open Session Meeting on July 11, 2024
3. Approval of the Minutes of the Finance Committee's Open Session Meeting on July 22, 2024
4. Approval of the Minutes of the Finance Committee's Closed Session Meeting on July 22, 2024
5. Approval of the Minutes of the Finance Committee's Closed Session Meeting on September 23, 2024
6. Presentation of LSC's Preliminary Financial Results for Fiscal Year 2024
7. Report on status of Fiscal Year 2025 Appropriation and Disaster Supplemental Request
8. Presentation of Fiscal Year 2025 Management and Grants Oversight Budget
9. Consider and Act on *Resolution #2024–XXX: Temporary Operating Budget and Special Circumstance Operating Authority for Fiscal Year 2025*
10. Update on Fiscal Year 2026 Budget Request
11. Public Comment
12. Consider and Act on Other Business
13. Consider and Act on Motion to Adjourn the Meeting

Tuesday, October 29, 2024

Start Time 8:30 a.m. ET

Board of Directors

Open to the Public

1. Pledge of Allegiance
2. Approval of Agenda
3. Announcement of Results of Recent Notational Votes
   a. *Resolution #2024–007: Ratifying the Collective Bargaining Agreement through 2028*
   b. *Resolution #2024–008: Authorization to Enter into Line of Credit Agreement (FY 2024)*
4. Approval of Minutes of the Board's Open Session Meeting on July 24, 2024
5. Consider and Act on *Resolution #2024–XXX: In Memoriam of Phyllis J. Holmen*
6. Chairman's Report
7. Members' Reports
8. President's Report
9. Briefing on LSC's Office Relocation
10. Briefing on Grantee Activity Reports
11. Inspector General's Report
12. Consider and Act on the Report of the Delivery of Legal Services Committee (Meeting held October 7)
13. Consider and Act on the Report of the Operations and Regulations Committee (Meeting held October 7)
14. Consider and Act on the Report of the Governance and Performance Review Committee (Meeting held October 8)
15. Consider and Act on the Report of the Institutional Advancement Committee (Meeting held October 15) and Communications Subcommittee (Meeting held October 7)
16. Consider and Act on the Report of the Audit Committee
17. Consider and Act on the Report of the Finance Committee
    a. Consider and Act on *Resolution #2024–XXX: Temporary Operating Budget and Special Circumstance Operating Authority for Fiscal Year 2025*
18. Public Comment
19. Consider and Act on Other Business
20. Consider and Act on Whether to Authorize a Closed Session of the Board to Address Items Listed Below

Portions Closed to the Public

21. Approval of Minutes of the Board's Closed Session Meeting on July 24, 2024
22. Management Briefing
23. Inspector General's Briefing
24. General Counsel's Report on Outside Counsel Expenditures and Litigation Report
25. Consider and Act on General Counsel's Report on Potential and Pending Litigation Involving Legal Services Corporation
26. Consider and Act on List of Prospective Leaders Council and Emerging Leaders Council Invitees
27. Consider and Act on Motion to Adjourn the Meeting

CONTACT PERSON FOR MORE INFORMATION: Jessica Wechter, Special Assistant to the President, at (202) 295–1626. Questions may also be sent by electronic mail to *wechterj@lsc.gov.*

Non-Confidential Meeting Materials: Non-confidential meeting materials will be made available in electronic format at least 24 hours in advance of the meeting on the LSC website, at *https://www.lsc.gov/about-lsc/board-meeting-materials.*

(Authority: 5 U.S.C. 552b.)

Dated: October 16, 2024.

Stefanie Davis,

Deputy General Counsel, Legal Services Corporation.

[FR Doc. 2024–24380 Filed 10–17–24; 11:15 am]

BILLING CODE 7050–01–P

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 2024–6]

Notice of Intent To Audit

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: Public notice.

SUMMARY: The U.S. Copyright Office is announcing receipt of a notice of intent to conduct an audit pursuant to the section 115 blanket license.

FOR FURTHER INFORMATION CONTACT: Rhea Efthimiadis, Assistant to the General Counsel, by email at *meft@copyright.gov* or telephone at 202–707–8350.

SUPPLEMENTARY INFORMATION: The Orrin G. Hatch-Bob Goodlatte Music Modernization Act (the ''MMA'') substantially modified the compulsory ''mechanical'' license for reproducing and distributing phonorecords of nondramatic musical works under 17 U.S.C. 115.[1] It did so by switching from a song-by-song licensing system to a blanket licensing regime that became available on January 1, 2021 (the ''license availability date''), administered by a mechanical licensing collective (the ''MLC'') designated by the Copyright Office (the ''Office'').[2] Digital music providers (''DMPs'') are able to obtain this new statutory mechanical blanket license (the ''blanket license'') to make digital phonorecord deliveries of nondramatic musical works, including in the form of permanent downloads, limited downloads, or interactive streams (referred to in the statute as ''covered activity'' where such activity qualifies for a blanket license), subject to various requirements, including reporting and payment obligations.[3] The MLC is tasked with collecting royalties from DMPs under the blanket license and

[1] Public Law 115–264, 132 Stat. 3676 (2018).
[2] 17 U.S.C. 115(d).
[3] *Id.*

distributing them to musical work copyright owners.[4]

In connection with the new blanket license, the MMA also provides for certain audit rights. Under the MMA, the MLC may periodically audit DMPs operating under the blanket license to verify the accuracy of royalty payments made by DMPs to the MLC.[5] Likewise, musical work copyright owners may periodically audit the MLC to verify the accuracy of royalty payments made by the MLC to copyright owners.[6] To commence an audit, a notice of intent to conduct an audit must be filed with the Office and delivered to the party(ies) being audited.[7] The Office must then cause notice to be published in the **Federal Register** within 45 days of receipt.[8]

On September 16, 2024, the Office received a notice of intent to conduct an audit of the MLC from 500DEGREEZ ENTERTAINMENT for the period of January 26, 2018, through August 26, 2024. A copy of the notice will be made available on the Office's website at *https://copyright.gov/music-modernization/audits/.*

Dated: October 16, 2024.

Suzy Wilson,

General Counsel and Associate Register of Copyrights.

[FR Doc. 2024–24280 Filed 10–18–24; 8:45 am]

BILLING CODE 1410–30–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

30–Day Notice for the ''Applications From Students for Agency Initiatives Poetry Out Loud or the Musical Theater Songwriting Challenge for High School Students''

AGENCY: National Endowment for the Arts, National Foundation on the Arts and the Humanities.

ACTION: Notice of proposed collection; comment request.

SUMMARY: The National Endowment for the Arts (NEA), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to ensure that requested data is provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents is properly assessed. Currently, the NEA is soliciting comments concerning the proposed information collection of: Applications from Students for Agency Initiatives Poetry Out Load or the Musical Theater Songwriting Challenge for High School Students.'' A copy of this ICR, with applicable supporting documentation, may be obtained by visiting *www.Reginfo.gov.*

DATES: Interested persons are invited to submit comments November 20, 2024.

ADDRESSES: Comments should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the National Endowment for the Arts, Office of Management and Budget, Room 10235, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: David Travis, 202–682–5001, *travisd@arts.gov.*

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) is particularly interested in comments which: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Could help minimize the burden of the collection of information on those who are to respond, including through the use of electronic submission of responses through *Grants.gov.*

Agency: National Endowment for the Arts.

Title: ''*Applications from Students for Agency Initiatives Poetry Out Loud or the Musical Theater Songwriting Challenge for High School Students.*''

OMB Number: TBD.

Frequency: Annually.

Affected public: Individuals.

Estimated number of respondents: 300.

Total burden hours: 300 hours.

Total annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): $3,725.

Dated: October 15, 2024.

David Travis,

Guidelines and Panel Operations Specialist, National Endowment for the Arts.

[FR Doc. 2024–24115 Filed 10–18–24; 8:45 am]

BILLING CODE 7537–01–P

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Technology, Innovation and Partnerships: Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

NAME AND COMMITTEE CODE: Advisory Committee for Technology, Innovation and Partnerships (#84684) (Hybrid).

DATE AND TIME: November 15, 2024; 12 p.m.–4 p.m. (Eastern).

PLACE: NSF, 2415 Eisenhower Avenue, Alexandria, VA 22314 (Hybrid).

The meeting will be hybrid, with some Advisory Committee members participating in person and others participating virtually. Members of the public can view the meeting virtually. To attend the virtual meeting, please send your request for the virtual meeting link to the following email: *afenzel@nsf.gov.*

TYPE OF MEETING: Open.

CONTACT PERSONS: Chaitanya Baru, Senior Advisor, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: (703) 292–8050.

Additional meeting information, an updated agenda, and registration information will be posted on the AC's website at *https://new.nsf.gov/tip/tip-advisory-commitee.*

PURPOSE OF MEETING: To provide advice to the National Science Foundation concerning implementation of the provisions of the CHIPS and Science Act of 2022, Public Law 117–167, pertaining to the Directorate for Technology, Innovation and Partnerships (TIP), along with other related policies and activities of the Foundation.

Agenda

Friday, November 15, 2024

- Welcome and overview of the TIP Advisory Committee's charge
- Introduction to TIP, including current portfolio of investments and partnerships
- Strategic recommendations for TIP
- Next steps and closing remarks

[4] *Id.*

[5] *Id.* at 115(d)(4)(D).

[6] *Id.* at 115(d)(3)(L).

[7] *Id.* at 115(d)(3)(L)(i)(IV), (d)(4)(D)(i)(IV).

[8] *Id.* at 115(d)(3)(L)(i)(IV), (d)(4)(D)(i)(IV).

Dated: October 16, 2024.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2024–24376 Filed 10–18–24; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Technology, Innovation and Partnerships; Cancellation of Meeting

AGENCY: National Science Foundation.

ACTION: Notice; Cancellation of meeting date.

The National Science Foundation published a notice in the **Federal Register** October 1, 2024, in FR Doc. 2024–22538 at 89 FR 79968, concerning a meeting of the Advisory Committee for Technology, Innovation and Partnerships. The meeting scheduled for Wednesday, October 30, 2024, at 12 p.m. (ET) is cancelled.

FOR FURTHER INFORMATION CONTACT: Please contact Crystal Robinson *crrobins@nsf.gov* or 703–292–8687.

Dated: October 16, 2024.

Crystal Robinson,

Committee Management Officer, National Science Foundation.

[FR Doc. 2024–24253 Filed 10–18–24; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40–9075–LR; ASLBP No. 25–987–01–LR–BD01]

Establishment of Atomic Safety and Licensing Board; Powertech (USA) Inc.

Pursuant to the Commission's regulations, *see, e.g.,* 10 CFR §§ 2.104, 2.105, 2.300, 2.309, 2.313, 2.318, 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

POWERTECH (USA) INC.
(Dewey Burdock In-Situ Uranium Recovery Facility)

Powertech (USA) Inc. requests a renewed license that, if granted, would authorize it to operate the Dewey-Burdock Uranium In-Situ Recovery Facility for 20 years beyond the period specified in the current license. The facility has not yet been constructed, but if constructed, it would be located in Fall River and Custer Counties, South Dakota.

In response to a notice filed in the **Federal Register** announcing the opportunity to request a hearing, *see* 89 FR 65401 (Aug. 9, 2024), the following petitioners filed a hearing request on October 8, 2024: (1) Susan Henderson; and (2) the Oglala Sioux Tribe, Black Hills Clean Water Alliance, and NDN Collective.

The Board is comprised of the following Administrative Judges:

Jeremy A. Mercer, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

Nicholas G. Trikouros, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

Dr. Gary S. Arnold, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule. *See* 10 CFR 2.302.

Rockville, Maryland

Dated: October 15, 2024.

Edward R. Hawkens,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 2024–24195 Filed 10–18–24; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–327, 50–328, and 72–34; NRC–2024–0174]

Tennessee Valley Authority; Sequoyah Nuclear Plant Independent Spent Fuel Storage Installation; Exemption

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) issued an exemption to Tennessee Valley Authority (TVA), for the Sequoyah Nuclear Plant (SQN) Independent Spent Fuel Storage Installation (ISFSI), in accordance with NRC regulations. Specifically, the exemption permits SQN's ISFSI to deviate from conditions of the NRC Certificate of Compliance (CoC) No. 1032, which was issued to Holtec International (Holtec or the CoC holder) amendment No. 3, appendix B, section 3.3, ''Codes and Standards.''

DATES: The exemption was issued on September 18, 2024.

ADDRESSES: Please refer to Docket ID NRC–2024–0174 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0174. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Tilda Liu, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 404–997–4730; email: *Tilda.Liu@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC issued an exemption to TVA for the SQN ISFSI. By letter dated August 4, 2022, as supplemented by letters dated December 19, 2022, April 27, 2023, and January 3, 2024, TVA submitted to the NRC an exemption request for the SQN ISFSI, in accordance with section 72.7 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Specific exemptions,'' from the requirements of 10 CFR 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.212(b)(11), 72.214, 72.154(b), and 72.174. Specifically, the exemption request permits SQN ISFSI to deviate from conditions of the NRC CoC No. 1032, Amendment No. 3, appendix B, section 3.3, ''Codes and Standards.''

The requirements contained in 10 CFR 72.212(a)(2), 72.212(b)(3),

72.212(b)(5)(i), 72.212(b)(11), 72.214, 72.154(b), and 72.174 are applicable to CoC No. 1032, which was issued to Holtec. The condition of CoC No.1032, appendix B, technical specifications, section 3.3, ''Codes and Standards,'' specifies American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (B&PV) Code, 2007 Edition, as the governing B&PV Code for Holtec's HI–STORM Flood/Wind (FW) Multi-Purpose Canister (MPC) Storage System, the dry cask spent fuel storage system in use at SQN ISFSI. The ASME B&PV Code requires that 100 percent of the weld seam joining shell-to-shell of the MPC be inspected by radiography test (RT) where RT is a form of non-destructive examination.

The licensee loaded spent fuel in the HI–STORM FW dry cask storage system MPC Type 37 (MPC–37), Serial No. 234, for storage in the ISFSI at SQN under CoC No. 1032, Amendment No. 3, and its general license. During a review of manufacturer's documents, the CoC holder identified that MPC–37 Serial No. 234 at SQN ISFSI has a longitudinal shell-to-shell weld for which no digital RT is available following a weld repair, which is inconsistent with the governing ASME B&PV code for this CoC system. When TVA was notified of this issue, MPC–37 Serial No. 234 was already put in use, and TVA registered it by letter dated February 24, 2022, entitled ''Sequoyah Nuclear Plant Registration of Spent Fuel Storage Cask Pursuant to 10 CFR 72.212(b)(2).'' TVA then submitted this exemption request to the NRC to allow continued storage of spent fuel in MPC–37 Serial No. 234 for the service life of the canister at SQN, despite the non-compliance with the ASME B&PV code.

Based on the NRC staff's review of TVA's analysis supporting the exemption request, the NRC staff determined that, pursuant to 10 CFR 72.7, the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the NRC granted the licensee an exemption from the requirements of 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), 10 CFR 72.212(b)(11), 10 CFR 72.214, 10 CFR 72.154(b), and 10 CFR 72.174 with regard to: (1) meeting the requirement to repeat volumetric examination as required for the original weld on an approximately 7.5-inch portion of the repaired weld in conformance with section III, subsection NB, of the ASME B&PV Code, 2007 Edition, and (2) maintaining and having available documentary evidence of the test for the service life of the canister. The exemption allowed TVA to continue using MPC–37 Serial No. 234 to store spent fuel for the service life of the canister at SQN. All other relevant requirements of the CoC shall continue to be met. This exemption, including the supporting evaluation for issuance of it, can be found in the table as follows.

II. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document description	ADAMS Accession No.
Issuance of Certificate of Compliance No. 1032, Amendment No. 3 for the HI–STORM Flood/Wind Multipurpose Canister Storage, dated August 9, 2017.	ML17214A040.
Sequoyah Nuclear Plant—Registration of Spent Fuel Storage Cask Pursuant to 10 CFR 72.212(b)(2), dated February 24, 2022.	ML22059B061.
Sequoyah Nuclear Plant—Request for Exemption from Various 10 CFR part 72 Regulations Resulting from Non-Destruction-Examination Compliance, dated August 4, 2022.	ML22216A078.
Sequoyah Nuclear Plant—Response to Request for Supplemental Information (D–RSI) Request for Exemption from Non-Destruction-Examination Compliance, dated December 19, 2022.	ML22353A066.
Sequoyah Nuclear Plant—Response to Follow-up Questions to TVA's Response to NRC's Request for Supplemental Information (RSI) Related to August 4, 2022, Sequoyah ISFSI Exemption Request, dated April 27, 2023.	ML23117A116.
Sequoyah Nuclear Plant—Response to NRC's November 8, 2023, Request for Additional Information—Related to Sequoyah Nuclear Plant Independent Spent Fuel Storage Installation, dated January 3, 2024.	ML24004A040.
Issuance of Exemption Related to Non-Destructive Examination Compliance Regarding Sequoyah Nuclear Plant Independent Spent Fuel Storage Installation, dated September 18, 2024.	ML24185A172 (Package).

Dated: October 15, 2024.

For the Nuclear Regulatory Commission.

Yoira Diaz-Sanabria,

Chief, Storage and Transportation Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2024–24191 Filed 10–18–24; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 70–7033; NRC–2024–0138]

Global Laser Enrichment, LLC; Classified Matter Protection; Environmental Assessment and Finding of No Significant Impact

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) staff is considering approval of a revision by Global Laser Enrichment, LLC (GLE) to a Standard Practice Procedures Plan (SPPP) for the protection of classified matter. The revision would remove the Fuels Growth Engineering (FGE) facility and confirm the continued use of the classified matter controls implemented at the Test Loop facility. The NRC staff is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) associated with the proposed plans.

DATES: The EA and FONSI referenced in this document are available on October 21, 2024.

ADDRESSES: Please refer to Docket ID NRC–2024–0138 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0138. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact

the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov*. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section. Individuals seeking access to Official Use Only information should contact Matthew Bartlett, using the contact information listed in the **FOR FURTHER INFORMATION CONTACT** section.

- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Matthew Bartlett, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–7154; email: *Matthew.Bartlett@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC staff is considering issuance of the approval of GLE's SPPP. The proposed action would allow GLE to remove the FGE facility located in Wilmington, North Carolina from its SPPP while maintaining its other approved existing facilities. Approval of this update would allow GLE to discontinue maintaining its responsibilities under the SPPP at the FGE facility. Therefore, as required by section 51.21 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Criteria for and identification of licensing and regulatory actions requiring environmental assessments,'' the NRC staff has prepared an EA that analyzes the environmental effects of the proposed action. Based on the results of the EA and in accordance with 10 CFR 51.31(a), the NRC staff has prepared a FONSI for the proposed action.

The NRC staff received the request from GLE for approval of the SPPP dated July 16, 2024, supplemented by letter dated September 12, 2024. The **Federal Register** notice of the NRC's decision on the request is anticipated to be published in the near future and will be available on the Federal rulemaking website (*https://www.regulations.gov*) by searching for Docket ID NRC–2024–0138.

II. Environmental Assessment

Description of the Proposed Action

The proposed action would allow GLE to remove the FGE facility from its SPPP and allow it to cease continuation of required security measures for the FGE facility. As proposed, GLE would continue to possess, use, and store classified matter at its test loop facility. Global Laser Enrichment, LLC operates a test loop for industrialization of the uranium enrichment process that uses separation of isotopes by laser excitation. Although GLE has an NRC-issued facility security clearance for the test loop facility under 10 CFR part 95 for protection of classified information, the facility's operations, safety, and safeguards programs are authorized under the Global Nuclear Fuel—America, LLC, Special Nuclear License No. SNM–1097.

Need for the Proposed Action

The proposed action would allow GLE to cease operations at the FGE facility and discontinue security commitments at this facility under its previously approved SPPP.

Environmental Impacts of the Proposed Action

The NRC staff has assessed the potential environmental impacts from approval of GLE's SPPP revision and concluded that there would be no effluent releases and that the proposed action would have no significant radiological or non-radiological impacts to environmental resources.

The NRC staff assessed the impacts of the proposed action on land use; historical and cultural resources; visual and scenic resources; climatology, meteorology and air quality; geology, minerals, and soils; water resources; ecological resources; socioeconomics; noise; traffic and transportation; public and occupational health and safety; and waste management and concluded that the proposed action would have no significant environmental impacts on these resource areas. The NRC staff determined that there are no cumulative impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (*i.e.,* the ''no-action'' alternative). Under this alternative, GLE would have to continue to maintain the FGE facility in accordance with its previously approved SPPP.Denial of the proposed action would result in increased costs to GLE and increased consumption of resources while not providing benefits to the public or the environment. The NRC staff concluded that environmental impacts from the no-action alternative would not be significant.

Agencies and Persons Consulted

The Endangered Species Act (ESA) was enacted to prevent further decline of endangered and threatened species and restore those species and their critical habitat. Section 7 of the ESA requires Federal agencies to consult with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, as appropriate, regarding actions that may affect listed species or designated critical habitats. The NRC staff has determined that the proposed action would have no effect on threatened or endangered species or critical habitat. Therefore, consultation under section 7 of the ESA is not required.

Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to consider the effects of their undertakings on historic properties. As stated in the NHPA, historic properties are any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places. The NRC staff has determined that the undertaking is a type of activity that does not have the potential to cause effects on any historic properties that may be present. Therefore, in accordance with 36 CFR 800.3(a)(1), the NRC has no further obligations under section 106 of the NHPA.

III. Finding of No Significant Impact

GLE has requested approval of its SPPP revision. The NRC staff has prepared an EA as part of its review of the proposed action. The proposed action would have no significant radiological or non-radiological impacts to environmental resources. This FONSI incorporates by reference the EA in Section II of this notice. On the basis of this EA, the NRC staff concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement.

IV. Availability of Documents

The documents identified in the following table are available to interested persons in ADAMS.

Document description	ADAMS accession No.
Submission for Approval of the Standard Practice and Procedures Plan (SPPP) Revision for Global Laser Enrichment Headquarters, dated July 16, 2024.	ML24199A106
SPPP Update Revision, dated September 12, 2024	ML24261B962

Dated: October 15, 2024.

For the Nuclear Regulatory Commission.

James Downs,

Acting Chief, Fuel Facilities Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2024–24190 Filed 10–18–24; 8:45 am]

BILLING CODE 7590–01–P

PENSION BENEFIT GUARANTY CORPORATION

Approval of Special Withdrawal Liability Rules: Motion Picture Laboratory Technicians and Film Editors Local 780 Pension Fund

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of approval.

SUMMARY: The Pension Benefit Guaranty Corporation (''PBGC'') received a request from the Motion Picture Laboratory Technicians and Film Editors Local 780 Pension Fund for approval of a plan amendment providing special withdrawal liability rules. PBGC published a Notice of Pendency of the Request for Approval of this amendment. PBGC is now advising the public of PBGC's approval of the amendment.

FOR FURTHER INFORMATION CONTACT: John Ginsberg, Assistant General Counsel, Multiemployer Law Division (*ginsberg.john@pbgc.gov;* 202–229–3714), Benjamin Kelly, Deputy Assistant General Counsel, Multiemployer Law Division (*kelly.benjamin@pbgc.gov;* 202–229–4097), Office of the General Counsel, 445 12th Street SW, Washington, DC 20024–2101. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

Background

The Employee Retirement Income Security Act of 1974, as amended (''ERISA''), provides, in section 4203(a), that a complete withdrawal from a multiemployer plan generally occurs when an employer permanently ceases to have an obligation to contribute under the plan or permanently ceases all covered operations under the plan. Under section 4205 of ERISA, a partial withdrawal generally occurs when an employer: (1) has a 70% decline in its contribution base units (''CBUs''); (2) permanently ceases to have an obligation under one or more but fewer than all collective bargaining agreements (''CBAs'') under which it has been obligated to contribute to the plan, while continuing to perform work in the jurisdiction of the CBA of the type for which contributions were previously required, or transfers such work to another location; or (3) permanently ceases to have an obligation to contribute for work performed at one or more but fewer than all of its facilities, while continuing to perform work at such facility of the type for which its obligation to contribute ceased.

ERISA provides contingent exemptions from withdrawal liability for the building and construction industry and the entertainment industry. In plans to which the building and construction industry exemption under section 4203(b) of ERISA applies, a building and construction industry employer completely withdraws only if it ceases to have an obligation to contribute and continues to perform previously covered work in the jurisdiction of the CBA or resumes such work within 5 years without renewing the obligation to contribute at the time of resumption. (In the case of a plan terminated by mass withdrawal, section 4203(b)(3) provides that the 5-year period is reduced to 3 years.) Section 4203(c)(1) of ERISA provides a substantially similar exemption from complete withdrawal to an employer contributing to an entertainment-industry plan on a temporary or project-by-project basis, except that the pertinent jurisdiction is the jurisdiction of the plan rather than the jurisdiction of the CBA.

ERISA also provides a contingent exception to partial withdrawal liability for these industries. Under section 4208(d)(1) of ERISA, an employer to which the building and construction industry exemption under section 4203(b) applies is liable for a partial withdrawal ''only if the employer's obligation to contribute under the plan is continued for no more than an insubstantial portion of its work in the craft and area jurisdiction of the collective bargaining agreement of the type for which contributions are required.'' Under section 4208(d)(2) of ERISA, ''[a]n employer to whom section 4203(c) (relating to the entertainment industry) applies shall have no liability for a partial withdrawal except under the conditions and to the extent prescribed by [PBGC] by regulation.''

Sections 4203(f)(1) and 4208(e)(3) of ERISA authorize PBGC to prescribe regulations under which plans in other industries may be amended to adopt special withdrawal liability rules similar to those for the building and construction industry and the entertainment industry. PBGC's regulations on Extension of Special Withdrawal Liability Rules (29 CFR part 4203) prescribe procedures for a multiemployer plan to request PBGC approval of a special withdrawal liability rule.

Under 29 CFR 4203.5(b), PBGC must publish notice of the pendency of a request for approval of special withdrawal liability rules in the **Federal Register** and provide interested parties an opportunity to comment on the request. Under 29 CFR 4203.5, PBGC will approve a special withdrawal liability rule if it determines the rule (1) will apply only to an industry that has characteristics that would make use of the special withdrawal rule appropriate, and (2) will not pose a significant risk to the insurance system.

The Request

The Motion Picture Laboratory Technicians and Film Editors Local 780 Pension Fund (the ''Plan'') is a multiemployer pension plan jointly maintained by Local Union No. 780 of the International Alliance of Theatrical Stage Employees (the ''Union'') and employers that have CBAs with the Union. The Plan covers approximately 2,000 participants. According to the Plan, most of the employers that contribute to the Plan have contracts or subcontracts to provide non-military support services at military bases and other federal facilities—mainly commissary services.

On October 14, 2021, the Plan adopted an amendment to its plan document providing a special withdrawal liability rule (as revised by further amendment executed on June 6, 2024, the ''Special Rule''). The effectiveness of the Special Rule is, by its terms and under 29 CFR 4203.3(a),

subject to PBGC approval. On December 1, 2021, PBGC received the Plan's request for approval of the Special Rule. A copy of the Plan's submission, including the Special Rule, can be requested from the PBGC Disclosure Division via email to *disclosure@pbgc.gov,* via physical mail to PBGC Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024, or by calling 202–229–4040 during normal business hours. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

The Plan asserts that, in the Plan-specific industry covered by the Special Rule, employees and a facility generally remain the same when a contractor is replaced. The employers:

> use the same ''pool'' of workers at the facility regardless of which Employer currently is awarded the contract. Contributions supporting future benefit accruals and satisfying any unfunded past liabilities are made on behalf of the same pool of employees and the same number of [CBUs]. Consequently, the change in the signatory Employer under a new contract has little or no effect on the funded position of the Pension Fund.

The Plan asserts that the Special Rule may induce new employers to bid on covered work, and that this, in turn, will promote the health of the Plan and reduce risk to the insurance system.

The Plan submitted all information required under 29 CFR 4203.4(d) and supplemental information that PBGC required under 29 CFR 4203.4(e).

Notice and Comment

On January 18, 2023, PBGC published notice of pendency of the Plan's request in the **Federal Register**.[1] Comments were due on March 6, 2023. PBGC received no comments.

Summary of the Special Rule

The Special Rule would apply: (1) only to each employer obligated to contribute to the Plan for work performed under a contract or subcontract to provide services to a federal government agency (an ''Original Employer''); (2) only when an Original Employer loses one or more such contracts (''Federal Contracts'') to an unrelated ''Successor Employer'' that has an obligation to contribute to the Plan meeting certain requirements designed to ensure a stable contribution base, as described below.

[1] *See* 88 FR 2974.

Complete Withdrawals

A complete withdrawal will not occur if an Original Employer ceases to have an obligation to contribute to the Plan because it loses all Federal Contracts under which it performed work for which contributions were required, and is performing no other work for which contributions are required, if:

(1) Substantially all the employees for whom the Original Employer was obligated to contribute continue to perform work under one or more Federal Contracts with a Successor Employer (which may include a Successor Employer subsequent to the initial Successor Employer); and

(2) For the 5 plan years following that in which the Original Employer lost all its Federal Contracts, the Successor Employer has an obligation to contribute to the Plan for the work that had been performed under the Original Employer's Federal Contract(s):

(a) At the same or a higher contribution rate as the highest contribution rate of the Original Employer; and

(b) For substantially the same number of CBUs as those for which the Original Employer had an obligation to contribute in the final plan year preceding that in which it lost all its Federal Contracts.

Notwithstanding these rules, the Original Employer does completely withdrawal as of the date it ceased to have an obligation to contribute to the Plan or ceased all covered operations under the Plan if, within the 5 plan years following that in which the Original Employer lost all its Federal Contracts, either:

(i) The Federal Contract of the Successor Employer is terminated, and no subsequent Successor Employer is obligated to contribute to the Plan under the conditions described in paragraphs 2(a) and (b); or

(ii) The Successor Employer ceases contributions to the Plan for the work performed under the Federal Contract, or fails to meet the contribution conditions described in paragraphs 2(a) and (b).

Partial Withdrawals

If an Original Employer loses one or more but not all its Federal Contracts to a Successor Employer, or loses all its Federal Contracts to a Successor Employer but continues to have an obligation under a CBA to contribute to the Plan for other operations, the following rules apply.

The CBUs attributable to the work performed under the Federal Contract are excluded in determining whether the Original Employer has experienced a partial withdrawal under section 4205(a)(1) of ERISA, and the loss of the Federal Contract is not considered a facility closing, if:

(1) For the 5 plan years following that in which the Original Employer lost a Federal Contract to a Successor Employer, the Successor Employer has an obligation to contribute to the Plan for work formerly performed under the Original Employer's Federal Contract:

(a) At the same or a higher contribution rate as the highest contribution rate of the Original Employer; and

(b) For substantially the same number of CBUs as those for which the Original Employer had an obligation to contribute in the final plan year preceding the plan year in which the Original Employer lost the Federal Contract.

Notwithstanding these rules, the Original Employer will experience a partial withdrawal if:

(i) Within the 5 plan years following that in which the Original Employer lost one or more but not all its Federal Contracts, the Successor Employer's Federal Contract is terminated and no subsequent Successor Employer is obligated to contribute to the Plan under the conditions described in paragraphs 1(a) and (b);

(ii) Within the 5 plan years following that in which the Original Employer lost one or more but less than all its Federal Contracts, the Successor Employer ceases contributions to the Plan or does not contribute to the Plan under the conditions described in paragraphs 1(a) and (b); or

(iii) The Original Employer either loses a Federal Contract to a Successor Employer or bargains out of a Federal Contract and there is no Successor Employer with an obligation to contribute to the Plan under the conditions described in paragraphs 1(a) and (b).

Bona Fide Sale of Assets

As originally adopted on October 14, 2021, the Special Rule provided that, if an Original Employer engages in a bona fide, arm's-length sale of assets to an unrelated purchaser (''Buyer''), the Buyer would be treated as a Successor Employer. That provision was inconsistent with applicable law under section 4204 of ERISA. On June 6, 2024, the Plan adopted an amendment removing this provision of the Special Rule.

Effective Date

The Special Rule would be effective for (i) complete withdrawals under

section 4203(a) of ERISA on or after January 1, 2021; (ii) partial withdrawals under section 4205(a)(1) of ERISA during any three-year testing period beginning on or after January 1, 2019; and (iii) partial withdrawals under section 4205(a)(2) of ERISA on or after January 1, 2021. Under 29 CFR 4203.3(a), a special withdrawal liability may not be put into effect until it is approved by PBGC.

Determinations Regarding the Special Rule

Under section 4203(f) of ERISA and 29 CFR 4203.5(a), PBGC must make two determinations before approving a plan amendment that provides a special withdrawal liability rule. First, based on a showing by the plan, PBGC must determine that the special withdrawal liability rule will apply only to an industry with characteristics that would make it appropriate to exempt employers from withdrawal liability under the rule. Second, PBGC must determine that the special withdrawal liability rule will not pose a significant risk to the insurance system. After review of the information submitted by the Plan, and having received no public comments, PBGC has made the determinations required to approve the Special Rule.

The Special Rule would apply only to a narrow, Plan-specific industry consisting of Original Employers obligated to contribute to the Plan for work performed under a Federal Contract, and only when an Original Employer loses its contract to a Successor Employer that signs an agreement with the Union requiring contributions to the Plan. PBGC determined that the characteristics of this narrowly defined industry make it appropriate to exempt employers from withdrawal liability under the terms of the Special Rule.

Those terms limit the risk of loss to PBGC. The Special Rule only applies if a Successor Employer contributes at the same or a higher contribution rate as the highest contribution rate, and for a comparable number of CBUs, as the Original Employer. The Plan has demonstrated a history of stable or increasing aggregate contributions notwithstanding employer withdrawals, which is consistent with the amount of covered work being undiminished when one federal contractor providing commissary services at a federal facility is replaced by another obligated to contribute to the Plan at the same rate for the same work at the facility.

The Plan is a green-zone plan. Its annual reports for plan years 2011 through 2022 show increasing active participants and contributions, despite at least a dozen employer withdrawals over that period. The Plan reports that it was 103 percent funded on an actuarial basis as of January 1, 2022.

Conclusion

Based on the Plan's submissions and representations in connection with the request for approval, PBGC has determined that the Special Rule: (1) will apply only to an industry that has characteristics that would make the use of the Special Rule appropriate; and (2) will not pose a significant risk to the insurance system. Therefore, under 29 CFR 4203.5, PBGC approves the plan amendment describing the Special Rule. PBGC's approval is specific to the Plan and to the plan amendment submitted for PBGC's approval. Any plan amendment revising the the Special Rule, other than to eliminate it entirely, must be submitted for PBGC's approval.

Issued in Washington, DC.

Ann Y. Orr,

Acting Director, Pension Benefit Guaranty Corporation.

[FR Doc. 2024–24212 Filed 10–18–24; 8:45 am]

BILLING CODE 7709–02–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101340; File No. SR–FICC–2024–009]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Filing of Partial Amendment No. 1 to Proposed Rule Change To Modify the GSD Rules Relating to the Adoption of a Trade Submission Requirement

October 15, 2024.

On June 12, 2024, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change SR–FICC–2024–009 (''Proposed Rule Change'') pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'') [1] and Rule 19b–4 [2] thereunder to modify FICC's Government Securities Division (''GSD'') Rulebook (''GSD Rules'') as it relates to the adoption of a requirement for its direct participants to submit for clearance and settlement all eligible secondary market transactions in U.S. Treasury securities to which such direct participant is a counterparty. The Proposed Rule Change was published for comment in the **Federal Register** on July 1, 2024.[3] The Commission has received comments regarding the substance of the changes proposed in the Proposed Rule Change.[4]

On August 16, 2024, pursuant to Section 19(b)(2) of the Exchange Act,[5] the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to approve or disapprove the Proposed Rule Change.[6]

On September 26, 2024, pursuant to Section 19(b)(2)(B) of the Exchange Act,[7] the Commission instituted proceedings to determine whether to approve or disapprove the Proposed Rule Change.[8]

On September 24, 2024, FICC filed Partial Amendment No. 1 to the Proposed Rule Change.[9] Pursuant to Section 19(b)(1) of the Act [10] and Rule 19b-4 thereunder,[11] the Commission is publishing notice of this Partial Amendment No.1 to the Proposed Rule Change as described in Item I below. The Commission is publishing this notice to solicit comment on Partial Amendment No. 1 from interested persons.

I. Summary of the Terms of Substance of Partial Amendment No. 1 to the Proposed Rule Change

FICC filed Partial Amendment No. 1 to its previously submitted Proposed Rule Change, which would make several changes to FICC's GSD Rules to (1) adopt a membership requirement that all Netting Members submit to FICC for clearance and settlement eligible secondary market transactions to which they are a counterparty and defines the scope of such trade submission requirement; (2) adopt ongoing membership requirements to enable FICC to identify and monitor Netting

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 100417 (June 25, 2024), 89 FR 54602 (July 1, 2024) (File No. SR–FICC–2024–009) (''Notice of Filing'').

[4] Comments on the Proposed Rule Change are available at *https://www.sec.gov/comments/sr-ficc-2024-009/srficc2024009.htm.*

[5] 15 U.S.C. 78s(b)(2).

[6] Securities Exchange Act Release No. 100693 (Aug. 12, 2024), 89 FR 66746 (Aug. 16, 2024) (File No. SR–FICC–2024–009).

[7] 15 U.S.C. 78s(b)(2).

[8] Securities Exchange Act Release No. 101194 (Sep. 26, 2024), 89 FR 80296 (Oct. 02, 2024) (File No. SR–FICC–2024–009).

[9] Text of the proposed changes made by the Partial Amendment No. 1 to the Proposed Rule Change is available at *https://www.sec.gov/comments/sr-ficc-2024-009/srficc2024009-524075-1504142.pdf.* The GSD Rules are *available at https://www.dtcc.com/~/media/Files/Downloads/legal/rules/ficc_gov_rules.pdf.* Terms not otherwise defined herein are defined in the GSD Rules or in the Proposed Rule Change.

[10] 15 U.S.C. 78s(b)(1).

[11] 17 CFR 240.19b–4.

Members' ongoing compliance with the proposed trade submission requirements; (3) amend certain initial qualifications for direct membership with GSD and the ongoing membership obligations of Netting Members; and (4) makes other revisions to the Rules to clarify, conform and enhance the disclosure of the Rules. Partial Amendment No. 1 makes several changes within the first three categories above.

Within category (1) regarding FICC's proposed adoption of a membership requirement that all Netting Members submit to FICC for clearance and settlement eligible secondary market transactions to which they are a counterparty and defines the scope of such trade submission requirement, Partial Amendment No. 1 makes the following changes. First, as originally proposed, the Proposed Rule Change would require all Netting Members to submit to FICC all Eligible Secondary Market Transactions for novation as a condition of membership.[12] Partial Amendment No. 1 would revise the Proposed Rule Change to clarify that Netting Members would be able to submit Eligible Secondary Market Transactions for novation to any Covered Clearing Agency that provides central counterparty services for transactions in U.S. Treasury securities.[13] Second, Partial Amendment No. 1 would delete text from the existing rule regarding FICC's initial membership requirements that currently requires Netting Members to, as part of the Membership Agreement, submit to FICC for comparison, pursuant to Rule 5, data on all eligible trades with other Netting Members. Third, Partial Amendment No. 1 would delete certain text from an existing rule regarding FICC's Comparison System, to accommodate the changes to the trade submission requirement. Specifically, it would text stating that a member of FICC's Comparison System must submit to FICC for comparison trade data on all of its trades that are of the type processed by FICC (including trades executed and settled on the same day), calling for delivery of Eligible Securities, between it or an Executing Firm on whose behalf it is acting, and another Member or an Executing Firm on whose behalf it or another Member is acting, that if FICC determines that a Comparison-Only Member has, without good cause, violated its obligations pursuant to this section, such Comparison-Only Member may be reported to the appropriate regulatory body, placed on the Watch List and/or subject to an additional fee, and that, in addition, FICC may discipline a Comparison-Only Member for a violation of this section of the rule regarding FICC's Comparison System, in accordance with Rule 48.

Within category (2) regarding FICC's proposed adoption of ongoing membership requirements to enable FICC to identify and monitor Netting Members' ongoing compliance with the proposed trade submission requirement, Partial Amendment No. 1 makes the following changes. First, with regard to the proposed Annual Trade Submission Requirement, Partial Amendment No. 1 would add language that a Netting Member shall not be required to submit an Annual Trade Submission Attestation in the same calendar year in which it delivers to FICC its required Triennial Independent Trade Submission Report. Partial Amendment No. 1 would also add language regarding item (iv) of the required attestations in the Annual Trade Submission Requirement that the Netting Member has, at all times during the 12 months prior to the date of the attestation, complied with the trade submission requirement in Rule 5. Specifically, it would amend this item to add that this attestation is other than with respect to matters that the Netting Member has, of the date of the Annual Trade Submission Attestation, disclosed to FICC pursuant to the Rules.

Second, regarding the Triennial Independent Trade Submission Review and Report, Partial Amendment No. 1 would add language stating that FICC will stagger the years in which Netting Members are required to conduct their Triennial Independent Trade Submission Review. Additionally, Partial Amendment No. 1 would add language that FICC shall make available to Netting Members a list of independent third parties that have been approved to conduct a Triennial Independent Trade Submission Review, that Netting Members may request that FICC include additional third parties to such list, at FICC's sole discretion, and that FICC shall make available to Netting Members standard frameworks for the completion of the Triennial Independent Trade Submission Review and Report.

Within category (3) regarding FICC's amendment of certain initial qualifications for direct membership with GSD and the ongoing membership obligations of Netting Members, Partial Amendment No. 1 makes the following changes. First, Partial Amendment No. 1 would amend the ongoing membership requirements to add language that requires Members to notify FICC if compliance with any membership requirements of FICC would cause a Member to violate an applicable law, rule or regulation. The additional language also states that FICC shall work with such Member to modify a requirement or request so that compliance would not cause such violation.

Second, Partial Amendment No. 1 would also amend the initial membership requirements to add language that a bank or trust company shall have one membership and may apply to be a Netting member through either its parent bank entity or through a branch of the bank.

Partial Amendment No. 1 would not change the purpose of, or statutory basis for the proposed rule change. All other representations in the Initial Filing remain as stated therein and no other changes are being made.

II. 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-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–FICC–2024–009 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR–FICC–2024–009. 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-regulations/self-regulatory-organization-rulemaking*). 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

[12] Notice of Filing *supra* note 3.

[13] Additionally, Partial Amendment No. 1 would include a definition of the term ''Covered Clearing Agency'' which shall have the meaning of that term in Rule 17Ad–22(a)(5) under the Exchange Act.

Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of FICC and on DTCC's website at (*https://dtcc.com/legal/sec-rule-filings.aspx*). 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–FICC–2024–009 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24205 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101345; File No. SR–DTC–2024–009]

Self-Regulatory Organizations; Depository Trust Company; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change To Adopt the Clearing Agency Framework for Certain Requirements on Governance and Conflicts of Interest

October 15, 2024.

On August 15, 2024, the Depository Trust Company (''DTC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change SR–DTC–2024–009 (''Proposed Rule Change'') pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4[2] thereunder to adopt a new framework entitled the ''Clearing Agency Framework for Certain Requirements on Governance and Conflicts of Interest'' (''Framework'') of DTC and its affiliates, the Fixed Income Clearing Corporation (''FICC'') and National Securities Clearing Corporation (''NSCC,'' and together with FICC and DTC, the ''Clearing Agencies'').[3] The Proposed Rule Change was published for public comment in the **Federal Register** on September 3, 2024.[4] The Commission has received no comments regarding the Proposed Rule Change.

Section 19(b)(2)(i) of the Exchange Act[5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved unless the Commission extends the period within which it must act as provided in Section 19(b)(2)(ii) of the Exchange Act.[6] Section 19(b)(2)(ii) of the Exchange Act allows the Commission to designate a longer period for review (up to 90 days from the publication of notice of the filing of a proposed rule change) if the Commission finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents.[7]

The 45th day after publication of the Notice of Filing is October 18, 2024. To provide the Commission with sufficient time to consider the Proposed Rule Change, the Commission finds that it is appropriate to designate a longer period within which to act on the Proposed Rule Change and therefore is extending this 45-day time period.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Exchange Act,[8] designates December 2, 2024, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–DTC–2024–009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24207 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101337; File No. SR–NSCC–2024–006]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change To Adopt the Clearing Agency Framework for Certain Requirements on Governance and Conflicts of Interest

October 15, 2024.

On August 15, 2024, National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change SR–NSCC–2024–006 (''Proposed Rule Change'') pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4[2] thereunder to adopt a new framework entitled the ''Clearing Agency Framework for Certain Requirements on Governance and Conflicts of Interest'' (''Framework'') of NSCC and its affiliates, the Depository Trust Company (''DTC'') and Fixed Income Clearing Corporation (''FICC,'' and together with NSCC and DTC, the ''Clearing Agencies'').[3] The Proposed Rule Change was published for public comment in the **Federal Register** on September 3, 2024.[4] The Commission has received no comments regarding the Proposed Rule Change.

Section 19(b)(2)(i) of the Exchange Act[5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved unless the Commission extends the period within which it must act as provided in Section 19(b)(2)(ii) of the Exchange Act.[6] Section 19(b)(2)(ii) of the Exchange Act allows the Commission to designate a longer period for review (up to 90 days from the publication of notice of the filing of a proposed rule change) if the Commission finds such longer period to be appropriate and publishes its reasons for so finding, or as to which

[14] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Notice of Filing *infra* note 4, at 71 FR 597.

[4] Securities Exchange Act Release No. 100842 (August 27, 2024), 71 FR 597 (September 3, 2024) (File No. SR–DTC–2024–009) (''Notice of Filing'').

[5] 15 U.S.C. 78s(b)(2)(i).

[6] 15 U.S.C. 78s(b)(2)(ii).

[7] *Id.*

[8] *Id.*

[9] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Notice of Filing *infra* note 4, at 71 FR 646.

[4] Securities Exchange Act Release No. 100841 (August 27, 2024), 71 FR 646 (September 3, 2024) (File No. SR–NSCC–2024–006) (''Notice of Filing'').

[5] 15 U.S.C. 78s(b)(2)(i).

[6] 15 U.S.C. 78 s(b)(2)(ii).

the self-regulatory organization consents.[7]

The 45th day after publication of the Notice of Filing is October 18, 2024. To provide the Commission with sufficient time to consider the Proposed Rule Change, the Commission finds that it is appropriate to designate a longer period within which to act on the Proposed Rule Change and therefore is extending this 45-day time period.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Exchange Act,[8] designates December 2, 2024, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–NSCC–2024–006.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24203 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101349; File No. SR–ISE–2024–48]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange's Pricing Schedule at Options 7, Section 3

October 15, 2024.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 1, 2024, Nasdaq ISE, LLC (''ISE'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Exchange's Pricing Schedule at Options 7, Section 3.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/ise/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Exchange's Pricing Schedule in Options 7, Section 3.

Today, as set forth in Options 7, Section 3, the Exchange assesses all market participants (except Priority Customers)[3] a uniform regular order maker fee of $0.70 per contract for Non-Select Symbol[4] executions that add liquidity on the Exchange. Priority Customers are assessed a $1.00 per contract regular order maker rebate in Non-Select Symbols.[5] Additionally, the Exchange also currently offers Members an additional rebate of $0.14 per contract if they execute more than 0.10% of Regular Order Non-Select Symbol Priority Customer volume (excluding Crossing Orders[6] and Responses to Crossing Orders)[7] calculated as a percentage of Customer Total Consolidated Volume[8] per day in a given month (''Note 15 Incentive'').[9] The Note 15 Incentive is designed to encourage Members to transact in greater regular Non-Select Symbol Priority Customer volume on the Exchange to receive rebates up to $1.14 per contract (*i.e.,* the $1.00 base maker rebate plus the additional $0.14 Note 15 Incentive).

The Exchange now proposes to amend the Note 15 Incentive by increasing the additional $0.14 rebate to $0.18 per contract. The additional rebate qualifications are not changing under this proposal. Accordingly, Members would be eligible to receive higher rebates of up to $1.18 per contract (*i.e.,* the base $1.00 maker rebate plus the proposed additional $0.18 Note 15 Incentive) under this proposal when sending the same amount of regular Non-Select Symbol Priority Customer volume as they do today. Ultimately, the Exchange believes that the proposed changes will attract more Priority Customer Non-Select Symbol order flow to ISE because Members may be incentivized to send such order flow to ISE to receive the increased rebate.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[10] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[11] in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange's proposed changes to its Pricing Schedule are reasonable in several respects. As a threshold matter, the Exchange is subject to significant competitive forces in the market for options securities transaction services that constrain its pricing determinations in that market. The fact that this market is competitive has long been recognized by the courts. In *NetCoalition* v. *Securities and Exchange Commission,* the D.C. Circuit stated as follows: ''[n]o

[7] *Id.*

[8] *Id.*

[9] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] A ''Priority Customer'' is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq ISE Options 1, Section 1(a)(37).

[4] ''Non-Select Symbols'' are options overlying all symbols excluding Select Symbols. ''Select Symbols'' are options overlying all symbols listed on the Exchange that are in the Penny Interval Program.

[5] In addition, for Priority Customer orders adding liquidity in Non-Select Symbols, there is no fee or rebate provided when trading against Priority Customer complex orders that leg into the regular order book. *See* Options 7, Section 3, note 18.

[6] A ''Crossing Order'' is an order executed in the Exchange's Facilitation Mechanism, Solicited Order Mechanism, Price Improvement Mechanism (PIM) or submitted as a Qualified Contingent Cross order. For purposes of this Pricing Schedule, orders executed in the Block Order Mechanism are also considered Crossing Orders.

[7] ''Responses to Crossing Order'' is any contra-side interest submitted after the commencement of an auction in the Exchange's Facilitation Mechanism, Solicited Order Mechanism, Block Order Mechanism or PIM.

[8] ''Customer Total Consolidated Volume'' means the total national volume cleared at The Options Clearing Corporation in the Customer range in equity and ETF options in that month.

[9] *See* Options 7, Section 3, note 15.

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(4) and (5).

one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers' . . . .'' [12]

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [13]

Numerous indicia demonstrate the competitive nature of this market. For example, clear substitutes to the Exchange exist in the market for options security transaction services. The Exchange is only one of eighteen options exchanges to which market participants may direct their order flow. Within this environment, market participants can freely and often do shift their order flow among the Exchange and competing venues in response to changes in their respective pricing schedules. As such, the proposal represents a reasonable attempt by the Exchange to increase its liquidity and market share relative to its competitors.

The Exchange believes that the proposed changes to the Note 15 Incentive are reasonable for the reasons that follow. As discussed above, the Exchange is increasing the additional $0.14 rebate to $0.18 per contract without amending the additional rebate volume qualifications discussed above. Accordingly, Members would be eligible to receive higher rebates of up to $1.18 per contract (*i.e.,* the base $1.00 maker rebate plus the proposed additional $0.18 Note 15 Incentive) under this proposal when sending the same amount of regular Non-Select Symbol Priority Customer volume as they do today. As discussed above, the Exchange believes that the proposed changes will attract more Priority Customer Non-Select Symbol order flow to ISE because Members may be incentivized to send such order flow to ISE to receive the increased rebate. Increased Priority Customer order flow in Non-Select Symbols would create additional liquidity to the benefit of all market participants and investors that trade on the Exchange.

The Exchange further believes that increasing the Note 15 Incentive from $0.14 to $0.18 per contract is equitable and not unfairly discriminatory because the proposed change will apply uniformly to all similarly situated market participants. The Exchange believes that it is equitable and not unfairly discriminatory to offer the Note 15 Incentive to only Priority Customers because Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Market Makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

The Exchange does not believe that the proposed changes to the Note 15 Incentive to increase the additional $0.14 rebate to $0.18 per contract will impose an undue burden on intra-market competition as the proposal will apply uniformly to all Priority Customers. While the proposed Note 15 incentive will only apply to Priority Customers, Priority Customer liquidity benefits all market participants by providing more trading opportunities, which attracts Market Makers. An increase in the activity of these market participants in turn facilitates tighter spreads, which may cause an additional corresponding increase in order flow from other market participants.

In terms of inter-market competition, the Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited. In sum, if the changes proposed herein are unattractive to market participants, it is likely that the Exchange will lose market share as a result. Accordingly, the Exchange does not believe that the proposed changes will impair the ability of members or competing order execution venues to maintain their competitive standing in the financial markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[14] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–ISE–2024–48 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange

[12] *NetCoalition* v. *SEC,* 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSEArca–2006–21)).

[13] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (''Regulation NMS Adopting Release'').

[14] 15 U.S.C. 78s(b)(3)(A)(ii).

Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–ISE–2024–48. 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–ISE–2024–48 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24209 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101341; File No. SR–PEARL–2024–48]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 2618(a)(7)(A) To Allow Equity Members To Cancel a Subset of Orders Over an Order Entry Port

October 15, 2024.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 8, 2024, MIAX PEARL, LLC (''MIAX Pearl'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') a proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Exchange Rule 2618(a)(7)(A) to allow Equity Members [3] to cancel a subset of orders over an order entry port on the Exchange's equity trading platform (referred to herein as ''MIAX Pearl Equities'').

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-equities/pearl-equities/rule-filings,* at MIAX Pearl's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The term ''Equity Member'' is a Member authorized by the Exchange to transact business on MIAX Pearl Equities. *See* Exchange Rule 1901.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange currently offers risk functionality that permits Equity Members to cancel orders over their order entry port or over a dedicated Purge Port. The Exchange offers risk functionality that allows Equity Members to block new orders submitted, to cancel all open orders, or both block new orders and cancel all open orders under Exchange Rule 2618(a)(7)(A). The Exchange notes that order entry ports may be used to enter orders, modify existing orders, and cancel existing orders. The Exchange separately offers Purge Ports, which are dedicated ports that permits an Equity Member to simultaneously cancel all or *a subset of its orders* through a single cancel message.

Unlike Purge Ports, Exchange Rule 2618(a)(7)(A) does not provide that Equity Members may cancel a subset of orders over an order entry port. Due to Equity Member requests, the Exchange now proposes to amend Exchange Rule 2618(a)(7)(A) to allow Equity Members to cancel a subset of orders over an order entry port. An order cancelation request sent over an order entry port, including the proposal to cancel a subset of orders, is and would be handled along with other messages sent over that same order entry port, such as new orders and order modification requests. On a Purge Port, a request to cancel a subset of orders is also handled only with other cancelation messages sent over that same Purge Port. The Exchange notes that similar functionality is also offered on at least on [sic] other national securities exchange.[4]

* * * * *

The Exchange does not guarantee that the proposed cancelation functionality is sufficiently comprehensive to meet all of an Equity Member's risk management needs. Pursuant to Rule 15c3–5 under the Act,[5] a broker-dealer with market access must perform appropriate due diligence to assure that controls are reasonably designed to be effective, and otherwise consistent with the rule.[6] Use of the Exchange's risk controls included

[4] *See* Interpretations and Policies .02(b) to MEMX LLC (''MEMX'') Rule 11.10.

[5] 17 CFR 240.15c3–5.

[6] *See* Division of Trading and Markets, Responses to Frequently Asked Questions Concerning Risk Management Controls for Brokers or Dealers with Market Access, *available at https://www.sec.gov/divisions/marketreg/faq-15c-5-risk-management-controls-bd.htm.*

in Exchange Rule 2618 does not automatically constitute compliance with Exchange or federal rules and responsibility for compliance with all Exchange and SEC rules remains with the Equity Member.

Implementation

Due to the technological changes associated with this proposed change, the Exchange will issue a trading alert publicly announcing the implementation date of the proposed enhancements to its risk controls set forth herein. The Exchange anticipates that the implementation date will be in the first or second quarter of 2025.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[7] in general, and furthers the objectives of Section 6(b)(5),[8] 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 regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Specifically, the Exchange believes the proposed amendments will remove impediments to and perfect the mechanism of a free and open market and a national market system because the augmented functionality is being proposed in response to Equity Member feedback as part of their efforts to appropriately manage their risk. The proposed rule change is also similar to functionality that is offered on at least on [sic] other national securities exchange, which the Commission approved.[9] Therefore, the Exchange does not believe that the proposed rule change raises any new or novel issues not already considered by the Commission.

Specifically, the Exchange believes that the proposed rule change is consistent with the protection of investors and the public interest because allowing would allow [sic] Equity Members the ability to cancel a subset of their orders via an order entry port. This additional flexibility would provide Equity Members with additional cancelation functionality and further align order entry port cancelation functionality with what is currently provided via a Purge Port. Equity Members that elect to utilize the proposed cancelation functionality may do so over an order entry port rather than needing a separate Purge Port. The Exchange believes the proposed amendments will remove impediments to and perfect the mechanism of a free and open market and a national market system because they provide additional functionality for an Equity Member to manage its risk.

Finally, the Exchange believes that the proposed rule change does not unfairly discriminate among Equity Members because use of the proposed cancelation functionality is optional and is not a prerequisite for participation on the Exchange. The proposed cancelation functionality is completely voluntary and, as is relates solely to optional risk management functionality, no equity Member is required or under any regulatory obligation to utilize it.

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 believes its proposal will not impose any burden on inter-market competition because it would provide Equity Members with additional flexibility canceling orders in a manner that may better suit their risk appetite when they seek to manage their order flow and orders that may be resting on the Exchange. The proposal would also promote inter-market competition because it would allow the Exchange to better compete with at least one other national securities exchange that offers similar functionality.[10] The proposal would impose no burden on intra-market competition because each risk setting would be applied to all Equity Members' orders equally.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act[11] and Rule 19b–4(f)(6)[12] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–PEARL–2024–48 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–PEARL–2024–48. 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

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] *See* Interpretations and Policies .02(b) to MEMX Rule 11.10. *See also* Securities Exchange Act Release No. 88806 (May 4, 2020), 85 FR 27451 (May 8, 2020) (Order approving MEMX's exchange application, which included Interpretations and Policies .02(b) to MEMX Rule 11.10).

[10] *See* Interpretations and Policies .02(b) to MEMX Rule 11.10.

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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–PEARL–2024–48 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24206 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101338; File No. SR–MEMX–2024–38]

Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule Concerning Options Transaction Fees

October 15, 2024.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on September 30, 2024, MEMX LLC (''MEMX'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Commission a proposed rule change to amend the Exchange's fee schedule applicable to Members [3] pursuant to Exchange Rules 15.1(a) and (c). The Exchange proposes to implement the changes to the MEMX Options Fee Schedule (the ''Options Fee Schedule'') pursuant to this proposal immediately. The text of the proposed rule change is provided in Exhibit 5.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Options Fee Schedule to increase the transaction rebate for executions of contracts where the underlying security of the applicable option is not in the Penny Interval program (''Non-Penny options'') [4] which add liquidity to the MEMX Options Book [5] and which are made in the Customer capacity (''Customer''),[6] as further described below.

The Exchange first notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. The Exchange is one of only 17 options venues to which market participants may direct their order flow. Based on publicly available information, no single options exchange has more than approximately 17% of the market share and currently the Exchange represents only approximately 3% of the market share.[7] In such a low-concentrated and highly competitive market, no single options exchange, including the Exchange, possesses significant pricing power in the execution of option order flow. The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can shift order flow, discontinue, or reduce use of certain categories of products in response to fee changes. Accordingly competitive forces constrain the Exchange's transaction fees, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. The Exchange's Fee Schedule sets forth standard rebates and rates applied per contract.

Increased Transaction Rebate for Executions of Non-Penny Options in the Customer Capacity Which Add Liquidity to the MEMX Options Book

Currently, the Exchange provides a standard transaction rebate of $1.15 per contract on Non-Penny options (as defined above) in the Customer capacity which add liquidity to the MEMX Options Book. Now, the Exchange proposes to amend the standard transaction rebate on such contracts from $1.15 per contract to $1.19 per contract. The purpose of increasing the rebate is to incentivize Members to execute additional contracts in Non-Penny names in the Customer capacity which add liquidity. The Exchange's proposal is designed to encourage the execution of additional contracts on the Exchange in order to enhance volume, deepen liquidity and promote price discovery on the MEMX Options platform. The Exchange believes that the increased rebate is in line with or exceeds the rebates provided by other national securities exchanges and will incentivize Members to route additional order flow to the Exchange.[8]

[13] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Exchange Rule 1.5(p).

[4] MEMX Options provides Fee Code ''N'' for transactions in Non-Penny options. Fee Codes are provided by the Exchange on the monthly invoices provided to Options Members.

[5] MEMX Options provides Fee Code ''D'' for transactions which add liquidity to the MEMX Options Book.

[6] Customer capacity applies to any order for the account of a Priority Customer. ''Priority Customer'' means any person or entity that is neither a broker or dealer in securities nor a Professional. *See* Rule 16.1 of the MEMX Rulebook. MEMX Options provides fee qualifier ''c'' for Customer transactions.

[7] Market share percentage calculated as of September 30, 2024. The Exchange receives and processes data made available through the consolidated data feeds (*i.e.,* OPRA).

[8] *See, e.g.,* note 10 of the of the Nasdaq Options Market trading fee schedule on its public website (available at: *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules/nasdaq-options-7*) which reflects a $1.15 per contract Rebate to Add Liquidity

2. Statutory Basis

The Exchange believes that its proposal to amend its Options Fee Schedule is consistent with the provisions of Section 6 of the Act,[9] in general, and with Sections 6(b)(4) and 6(b)(5) of the Act,[10] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among Options Members and other persons using its facilities. The Exchange also believes the proposal furthers the objectives of Section 6(b)(5) of the Act in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

MEMX Options operates in a highly fragmented and competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient, and the Exchange represents only a small percentage of the overall market. The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and also recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [11]

Accordingly, competitive forces constrain the Exchange's transaction fees and rebates, and market participants can readily trade on competing venues if they deem pricing levels at those other venues to be more favorable. The Exchange believes the proposal reflects a reasonable and competitive pricing structure which the Exchange believes would promote price discovery and enhance liquidity and market quality on the Exchange to the benefit of all Members and market participants.

The Exchange believes that the proposed change to increase the rebate for executions on Non-Penny options in the Customer capacity that add liquidity to the Exchange to $1.19 per contract is reasonable and equitable because it is designed to incentivize Members to submit additional liquidity-adding orders in Non-Penny options to the Exchange in the Customer capacity, which would enhance liquidity on the Exchange and promote price discovery and price formation, and would be applicable to all Members. The Exchange further believes the proposed increased rebate is appropriate because it exceeds or is comparable to, and competitive with, the rebates provided by other exchanges for executions in the Customer capacity in Non-Penny options which add liquidity.[12]

Further, the Exchange believes it is reasonable, equitable, and not unfairly discriminatory for Members to receive a higher rebate for executions of contracts in Non-Penny options in the Customer capacity which add liquidity to the Exchange, as compared to the rebate provided for executions of contracts in Non-Penny options in non-Customer capacities (*i.e.,* Market Maker, Professional, Firm, Away Market Maker, or Broker-Dealer capacities) which add liquidity to the Exchange. The securities markets generally, and the Exchange in particular, have historically aimed to improve markets for investors and develop various features within the market structure for the benefit of public customers (*i.e.,* the Customer capacity on the Exchange) who are not professionals.[13] The Exchange believes it promotes the best interests of investors to charge lower transaction costs and provide higher rebates for Customers, who are not Professionals, and that the Exchange's proposed fee structure provides right-sized incentives which will continue to attract Customer order flow to the Exchange.

For the reasons discussed above, the Exchange submits that its proposed change to the Options Transaction Fee Schedule satisfies the requirements of Sections 6(b)(4) and 6(b)(5) of the Act [14] in that it provides for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities and are not designed to unfairly discriminate between customers, issuers, brokers, or dealers. As described more fully below in the Exchange's statement regarding burden on competition, the Exchange believes that its transaction pricing is subject to significant competitive forces, and that the proposed rebate described herein is appropriate to address such forces.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposal will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As a relatively new entrant in the already highly competitive environment for options trading, the Exchange believes that the proposed change would encourage the submission of additional order flow to the Exchange, thereby promoting market depth, execution incentives and enhanced execution opportunities, as well as price discovery and transparency for all Members. Further, MEMX Options' proposed modified transaction rebate exceeds or is comparable to the transaction rebates assessed by other options exchanges.[15] As a result, the Exchange believes that the proposal furthers the Commission's goal in adopting Regulation NMS of fostering competition among orders, which promotes ''more efficient pricing of individual stocks for all types of orders, large and small.'' [16]

in Non-Penny Symbols as Customer for Nasdaq Options Market participants who meet certain volume requirements on the Nasdaq Options Market. As MEMX Options is a comparatively new market, the Exchange believes that providing a higher rebate ($1.19) for Customer executions which add liquidity in Non-Penny options without requiring Members to achieve specific volume requirements will incentivize additional order flow to the Exchange.

[9] 15 U.S.C. 78f.

[10] 15 U.S.C. 78f(b)(4) and (5).

[11] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005).

[12] *See supra* note 8.

[13] The Exchange notes that, since the inception of MEMX Options, it has historically imposed different, and higher, transaction fees for executions in the non-Customer capacity than for executions in the Customer capacity. Similarly, since the inception of MEMX Options, the Exchange has historically provided different, and lower, rebates for executions in the non-Customer capacity than in the Customer capacity. *See* Securities Exchange Act Release No. 34–98533 (September 26, 2023), 88 FR 67846 (October 2, 2023) (adopting a $1.10 per contract fee for non-Customers (Market Makers, Professionals, Firms, Away Market Makers, and Broker-Dealers) to remove liquidity in Non-Penny options as compared to a $0.85 per contract fee for Customers to remove liquidity in Non-Penny options, and a $0.80 per contract rebate for non-Customers to add liquidity in Non-Penny options as compared to a $1.04 per contract rebate for Customers to add liquidity in Non-Penny options. The Exchange notes that similar fee structures are common at other options exchanges. *See, e.g.,* the Cboe BZX Options fee schedule on its public website (available at: *https://www.cboe.com/us/options/membership/fee_schedule/bzx/*), which reflects a higher $1.15 fee for Professional, Firm, Broker-Dealer, JBO, Market Maker, and Away Market Maker executions which remove liquidity in Non-Penny options and a lower $0.85 fee for Customer executions which remove liquidity in Non-Penny options. The Cboe BZX Options fee schedule also reflects lower rebates ranging from $0.30 to $0.88 for non-Customer executions which add liquidity in non-Penny options and a higher $1.05 rebate for Customer executions which add liquidity in Non-Penny options.

[14] 15 U.S.C. 78f(b)(4) and (5).

[15] *See supra* note 8.

[16] *See supra* note 11.

Intramarket Competition

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act because the proposed rebate applies equally to all Options Members. The proposed pricing structure is intended to encourage participants to trade on MEMX Options by providing rebates that are comparable to those offered by other exchanges as well as providing competitive fees. The Exchange believes that the proposed rebate will help to encourage Options Members to send orders to the Exchange to the benefit of all Exchange participants. As the proposed rebate is equally applicable to all market participants, the Exchange does not believe there is any burden on intramarket competition.

Intermarket Competition

The Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. To the contrary, the Exchange believes that the proposed pricing structure will increase competition and is intended to encourage market participants to trade on the exchange by providing rebates that are comparable to those offered by other exchanges, which the Exchange believes will help to encourage Members to send orders to the Exchange to the benefit of all Exchange participants. As the proposed rebate is equally applicable to all market participants, the Exchange does not believe there is any burden on intramarket competition.

Additionally, the Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. Specifically, in Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [17] The fact that this market is competitive has also long been recognized by the courts. In *NetCoalition* v. *SEC,* the D.C. Circuit stated as follows: ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . . .''.[18] Accordingly, the Exchange does not believe its proposed pricing changes impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act [19] and Rule 19b–4(f)(2) [20] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MEMX–2024–38 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–MEMX–2024–38. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*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–MEMX–2024–38 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24204 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

[17] *See supra* note 11.

[18] *NetCoalition* v. *SEC,* 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSE–2006–21)).

[19] 15 U.S.C. 78s(b)(3)(A)(ii).

[20] 17 CFR 240.19b–4(f)(2).

[21] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101325; File No. SR–NYSE–2024–64]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Harmonize NYSE Rule 3110

October 15, 2024.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on October 3, 2024, New York Stock Exchange LLC (''NYSE'' 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 harmonize NYSE Rule 3110 (Supervision) with certain changes by the Financial Industry Regulatory Authority, Inc. (''FINRA'') to FINRA Rule 3110 to permit eligible member organizations to participate in FINRA's remote inspections program (''FINRA Pilot Program'') and to adopt FINRA's Residential Supervisory Location (''RSL'') classification. 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to harmonize NYSE Rule 3110 (Supervision) with certain changes by FINRA to FINRA Rule 3110 to permit eligible member organizations to participate in the FINRA Pilot Program and to adopt FINRA's RSL classification. The proposed rule change would harmonize the Exchange's office and other location inspection rules with those of FINRA and thus promote uniform inspection standards across the securities industry. Additionally, because proposed Supplementary Material .18 to NYSE Rule 3110 and proposed Supplementary Material .19 to NYSE Rule 3110 would be substantially similar to FINRA Rule 3110.18 and FINRA Rule 3110.19, respectively, this rule change enables NYSE Rule 3110 to continue to be incorporated into the agreement between NYSE and FINRA to allocate regulatory responsibility for common rules (the ''17d–2 Agreement'').[4]

Background and Proposed Rule Change

NYSE Rule 3110 is based on FINRA Rule 3110 [5] and requires member organizations to establish and maintain a system to supervise the activities of each associated person that is reasonably designed to achieve compliance with applicable securities laws and regulations, and with applicable Exchange rules, and sets forth the minimum requirements for such supervisory system.[6] Under NYSE Rule 3110, final responsibility for proper supervision rests with the member organization.

As part of an overall supervisory system, member organizations must conduct inspections of each of their offices or locations on a designated frequency depending on the classification of the location or the nature of the activities that take place: an office of supervisory jurisdiction (''OSJ'') and supervisory branch offices must be inspected at least annually; [7] non-supervisory branch offices, at least every three years; [8] and non-branch locations on a periodic schedule, presumed to be at least every three years.[9] Moreover, member organizations must retain a written record of the date upon which each review and inspection occurred, reduce a location's inspection to a written report and keep each inspection report on file either for a minimum of three years or, if the location's inspection schedule is longer than three years, until the next inspection report has been written.[10] If applicable to the location being inspected, the inspection report must include the testing and verification of the member organization's policies and procedures, including supervisory policies and procedures, in specified areas.[11] Finally, the rule requires a member to ensure that the person conducting the inspection is not an associated person assigned to the location or is not directly or indirectly supervised by, or otherwise reporting to, an associated person assigned to the location.[12] The factors governing what constitutes a reasonable review are set out in NYSE Rule 3110.12 (Standards for Reasonable Review).

In 2023, recognizing how operations and business models within the financial services industry have evolved with changes in technology that were accelerated by the COVID–19 pandemic, including in particular the implementation by a large number of firms of a hybrid work environment during the public health crisis, FINRA adopted two amendments to FINRA Rule 3110. First, FINRA established a voluntary, three-year remote inspections pilot program to allow eligible members to fulfill their FINRA Rule 3110(c)(1) inspection obligation of qualified branch offices, including OSJs and non-branch locations remotely, without an on-site visit to such offices or locations subject to certain conditions and criteria.[13] The FINRA Pilot Program is

[4] *See* Securities Exchange Act Release No. 60409 (July 30, 2009), 74 FR 39353, (August 6, 2009) (File No. 4–587). The 17d–2 Agreement includes a certification by NYSE that states that the requirements contained in certain Exchange rules are identical to, or substantially similar to, certain FINRA rules that have been identified as comparable.

[5] *See* Securities Exchange Act Release No. 73554 (November 6, 2014), 79 FR 67508 (November 13, 2014) (SR–NYSE–2014–56).

[6] *See* NYSE Rule 3110(a).

[7] *See* NYSE Rule 3110(c)(1)(A).

[8] *See* NYSE Rule 3110(c)(1)(B).

[9] *See* NYSE Rules 3110(c)(1)(C) and 3110.13 (General Presumption of Three-Year Limit for Periodic Inspection Schedules).

[10] *See* NYSE Rule 3110(c)(2).

[11] *See* NYSE Rule 3110(c)(2)(A).

[12] *See* NYSE Rule 3110(c)(3). Rule 3110(c)(3) provides a limited exception from this requirement if a firm determines compliance is not possible either because of the firm's size or its business model. *See* Rule 3110.14 (Exception to Persons Prohibited from Conducting Inspections).

[13] *See* Securities Exchange Act Release No. 98982 (November 17, 2023), 88 FR 82464 (November 24, 2023) (File No. SR–FINRA–2023–007) (Order Approving a Proposed Rule Change To Adopt Supplementary Material .18 (Remote Inspections Pilot Program) Under FINRA Rule 3110 (Supervision)). Pursuant to FINRA Rule 3110.18(m), on the sunset of Rule 3110.18, if FINRA Rule

Continued

set forth in Supplementary Material .18 of FINRA Rule 3110. Second, FINRA adopted new Supplementary Material .19 to FINRA Rule 3110 that treats an associated person's private residence where specified supervisory activities are conducted, subject to certain safeguards and limitations, as a non-branch location (*i.e.,* unregistered office). As a non-branch location under FINRA Rule 3110(c), the RSL would be subject to inspections on a regular periodic schedule instead of the annual inspection currently required for every OSJ and supervisory branch offices.[14]

The Exchange proposes to incorporate each of these amendments into NYSE Rule 3110, as follows.

NYSE Rule 3110, Supplementary Material .18 [15]

The Exchange proposes, consistent with current FINRA Rule 3110, Supplementary Material .18, to adopt new Supplementary Material .18 to NYSE Rule 3110 in order to provide eligible member organizations that are also FINRA members [16] with the flexibility to opt into the FINRA Pilot Program, consisting of a voluntary, three-year remote inspections pilot program to fulfill their office inspection obligations under NYSE Rule 3110(c) by conducting inspections of eligible OSJs, branch offices, and non-branch locations remotely without an on-site visit to such locations, subject to certain conditions and criteria. The requirements in connection with the participation in the FINRA Pilot Program under proposed Supplementary Material .18 would mirror in all material respects the requirements with respect to a FINRA member's participation under FINRA rules in the FINRA Pilot Program. Member organizations opting into the FINRA Pilot Program would do so pursuant to the provisions of proposed Supplementary Material .18 and through the mechanisms and processes established by FINRA in connection with the FINRA Pilot Program. The proposed rule change also re-orders and streamlines some of the provisions of FINRA Rule 3110.18, as described below.

Proposed NYSE Rule 3110.18(a) (Scope)

Proposed Supplementary Material .18(a) of NYSE Rule 3110 would establish the standards by which a member organization that is also a FINRA member may participate in the FINRA Pilot Program.

Proposed subsection (a) would permit member organizations to avail themselves of the FINRA Pilot Program for the required inspection of OSJs, branch offices and non-branch locations pursuant to, as applicable, paragraphs (c)(1)(A), (B) and (C) of NYSE Rule 3110, for a period starting on the effective date of the proposed rule filing and expiring on June 30, 2027. If FINRA extends the pilot program and the proposed Supplementary Material .18 is not amended to allow continued participation by member organizations in the FINRA Pilot Program, member organizations would not be able to participate in the FINRA Pilot Program after the prescribed provisions under the proposed Supplementary Material sunset.

With the exception of conforming and technical changes,[17] proposed NYSE Rule 3110.18(a) is substantially the same as FINRA Rule 3110.18(a).

Proposed NYSE Rule 3110.18(b) (Risk Assessment)

Proposed Supplementary Material .18(b) of NYSE Rule 3110 governing risk assessment would outline the need for member organizations to undertake a risk assessment in order to participate in the FINRA Pilot Program.

Proposed Supplementary Material .18(b)(1) would set forth the applicable standard for review and would provide that a member organization could elect to conduct the applicable inspection remotely, without an on-site visit for an office or location, when such member organization reasonably determines that the purposes of the Supplementary Material can be accomplished by conducting such required inspection remotely. The member organization would be required to develop a reasonable risk-based approach to using remote inspections and conduct and document a risk assessment for an office or location prior to conducting a remote inspection. The risk assessment must document the factors considered, including, among other things, the factors set forth in current NYSE Rule 3110.12 such as a firm's size, organizational structure, scope of business activities, number and location of the firm's offices, the nature and complexity of the products and services offered by the firm, the volume of business done, the number of associated persons assigned to a location, the disciplinary history of registered representatives or associated persons, and any indicators of irregularities or misconduct (*i.e.,* ''red flags''), and must take into account any higher-risk activities that take place at, or higher-risk associated persons that are assigned to, that office or location. Additionally, proposed Supplementary Material .18(b)(1) would require a member organization to conduct an on-site inspection on the required cycle for such offices or locations that are ineligible for remote office inspections because of not having met the firm or location level requirements under proposed Supplementary Material .18(f) or (g), respectively. Notwithstanding proposed Supplementary Material .18, a member organization would remain subject to the other requirements of NYSE Rule 3110(c).

Proposed Supplementary Material .18(b)(2) would address other risk assessment factors and would provide that when conducting the risk assessment of each office or location in accordance with proposed paragraph (b)(1) of the Supplementary Material, a member organization must consider, among other things, the following factors with respect to an office or location in making its risk assessment for remotely inspecting an office or location:

- the volume and nature of customer complaints; [18]
- the volume and nature of outside business activities, particularly investment-related; [19]
- the volume and complexity of products offered; [20]
- the nature of the customer base, including vulnerable adult investors; [21]
- whether associated persons are subject to heightened supervision; [22]

3110.18 has not already expired by its own terms, FINRA Rule 3110.18 will automatically sunset on June 30, 2024.

[14] *See* Securities Exchange Act Release No. 98980 (November 17, 2023), 88 FR 82447 (November 24, 2023) (File No. SR–FINRA–2023–006) (Notice of Filing of Amendment No. 2 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1 and 2, To Adopt Supplementary Material .19 (Residential Supervisory Location) Under FINRA Rule 3110 (Supervision)).

[15] The Exchange would add new Supplementary Material .17 marked ''Reserved'' in order to maintain consistency with FINRA.

[16] Currently, all NYSE member organizations with one exception are also FINRA members.

[17] Where the Exchange states herein that only conforming and technical changes have been made, the Exchange is referring to instances in which it changed FINRA's ''member'' to the Exchange's equivalent ''member organization;'' changed cross-references to FINRA rules to cross-references to Exchange rules unless there was no equivalent NYSE rule; and made other non-substantive technical or grammatical changes.

[18] *See* proposed NYSE Rule 3110.18(b)(2)(A), mirroring FINRA Rule 3110.18(b)(2)(A).

[19] *See* proposed NYSE Rule 3110.18(b)(2)(B), mirroring FINRA Rule 3110.18(b)(2)(B).

[20] *See* proposed NYSE Rule 3110.18(b)(2)(C), mirroring FINRA Rule 3110.18(b)(2)(C).

[21] *See* proposed NYSE Rule 3110.18(b)(2)(D), mirroring FINRA Rule 3110.18(b)(2)(D).

[22] *See* proposed NYSE Rule 3110.18(b)(2)(E), mirroring FINRA Rule 3110.18(b)(2)(E).

• failures by associated persons to comply with the member organization's written supervisory procedures; [23] and

• any recordkeeping violations.[24]

Further, proposed Supplementary Material .18(b)(2) would prescribe that member organizations should conduct on-site inspections or make more frequent use of unannounced, on-site inspections for high-risk offices or locations or when there are red flags, and supervisory systems must take into consideration any red flags when determining whether to conduct a remote inspection of an office or location, consistent with NYSE Rule 3110(a).

With the exception of conforming and technical changes, proposed NYSE Rule 3110.18(b) is substantially the same as FINRA Rule 3110.18(b).

Proposed NYSE Rule 3110.18(c) (Written Supervisory Procedures for Remote Inspections)

Proposed Supplementary Material .18(c) would provide that, consistent with a member organization's obligation under NYSE Rule 3110(b), a member organization that elects to participate in the FINRA Pilot Program must establish, maintain, and enforce written supervisory procedures regarding remote inspections that are reasonably designed to detect and prevent violations of and achieve compliance with applicable securities laws and regulations, and with applicable FINRA and Exchange rules.

As proposed, reasonably designed procedures for conducting remote inspections of offices or locations must address, among other things:

• the methodology, including technology, that may be used to conduct remote inspections; [25]

• the factors considered in the risk assessment made for each applicable office or location pursuant to proposed Supplementary Material .18(b); [26]

• the procedures specified in paragraph (h)(1)(G) and (h)(4) of FINRA Rule 3310.18; [27] and

• the use of other risk-based systems employed generally by the member organization to identify and prioritize for review those areas that pose the greatest risk of potential violations of applicable securities laws and regulations, and of applicable FINRA and Exchange rules.[28]

With the exception of conforming and technical changes and the addition of a reference to Exchange rules in proposed NYSE Rule 3110.18(c)(4), proposed NYSE Rule 3110.18(c) is substantially the same as FINRA Rule 3110.18(c).

Proposed NYSE Rule 3110.18(d) (Effective Supervisory System)

Proposed NYSE Rule 3110.18(d) would provide that the requirement to conduct inspections of offices and locations is one part of the member organization's overall obligation to have an effective supervisory system and therefore the member organization must maintain its ongoing review of the activities and functions occurring at all offices and locations, whether or not the member organization conducts inspections remotely.

Further, a member organization's use of a remote inspection of an office or location will be held to the same standards for review as set forth under NYSE Rule 3110.12. Where a member organization's remote inspection of an office or location identifies any ''red flags,'' the member organization may need to impose additional supervisory procedures for that office or location or may need to provide for more frequent monitoring of that office or location, including potentially a subsequent on-site visit on an announced or unannounced basis.

With the exception of conforming and technical changes, proposed NYSE Rule 3110.18(d) is substantially the same as FINRA Rule 3110.18(d).

Proposed NYSE Rule 3110.18(e) (Documentation Requirement)

Proposed NYSE Rule 3110.18(e) would set forth documentation requirements for a member organization's participating in the FINRA Pilot Program. In particular, proposed NYSE Rule 3110.18(e) would require member organizations to maintain and preserve a centralized record for each of the Pilot Years specified in this FINRA Pilot Program that separately identifies all offices or locations that were inspected remotely.[29] In addition, proposed NYSE Rule 3110.18(e) would require documentation of the results of a remote inspection for any offices or locations for which the member organization determined to impose additional supervisory procedures or more frequent monitoring, as provided in proposed NYSE Rule 3110.18(d). Further, a member organization's documentation of the results of a remote inspection for an office or location must identify any additional supervisory procedures or more frequent monitoring for that office or location that were imposed as a result of the remote inspection, including whether an on-site inspection was conducted at such office or location.[30]

With the exception of conforming and technical changes, proposed NYSE Rule 3110.18(e) is substantially the same as FINRA Rule 3110.18(e).

Proposed NYSE Rule 3110.18(f) (Firm Level Requirements)

Proposed NYSE Rule 3110.18(f)(1) would set forth certain firm level ineligibility conditions for further participation in the FINRA Pilot Program. As proposed, a member organization would be ineligible to conduct remote inspections of any of its offices or locations under the FINRA Pilot Program if at any time during the Pilot Period that member organization:

• is or becomes designated as a Restricted Firm under FINRA Rule 4111; [31]

• is or become designated a taping firm under NYSE Rule 3170; [32]

• receives a notice pursuant to NYSE Rule 9557 regarding capital compliance related matters under NYSE Rules 4110 (Capital Compliance), NYSE 4120 (Regulatory Notification and Business Curtailment) or NYSE Rule 4130 (Regulation of Activities of Section 15C Member Organizations Experiencing Financial and/or Operational Difficulties); [33]

• is or becomes suspended from Exchange or FINRA membership; [34]

• based on the date in the Central Registration Depository (CRD), had its FINRA membership become effective within the prior 12 months; [35] or

• is or has been found by the Commission, FINRA or the Exchange to be in violation of office inspection obligations under FINRA or NYSE Rule 3110(c) within the past three years.[36]

[23] *See* proposed NYSE Rule 3110.18(b)(2)(F), mirroring FINRA Rule 3110.18(b)(2)(F).

[24] *See* proposed NYSE Rule 3110.18(b)(2)(G), mirroring FINRA Rule 3110.18(b)(2)(G).

[25] *See* proposed NYSE Rule 3110.18(c)(1), mirroring FINRA Rule 3110.18(c)(1).

[26] *See* proposed NYSE Rule 3110.18(c)(2), mirroring FINRA Rule 3110.18(c)(2).

[27] *See* proposed NYSE Rule 3110.18(c)(3), mirroring FINRA Rule 3110.18(c)(3).

[28] *See* proposed NYSE Rule 3110.18(c)(4), mirroring FINRA Rule 3110.18(c)(4).

[29] *See* proposed NYSE Rule 3110.18(e)(1), mirroring FINRA Rule 3110.18(e)(1).

[30] *See* proposed NYSE Rule 3110.18(e)(2), mirroring FINRA Rule 3110.18(e)(2).

[31] *See* proposed NYSE Rule 3110.18(f)(1)(A), mirroring FINRA Rule 3110.18(f)(1)(A). The Exchange has not adopted FINRA Rule 4111.

[32] *See* proposed NYSE Rule 3110.18(f)(1)(B), mirroring FINRA Rule 3110.18(f)(1)(B).

[33] *See* proposed NYSE Rule 3110.18(f)(1)(C), mirroring FINRA Rule 3110.18(f)(1)(C).

[34] *See* proposed NYSE Rule 3110.18(f)(1)(D), mirroring FINRA Rule 3110.18(f)(1)(D).

[35] *See* proposed NYSE Rule 3110.18(f)(1)(E), mirroring FINRA Rule 3110.18(f)(1)(E).

[36] *See* proposed NYSE Rule 3110.18(f)(1)(F), mirroring FINRA Rule 3110.18(f)(1)(F).

Proposed NYSE Rule 3110.18(f)(2) would set forth the firm-level conditions a member organization must satisfy as part of the requirements in NYSE Rule 3110.18(b) to develop a reasonably designed risk-based approach to using remote inspections and to conduct and document a risk assessment for each office or location. Specifically, member organizations must have a recordkeeping system:

- to make and keep current, and preserve records required to be made and kept current, and preserved under applicable securities laws and regulations, Exchange rules, and the member organization's own written supervisory procedures under NYSE Rule 3110; [37]
- such records are not physically or electronically maintained and preserved at the office or location subject to the remote inspection; [38] and
- the member organization has prompt access to such records.[39]

In addition, member organizations must determine that the surveillance and technology tools are appropriate to supervise the types of risks presented by each such remotely supervised office or location. As proposed, these tools may include but are not limited to:

- firm-wide tools such as electronic recordkeeping systems; electronic surveillance of email and correspondence; electronic trade blotters; regular activity-based sampling reviews; and tools for visual inspections; [40]
- tools specifically applied to such office or location based on the activities of associated persons, products offered, restrictions on the activity of the office or location (including holding out to customers and handling of customer funds or securities); [41] and
- system security tools such as secure network connections and effective cybersecurity protocols.[42]

With the exception of conforming and technical changes and the addition of a reference to Exchange rules in proposed NYSE Rule 3110.18(f)(2)(A)(i), proposed NYSE Rule 3110.18(f)(1) and (2) are substantially the same as FINRA Rule 3110.18(f)(1) and (2).

Proposed NYSE Rule 3110.18(g) (Location Level Requirements)

Proposed NYSE Rule 3110.18(g) would set forth the criteria under the FINRA Pilot Program that would render a particular office or location ineligible for remote office inspection. As proposed, NYSE Rule 3110.18(g)(1), offices or locations would be ineligible for a remote office inspection if at any time during the FINRA Pilot Period:

- one or more associated persons at such office or location is or becomes subject to a mandatory heightened supervisory plan under the rules of the SEC, FINRA, the Exchange or a state regulatory agency; [43]
- one or more associated persons at such office or location is or becomes statutorily disqualified, unless such disqualified person has been approved (or is otherwise permitted pursuant to FINRA or Exchange rules and the federal securities laws) to associate with a member organization and is not subject to a mandatory heightened supervisory plan under paragraph (g)(1)(A) of this Supplementary Material or otherwise as a condition to approval or permission for such association; [44]
- the firm is or becomes subject to FINRA Rule 1017(a)(7) as a result of one or more associated persons at such office or location; [45]
- one or more associated persons at such office or location has an event in the prior three years that required a ''yes'' response to any item in Questions 14A(1)(a) and 2(a), 14B(1)(a) and 2(a), 14C, 14D and 14E on Form U4; [46]
- one or more associated persons at such office or location is or becomes subject to a disciplinary action taken by the member organization that is or was reportable under NYSE Rule 4530(a)(2); [47]
- one or more associated persons at such office or location is engaged in proprietary trading, including the incidental crossing of customer orders, or the direct supervision of such activities; [48] or
- the office or location handles customer funds or securities.[49]

In addition, as part of the requirement to develop a reasonably designed risk-based approach to using remote inspections, and the requirement to conduct and document a risk assessment, proposed NYSE Rule 3110.18(g)(2) would require that a specific office or location satisfy the following conditions to be eligible for remote inspections under the Pilot Program:

- electronic communications (*e.g.,* email) are made through the member organization's electronic system; [50]
- the associated person's correspondence and communications with the public are subject to the firm's supervision in accordance with NYSE Rule 3110; [51] and
- no books or records of the member organization required to be made and kept current, and preserved under applicable securities laws and regulations, FINRA and Exchange rules and the member organization's own written supervisory procedures under NYSE Rule 3110 are physically or electronically maintained and preserved at such office or location.[52]

With the exception of conforming and technical changes and the inclusion of references to Exchange rules in proposed NYSE Rule 3110.18(g)(1)(A) and (B), proposed NYSE Rule 3110.18(g)(1) and (2) are substantially the same as FINRA Rule 3110.18(g)(1) and (2).

Proposed NYSE Rule 3110.18(h) (Data and Information Collection Requirement)

FINRA Rule 3110.18(h) outlines requirements for FINRA members that elect to participate in the Pilot Program to collect specific data and information as part of the FINRA Pilot Program. Specifically, FINRA Rule 3110.18(h) requires firms to collect specific data points and to provide such data and information to FINRA on a quarterly basis, in the manner and format determined by FINRA, including:

- the number of offices and locations with an inspection completed during each calendar quarter; [53]
- the number of those offices or locations in each calendar quarter that were inspected remotely; [54]
- the number of those offices or locations in each calendar quarter that were the subject of an on-site inspection, as well as the number of

[37] *See* proposed NYSE Rule 3110.18(f)(2)(A)(i), mirroring FINRA Rule 3110.18(f)(2)(A)(i).

[38] *See* proposed NYSE Rule 3110.18(f)(2)(A)(ii), mirroring FINRA Rule 3110.18(f)(2)(A)(ii).

[39] *See* proposed NYSE Rule 3110.18(f)(2)(A)(iii), mirroring FINRA Rule 3110.18(f)(2)(A)(iii).

[40] *See* proposed NYSE Rule 3110.18(f)(2)(B)(i), mirroring FINRA Rule 3110.18(f)(2)(B)(i).

[41] *See* proposed NYSE Rule 3110.18(f)(2)(B)(ii), mirroring FINRA Rule 3110.18(f)(2)(B)(ii).

[42] *See* proposed NYSE Rule 3110.18(f)(2)(B)(iii), mirroring FINRA Rule 3110.18(f)(2)(B)(iii).

[43] *See* proposed NYSE Rule 3110.18(g)(1)(A), mirroring FINRA Rule 3110.18(g)(1)(A).

[44] *See* proposed NYSE Rule 3110.18(g)(1)(B), mirroring FINRA Rule 3110.18(g)(1)(B).

[45] *See* proposed NYSE Rule 3110.18g)(1)(C), mirroring FINRA Rule 3110.18(g)(1)(C).

[46] *See* proposed NYSE Rule 3110.18(g)(1)(D), mirroring FINRA Rule 3110.18(g)(1)(D).

[47] *See* proposed NYSE Rule 3110.18(g)(1)(E), mirroring FINRA Rule 3110.18(g)(1)(E).

[48] *See* proposed NYSE Rule 3110.18(g)(1)(F), mirroring FINRA Rule 3110.18(g)(1)(F).

[49] *See* proposed NYSE Rule 3110.18(g)(1)(G), mirroring FINRA Rule 3110.18(g)(1)(G).

[50] *See* proposed NYSE Rule 3110.18(g)(2)(A), mirroring FINRA Rule 3110.18(g)(2)(A).

[51] *See* proposed NYSE Rule 3110.18(g)(2)(B), mirroring FINRA Rule 3110.18(g)(2)(B).

[52] *See* proposed NYSE Rule 3110.18(g)(2)(C), mirroring FINRA Rule 3110.18(g)(2)(C).

[53] *See* FINRA Rule 3110.18(h)(1)(A).

[54] *See* FINRA Rule 3110.18(h)(1)(B).

such inspections that were on-site because of a finding; [55]

• the number of offices and locations for which a remote office inspection was conducted in the calendar quarter that identified a finding, the number of findings, a list of the significant findings; [56] and

• the number of locations for which an on-site inspection was conducted in the calendar quarter that identified a finding, the number of findings, and a list of the significant findings.[57]

Moreover, FINRA members are required to provide FINRA with their written supervisory procedures for remote inspections that account for escalating significant findings; new hires; supervising brokers with a significant history of misconduct; and outside business activities and ''doing business as'' (or DBA) designations.[58] In addition, FINRA Rule 3110.18(h)(2) outlines requirements for FINRA member firms electing to participate in the Pilot Program to provide certain data and information for Pilot Year 1 if it is less than a full calendar year and FINRA Rule 3110.18(h)(3) lists additional data and information to be provided to FINRA for calendar year 2019 for member firms electing to participate in the FINRA Pilot Program.

Proposed NYSE Rule 3110.18(h) on data and information collection requirement would require member organizations to comply with the FINRA requirements with respect to the collection and submission of specified data and information, and in the manner and format required under the Pilot Program. In addition, proposed NYSE Rule 3110.18(h) which substantially mirrors FINRA Rule 3110.18(h)(4) would require member organizations that elect to participate in the Pilot Program to establish, maintain and enforce written policies and procedures that are reasonably designed to comply with any specified data and information collection, and transmission requirements prescribed by FINRA.

Proposed NYSE Rule 3110.18(i) (Election To Participate in Pilot Program)

FINRA Rule 3110.18(i) specifies how a firm elects to participate in, or subsequently withdraws from, the FINRA Pilot Program. Specifically, FINRA Rule 3110.18(i) states that a firm must, at least five calendar days before the beginning of a Pilot Year, provide FINRA an ''opt-in notice'' in the manner and format determined by FINRA.[59] Moreover, FINRA Rule 3110.18(i) specifies that a FINRA member that elects to withdraw from subsequent Pilot Years (*i.e.,* Pilot Year 2, Pilot Year 3, and Pilot Year 4, if applicable) shall, at least five calendar days before the end of the then current Pilot Year, provide FINRA with an ''opt-out notice'' in the manner and format determined by FINRA.

Proposed NYSE Rule 3110.18(i) would govern elections to participate in the Pilot Program and would require member organizations electing to participate in the Pilot Program to make their election in the manner and format as prescribed, in accordance with FINRA Rule 3110.18(i). In addition, the proposed rule would require member organizations that elect to withdraw from the Pilot Program for subsequent years to provide such notice in the manner and format as prescribed in accordance with FINRA Rule 3110.18(i). These requirements will ensure that member organizations can properly elect to participate in, or subsequently withdraw from, the Pilot Program.

Proposed NYSE Rule 3110.18(j) (Failure To Satisfy Conditions)

FINRA Rule 3110.18(j) governs failure to satisfy conditions and addresses situations in which a member fails to satisfy the requirements for participating in the FINRA Pilot Program. Specifically, FINRA Rule 3110.18(j) provides that FINRA members that fail to satisfy the conditions set forth to avail themselves of the FINRA Pilot Program, including the requirement to timely collect and submit the data and information to FINRA as set forth under FINRA Rule 3110.18(h), shall be ineligible to participate in the FINRA Pilot Program. Such FINRA members would be required to conduct on-site inspections of each office and location on the required cycle in accordance with FINRA Rule 3110(c) on internal inspections.

Consistent with FINRA Rule 3110.18(j), proposed NYSE Rule 3110.19(j) on failure to satisfy conditions would specify that any member organization that fails to satisfy the conditions of proposed Supplementary Material .18 and of FINRA Rule 3110.18, including the specified requirement to timely collect and submit data, would no longer be eligible to participate in the FINRA Pilot Program. Such member organizations would need to conduct on-site inspections of each office and location on the required cycle in accordance with NYSE Rule 3110(c).

Proposed NYSE Rule 3110.18(k) (Determination of Ineligibility)

FINRA Rule 3110.18(k) governs determinations of ineligibility and provides that FINRA may make a determination in the public interest and for the protection of investors that a FINRA member is no longer eligible to participate in the FINRA Pilot Program if the FINRA member fails to comply with the requirements of FINRA Rule 3110.18. In such instances, FINRA will provide written notice to the FINRA member of such determination and the member would no longer be eligible to participate in the FINRA Pilot Program and must conduct on-site inspections of required offices and locations in accordance with FINRA Rule 3110(c).

Consistent with FINRA Rule 3110.18(k), proposed NYSE Rule 3110.18(k) would govern ineligibility determinations and provide that FINRA or the Exchange may make a determination in the public interest and for the protection of investors that a member organization is no longer eligible to participate in the FINRA Pilot Program if the member organization fails to comply with the requirements of FINRA or NYSE Rule 3110.18. The proposed rule would further provide that, in such instances, FINRA or the Exchange will provide written notice to the member organization of such determination and the member organization would no longer be eligible to participate in the FINRA Pilot Program and must conduct on-site inspections of required offices and locations in accordance with FINRA or NYSE Rule 3110(c). With the exception of conforming and technical changes, proposed NYSE Rule 3110.18(k) is substantially the same as FINRA Rule 3110.18(k).

Proposed NYSE Rule 3110.18(l) (Definitions)

The Exchange proposes to adopt FINRA Rule 3110.18(l) setting forth definitions applicable to Supplementary Material .18 verbatim. As proposed, NYSE Rule 3110.18(l) would provide that for purposes of the Supplementary Material, the term ''Pilot Year'' shall mean the following:

• Pilot Year 1 is the period beginning on July 1, 2024 and ending on December 31 of the same year;

• Pilot Year 2 means the calendar year period following Pilot Year 1,

[55] *See* FINRA Rule 3110.18(h)(1)(C) and (D). Pursuant to FINRA Rule 3110.18(h)(1), a finding means a discovery made during an inspection that led to a remedial action or was listed on the member's inspection report.

[56] *See* FINRA Rule 3110.18(h)(1)(E).

[57] *See* FINRA Rule 3110.18(h)(1)(F).

[58] *See* FINRA Rule 3110.18(h)(1)(G).

[59] FINRA Rule 3110.18(i) contains provisions for firms wishing to opt-in of the FINRA Pilot Program.

beginning on January 1 and ending on December 31;

• Pilot Year 3 means the calendar year period following Pilot Year 2, beginning on January 1 and ending on December 31; and

• If applicable, where Pilot Year 1 covers a period that is less than a full calendar year, then Pilot Year 4 means the period following Pilot Year 3, beginning on January 1 and ending on June 30, 2027.

Finally, FINRA also adopted FINRA Rule 3110.18(m) describing the sunset of FINRA Rule 3110.17, which the Exchange has not adopted. The Exchange accordingly does not propose to incorporate a provision similar to FINRA Rule 3110.18(m).

NYSE Rule 3110, Supplementary Material .19

NYSE Rule 3110.19(a) (Conditions for Designation as a Residential Supervisory Location (RSL)

FINRA Rule 3110.19(a) lists the conditions for FINRA members to designate an office or location as an RSL. Proposed NYSE Rule 3110.19(a) would set forth the conditions for designation as an RSL that would mirror the conditions set forth in FINRA Rule 3110.19(a) for member organizations to designate a location that is the associated person's private residence where specified supervisory activities are conducted as an RSL.

As proposed, NYSE Rule 3110.19 would provide that, notwithstanding any other provisions of NYSE Rule 3110(e) and subject to paragraphs (b) through (d) of the proposed Supplementary Material, a location that is the associated person's private residence where supervisory activities are conducted, including those described in NYSE Rule 3110(e)(1)(D) through (G) or in NYSE Rule 3110(e)(2)(B), shall be considered for those activities a non-branch location, provided that:

• only one associated person, or multiple associated persons who reside at that location and are members of the same immediate family, conduct business at the location; [60]

• the location is not held out to the public as an office; [61]

• the associated person does not meet with customers or prospective customers at the location; [62]

• any sales activity that takes place at the location complies with the conditions set forth under NYSE Rule 3110(e)(2)(A)(ii) or (iii); [63]

• neither customer funds nor securities are handled at that location; [64]

• the associated person is assigned to a designated branch office, and such designated branch office is reflected on all business cards, stationery, retail communications and other communications to the public by such associated person; [65]

• the associated persons correspondence and communications with the public are subject to the firm's supervision in accordance with this Rule; [66]

• the associated persons electronic communications (*e.g.,* email) are made through the member organization's electronic system; [67]

• (A) the member organization must have a recordkeeping system to make and keep current, and preserve records required to be made and kept current, and preserved under applicable securities laws and regulations, Exchange rules, and the member organization's own written supervisory procedures under NYSE Rule 3110; (B) such records are not physically or electronically maintained and preserved at the office or location; and (C) the member organization has prompt access to such records; [68] and

• the member organization must determine that its surveillance and technology tools are appropriate to supervise the types of risks presented by each Residential Supervisory Location, and these tools may include but are not limited to: (A) firm-wide tools such as, electronic recordkeeping system; electronic surveillance of email and correspondence; electronic trade blotters; regular activity-based sampling reviews; and tools for visual inspections; (B) tools specific to the RSL based on the activities of associated person assigned to the location, products offered, restrictions on the activity of the RSL; and (C) system tools such as secure network connections and effective cybersecurity protocols.[69]

With the exception of conforming and technical changes, proposed Rule NYSE 3110.19(a) is substantially the same as FINRA Rule 3110.19(a).

NYSE Rule 3110.19(b) (Member Organization Ineligibility Criteria)

FINRA Rule 3110.19(b) outlines the conditions that would render its members ineligible from designating an office as an RSL. As proposed, NYSE Rule 3110.19(b) would mirror these criteria and provide that a member organization is ineligible from designating an office or location as an RSL if the member organization:

• is currently designated as a restricted firm under FINRA Rule 4111; [70]

• is currently designated as a taping firm under NYSE Rule 3170; [71]

• is currently undergoing, or is required to undergo, a review under FINRA Rule 1017(a)(7) as a result of one or more associated persons at such location; [72]

• receives a notice pursuant to NYSE Rule 9557, regarding capital compliance related matters under NYSE Rules 4110, 4120 and 4130, unless the Exchange has otherwise permitted such activities in writing pursuant to such rule; [73]

• is or becomes suspended by the Exchange or FINRA; [74]

• based on the date in the Central Registration Depository (CRD), had its FINRA membership become effective within the prior 12 months; [75] or

• is or has been found to be in violation of office inspection obligations under NYSE or FINRA Rule 3110(c) within the past three years.[76]

With the exception of conforming and technical changes, proposed NYSE Rule 3110.19(b) is substantially the same as FINRA Rule 3110.19(b).

NYSE Rule 3110.19(c) (Location Ineligibility Criteria)

FINRA Rule 3110.19(c) sets forth the criteria that would render a particular office or location that is an associated person's private residence where specified supervisory activities are conducted ineligible for an RSL designation. Proposed NYSE Rule 3110.19(c) would mirror these criteria. As proposed, NYSE Rule 3110.19(c)

[60] *See* proposed NYSE Rule 3110.19(a)(1), mirroring FINRA Rule 3110.19(a)(1).

[61] *See* proposed NYSE Rule 3110.19(a)(2), mirroring FINRA Rule 3110.19(a)(2).

[62] *See* proposed NYSE Rule 3110.19(a)(3), mirroring FINRA Rule 3110.19(a)(3).

[63] *See* proposed NYSE Rule 3110.19(a)(4), mirroring FINRA Rule 3110.19(a)(4).

[64] *See* proposed NYSE Rule 3110.19(a)(5), mirroring FINRA Rule 3110.19(a)(5).

[65] *See* proposed NYSE Rule 3110.19(a)(6), mirroring FINRA Rule 3110.19(a)(6).

[66] *See* proposed NYSE Rule 3110.19(a)(7), mirroring FINRA Rule 3110.19(a)(7).

[67] *See* proposed NYSE Rule 3110.19(a)(8), mirroring FINRA Rule 3110.19(a)(8).

[68] *See* proposed NYSE Rule 3110.19(a)(9), mirroring FINRA Rule 3110.19(a)(9).

[69] *See* proposed NYSE Rule 3110.19(a)(10), mirroring FINRA Rule 3110.19(a)(10).

[70] *See* proposed NYSE Rule 3110.19(b)(1), mirroring FINRA Rule 3110.19(b)(1).

[71] *See* proposed NYSE Rule 3110.19(b)(2), mirroring FINRA Rule 3110.19(b)(2).

[72] *See* proposed NYSE Rule 3110.19(b)(3), mirroring FINRA Rule 3110.19(b)(3).

[73] *See* proposed NYSE Rule 3110.19(b)(4), mirroring FINRA Rule 3110.19(b)(4).

[74] *See* proposed NYSE Rule 3110.19(b)(5), mirroring FINRA Rule 3110.19(b)(5).

[75] *See* proposed NYSE Rule 3110.19(b)(6), mirroring FINRA Rule 3110.19(b)(6).

[76] *See* proposed NYSE Rule 3110.19(b)(7), mirroring FINRA Rule 3110.19(b)(7).

would make an office ineligible for the RSL designation if one or more associated persons at such office or location:

- is a designated supervisor who has less than one year of direct supervisory experience with the member organization, or an affiliate or subsidiary of the member organization that is registered as a broker-dealer or investment adviser; [77]
- is functioning as a principal for a limited period in accordance with NYSE Rule 1210.03; [78]
- is subject to a mandatory heightened supervisory plan under the rules of the SEC, FINRA, the Exchange or state regulatory agency; [79]
- is statutorily disqualified, unless such disqualified person has been approved (or is otherwise permitted pursuant to FINRA or Exchange rules and the federal securities laws) to associate with a member organization and is not subject to a mandatory heightened supervisory plan under paragraph (c)(3) of this Supplementary Material or otherwise as a condition to approval or permission for such association; [80]
- has an event in the prior three years that required a ''yes'' response to any item in Questions 14A(1)(a) and 2(a), 14B(1)(a) and 2(a), 14C, 14D and 14E on Form U4; [81] or
- has been notified in writing that such associated person is now subject to, any Investigation or Proceeding, as such terms are defined in the Explanation of Terms for the Form U4 (Uniform Application for Securities Industry Registration or Transfer), by the SEC, a self-regulatory organization, including the Exchange, or state securities commission (or agency or office performing like functions) (each, a ''Regulator'') expressly alleging they have failed reasonably to supervise another person subject to their supervision, with a view to preventing the violation of any provision of the Securities Act, the Act, the Investment Advisers Act, the Investment Company Act, the Commodity Exchange Act, any state law pertaining to the regulation of securities or any rule or regulation under any of such Acts or laws, or any of the rules of the Exchange or other self-regulatory organization, including the Exchange; provided, however, such office or location may be designated or redesignated as an RSL subject to the requirements of this Supplementary Material upon the earlier of: (i) the member organization's receipt of written notification from the applicable Regulator that such Investigation has concluded without further action; or (ii) one year from the date of the last communication from such Regulator relating to such Investigation. [82]

With the exception of conforming and technical changes, proposed NYSE Rule 3110.19(c) is substantially the same as FINRA Rule 3110.19(c).

NYSE Rule 3110.19(d) (Obligation To Provide List of RSLs)

Proposed NYSE Rule 3110.19(d) setting forth the obligations to provide RSL list would fully mirror the provisions of FINRA Rule 3110.19(d) and would require member organizations electing to designate any office or location of that member organization as an RSL to provide a current list of all offices or locations designated as RSLs by the 15th day of the month following each calendar quarter to FINRA in the manner and format as FINRA may prescribe. [83]

With the exception of conforming and technical changes, proposed NYSE Rule 3110.19(d) is substantially the same as FINRA Rule 3110.19(d).

NYSE Rule 3110.19(e) (Risk Assessment)

FINRA Rule 3110.19(e) requires its members, prior to designating an office or location as an RSL, to develop a reasonable risk-based approach to designating such office or location as an RSL, and conduct and document a risk assessment for the associated person assigned to that office or location. Proposed NYSE Rule 3110.19(e) would mirror the provisions of FINRA Rule 3110.19(e). Specifically, a member organization would be required, prior to designating an office or location as an RSL, to develop a reasonable risk-based approach to designating such office or location as an RSL and conduct and document a risk assessment for the associated person(s) assigned to that office or location. In line with FINRA Rule 3110.19(e), the proposed rule would list certain factors, among others, that member organizations must consider in the risk assessment that include whether each associated person at such office or location is subject to:

- customer complaints, taking into account the volume and nature of the complaints; [84]
- heightened supervision other than where such office or location is ineligible for RSL designation under paragraph (c)(3) of this Supplementary Material; [85]
- any failure to comply with the member organization's written supervisory procedures; [86]
- any recordkeeping violation; [87] and
- any regulatory communications from a Regulator, indicating that the associated person at such office or location failed reasonably to supervise another person subject to their supervision, including but not limited to, subpoenas, preliminary or routine regulatory inquiries or requests for information, deficiency letters, ''blue sheet'' requests or other trading questionnaires, or examinations. The member organization must take into account any higher risk activities that take place or a higher risk associated person that is assigned to that office or location. Consistent with its obligation under NYSE Rule 3110(a), the member organization's supervisory system must take into consideration any indicators of irregularities or misconduct (*i.e.,* ''red flags'') when designating an office or

[77] *See* proposed NYSE Rule 3110.19(c)(1), mirroring FINRA Rule 3110.19(c)(1).

[78] *See* proposed NYSE Rule 3110.19(c)(2), mirroring FINRA Rule 3110.19(c)(2).

[79] *See* proposed NYSE Rule 3110.19(c)(3), mirroring FINRA Rule 3110.19(c)(3).

[80] *See* proposed NYSE Rule 3110.19(c)(4), mirroring FINRA Rule 3110.19(c)(4).

[81] *See* proposed NYSE Rule 3110.19(c)(5), mirroring FINRA Rule 3110.19(c)(5).

[82] *See* proposed NYSE Rule 3110.19(c)(6), mirroring FINRA Rule 3110.19(c)(6).

[83] Pursuant to Rule 0, reference to Exchange staff or Exchange departments in the NYSE rules should be understood as also referring to FINRA staff and FINRA departments acting on behalf of the Exchange.

[84] *See* proposed NYSE Rule 3110.19(e)(1), mirroring FINRA Rule 3110.19(e)(1).

[85] *See* proposed NYSE Rule 3110.19(e)(2), mirroring FINRA Rule 3110.19(e)(2).

[86] *See* proposed NYSE Rule 3110.19(e)(3), mirroring FINRA Rule 3110.19(e)(3).

[87] *See* proposed NYSE Rule 3110.19(e)(4), mirroring FINRA Rule 3110.19(e)(4).

location as an RSL. Red flags should also be reviewed in determining whether it is reasonable to maintain the RSL designation of such office or location in accordance with the requirements of this Supplementary Material and the member organization should consider evidencing steps taken to address those red flags where appropriate.[88]

With the exception of conforming and technical changes, proposed NYSE Rule 3110.19(e) is substantially the same as FINRA Rule 3110.19(e).

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[89] in general, and furthers the objectives of Section 6(b)(5),[90] 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 rule change furthers the objectives of the Act by permitting member organizations that are FINRA members to participate in the FINRA Pilot Program and for all member organizations to utilize the RSL designation in order to continue to meet the core regulatory obligation to establish and maintain a supervisory system reasonably designed to achieve compliance with applicable securities laws and regulations and applicable Exchange rules that directly serve investor protection. The Exchange believes that the proposed changes, taken together, reasonably account for evolving work models while maintaining effective supervision. The Exchange believes that the proposed safeguards and controls built into both the remote inspection program and the RSL designation will, as FINRA noted,[91] provide member organizations with greater flexibility to adapt to changing work conditions without compromising investor protection. The robust nature of the criteria that must be satisfied and circumstances that would make a location ineligible for remote office inspections, as well as requirements for supplemental written supervisory procedures related to remote inspections, documentation requirements, and obligations to share data with FINRA to allow for assessment of the pilot program, serve an important role in reducing the potential for fraud and manipulative acts. Similarly, important safeguards such as requiring risk assessments in connection with the RSL designation in addition to delineating specific criteria for locations that would be ineligible for designation as an RSL furthers the prevention of manipulative acts and practices and the protection of investors and the public interest.

As discussed in the Purpose section, because proposed Supplementary Material .18 to NYSE Rule 3110 and proposed Supplementary Material .19 to NYSE Rule 3110 are substantially similar to FINRA Rule 3110.18 and FINRA Rule 3110.19, respectively, this rule change enables NYSE Rule 3110 to continue to be incorporated into the 17d–2 Agreement, resulting in less burdensome and more efficient regulatory compliance. Specifically, the proposed change will conform the Exchange's rules to changes made to corresponding FINRA rules insofar as a member organization's compliance with FINRA Rules 3110.18 and 3110.19 shall mean the member organization is also in compliance with proposed Supplementary Material.18 to NYSE Rule 3110 and proposed Supplementary Material .19 to NYSE Rule 3110, thus promoting the application of consistent regulatory standards with respect to rules that FINRA enforces pursuant to the 17d–2 Agreement. As previously noted, except for conforming and technical changes, the proposed text of proposed Supplementary Material .18 and .19 to NYSE Rule 3110 is substantially the same as the text of FINRA Supplementary Material .18 and .19, respectively, to FINRA Rule 3110. As such, the proposed rule change would facilitate rule harmonization among self-regulatory organizations with respect to inspection of member organizations and a consistent and uniform regulatory framework for which member organizations can avail themselves of the RSL designation, thereby fostering cooperation and coordination with persons engaged in facilitating transactions in securities and will remove impediments to and perfect the mechanism of a free and open market and a national market system.

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 proposed rule change is not intended to address competitive issues but rather is intended solely to reduce potential compliance burdens on member organizations by aligning NYSE Rule 3110 with FINRA Rule 3110, resulting in less burdensome and more efficient regulatory compliance for common members and facilitating FINRA's performance under the 17d–2 Agreement.

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 Act[92] and Rule 19b–4(f)(6) thereunder.[93] 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. In addition, the Exchange provided the Commission with written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing.[94]

A proposed rule change filed under Rule 19b–4(f)(6)[95] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii),[96] the Commission

[88] *See* proposed NYSE Rule 3110.19(e)(5), mirroring FINRA Rule 3110.19(e)(5).

[89] 15 U.S.C. 78f(b).

[90] 15 U.S.C. 78f(b)(5).

[91] *See* Securities Exchange Act Release No. 97398 (November 17, 2023), 88 FR 28620, 28635 (May 4, 2023) (SR–FINRA–2023–007) (Notice of Filing of a Proposed Rule Change To Adopt Supplementary Material .18 (Remote Inspections Pilot Program) Under FINRA Rule 3110 (Supervision)); Securities Exchange Act Release No. 97237 (March 31, 2023), 88 FR 20568 (April 6, 2023) (SR–FINRA–2023–006) (Notice of Filing of a Proposed Rule Change To Adopt Supplementary Material .19 (Residential Supervisory Location) Under FINRA Rule 3110 (Supervision)).

[92] 15 U.S.C. 78s(b)(3)(A)(iii).

[93] 17 CFR 240.19b–4(f)(6).

[94] 17 CFR 240.19b–4(f)(6)(iii).

[95] 17 CFR 240.19b–4(f)(6).

[96] 17 CFR 240.19b–4(f)(6)(iii).

may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing.

The Exchange stated that this proposed rule change is non-controversial because it does not present any new or novel issues. In particular, NYSE is harmonizing its supervision rules with those of FINRA, on which they are based and which have been previously approved by the Commission. By conforming the Exchange's rules to FINRA's, the proposed rule change would promote the application of consistent regulatory standards with respect to rules that FINRA enforces pursuant to the 17d–2 Agreement. As such, the Exchange believes that the proposed rule change would foster cooperation and coordination with persons engaged in facilitating transactions in securities and would remove impediments to and perfect the mechanism of a free and open market and a national market system in accordance with Exchange Act Section 6(b)(5). Further, the Exchange stated that waiver of the operative delay should reduce any potential confusion that may otherwise occur on the part of joint members of the Exchange and FINRA as to the applicable rules governing inspections of branch offices and other locations. For these reasons, the Commission believes that waiver of the 30-day operative delay for this proposed rule change is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the 30-day operative delay and designates the proposed rule change operative upon filing.[97]

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 Commission shall institute proceedings under Section 19(b)(2)(B)[98] of the Act to determine whether the proposed rule change should be approved or disapproved.

[97] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[98] 15 U.S.C. 78s(b)(2)(B).

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–NYSE–2024–64 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–NYSE–2024–64. 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–NYSE–2024–64 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[99]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24201 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

[99] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 1:00 p.m. on Thursday, October 24, 2024.

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: October 17, 2024.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2024–24401 Filed 10–17–24; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101348; File No. SR–FICC–2024–010]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change To Adopt the Clearing Agency Framework for Certain Requirements on Governance and Conflicts of Interest

October 15, 2024.

On August 15, 2024, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change SR–FICC–2024–010 (''Proposed Rule Change'') pursuant to Section 19(b) of the Securities Exchange Act of 1934 (''Exchange Act'') [1] and Rule 19b–4 [2] thereunder to adopt a new framework entitled the ''Clearing Agency Framework for Certain Requirements on Governance and Conflicts of Interest'' (''Framework'') of FICC and its affiliates, the Depository Trust Company (''DTC'') and National Securities Clearing Corporation (''NSCC,'' and together with FICC and DTC, the ''Clearing Agencies'').[3] The Proposed Rule Change was published for public comment in the **Federal Register** on September 3, 2024.[4] The Commission has received no comments regarding the Proposed Rule Change.

Section 19(b)(2)(i) of the Exchange Act [5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved unless the Commission extends the period within which it must act as provided in Section 19(b)(2)(ii) of the Exchange Act.[6] Section 19(b)(2)(ii) of the Exchange Act allows the Commission to designate a longer period for review (up to 90 days from the publication of notice of the filing of a proposed rule change) if the Commission finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents.[7]

The 45th day after publication of the Notice of Filing is October 18, 2024. To provide the Commission with sufficient time to consider the Proposed Rule Change, the Commission finds that it is appropriate to designate a longer period within which to act on the Proposed Rule Change and therefore is extending this 45-day time period.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Exchange Act,[8] designates December 2, 2024, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–FICC–2024–010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24208 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 35359; File No. 812–15518]

5C Lending Partners Corp., et al.

October 15, 2024.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment entities.

APPLICANTS: 5C Lending Partners Corp.; 5C Lending Partners Advisor LLC; 5C Investment Partners Advisor LLC; and 5C Lending Partners Co-Investment LP.

FILING DATES: The application was filed on October 26, 2023, and amended on March 27, 2024, and July 10, 2024.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on November 12, 2024, 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 at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Thomas Connolly and Michael Koester, 5C Lending Partners Advisor LLC, at *tom.connolly@5cinvest.com* and *michael.koester@5cinvest.com,* respectively; and Nicole M. Runyan, P.C. and Pamela Poland Chen, Kirkland & Ellis LLP, at *nicole.runyan@kirkland.com* and *pamela.chen@kirkland.com,* respectively.

FOR FURTHER INFORMATION CONTACT: Kieran G. Brown, Senior Counsel, or Terri Jordan, Branch Chief, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' second amended and restated application, dated July 10, 2024, 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 *https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Public Reference Room at (202) 551–8090.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Notice of Filing *infra* note 4, at 71 FR 593.

[4] Securities Exchange Act Release No. 100843 (August 27, 2024), 71 FR 593 (September 3, 2024) (File No. SR–FICC–2024–010) (''Notice of Filing'').

[5] 15 U.S.C. 78s(b)(2)(i).

[6] 15 U.S.C. 78s(b)(2)(ii).

[7] *Id.*

[8] *Id.*

[9] 17 CFR 200.30–3(a)(12).

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24217 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101336; File No. SR–FINRA–2024–016]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Make Technical and Other Non-Substantive Changes Within FINRA Rules

October 15, 2024.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 4, 2024, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by FINRA. FINRA has designated the proposed rule change as constituting a ''non-controversial'' rule change under paragraph (f)(6) of Rule 19b–4 under the Act,[3] which renders the proposal effective upon receipt of this filing by the Commission. 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

FINRA is proposing to make technical and other non-substantive changes within FINRA rules.

The text of the proposed rule change is available on FINRA's website at *https://www.finra.org,* at the principal office of FINRA 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, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

On March 6, 2024, the SEC adopted amendments to Rule 600 of Regulation NMS to add new defined terms to and modify certain existing defined terms in Rule 600 that are used in Rule 605 of Regulation NMS.[4] The amendments to Rule 600 of Regulation NMS became effective on June 14, 2024.[5] As a result of the SEC amendments to Regulation NMS, certain cross references in FINRA rules have become outdated and inaccurate. In order to ensure clarity and avoid future inaccuracy in the event of further amendment to Regulation NMS, the proposed rule change would delete numeric cross references in the following FINRA rules: 5320 (Prohibition Against Trading Ahead of Customer Orders), 6110 (Trading Otherwise than on an Exchange), 6120 (Trading Halts), 6121 (Trading Halts Due to Extraordinary Market Volatility), 6140 (Other Trading Practices), 6182 (Trade Reporting of Short Sales), 6183 (Exemption from Trade Reporting Obligation for Certain Alternative Trading Systems), 6310A (General), 6320A (Definitions), 6310B (General), 6320B (Definitions), 6420 (Definitions), 6810 (Definitions), 7110 (Definitions) and 7230A (Trade Report Input).[6] The proposed rule change would also update FINRA Rule 9217 (Violations Appropriate for Disposition Under Plan Pursuant to SEA Rule 19d–1(c)(2)) to remove specific paragraph references and instead refer generally to Rule 605 of Regulation NMS.[7] In addition, the proposed rule change would delete references to FINRA Rules 7440 and 7450 in Rule 9217 to reflect the elimination of the Order Audit Trail System rules from the FINRA Manual.[8]

Finally, the proposed rule change would make a technical change to Article IV, Section 3 (Membership—Executive Representative) of the FINRA By-Laws to replace reference to NASD Regulation website with FINRA website to reflect the current name of FINRA.[9]

FINRA has filed the proposed rule change for immediate effectiveness and has requested that the SEC waive the requirement that the proposed rule change not become operative for 30 days after the date of the filing, so FINRA can implement the proposed rule change immediately.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Exchange Act,[10] which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. FINRA believes the proposed rule change will provide greater clarity to members and the public regarding FINRA's rules.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change brings clarity and consistency to FINRA rules without adding any burden on firms.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

FINRA has filed the proposed rule change pursuant to Section 19(b)(3)(A)

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.19b–4(f)(6).

[4] *See* Securities Exchange Act Release No. 99679 (March 6, 2024), 89 FR 26428 (April 15, 2024) (SEC File No. S7–29–22, Disclosure of Order Execution Information).

[5] *See supra* note 4.

[6] The proposed rule change would also make a technical correction to Rule 6810 to delete the reference to the definition of ''Option'' under Rule 600(b) of Regulation NMS, as this term is not defined in Rule 600(b).

[7] *See supra* note 4.

[8] *See* Securities Exchange Act Release No. 90535 (November 30, 2020), 85 FR 78395 (December 4, 2020) (Notice of Filing and Order Granting Accelerated Approval of File No. SR–FINRA–2020–024) and Securities Exchange Act Release No. 92239 (June 23, 2021), 86 FR 34293 (June 29, 2021) (Notice of Filing and Immediate Effectiveness of File No. SR–FINRA–2021–017).

[9] *See* Securities Exchange Act Release No. 56146 (July 26, 2007), 72 FR 42190 (August 1, 2007) (Notice of Filing and Order Granting Accelerated Approval of File No. SR–NASD–2007–053). The proposed rule change would also make a similar technical change to Rule 9217 to delete an outdated reference to NASD rules.

[10] 15 U.S.C. 78*o*–3(b)(6).

of the Act [11] and Rule 19b–4(f)(6) [12] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [13] and Rule 19b–4(f)(6) [14] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6) [15] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[16] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. FINRA has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow FINRA to correct without delay outdated references in its rule text and does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[17]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

[11] 15 U.S.C. 78(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(6).

[13] 15 U.S.C. 78s(b)(3)(A).

[14] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires FINRA to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. FINRA has satisfied this requirement.

[15] 17 CFR 240.19b–4(f)(6).

[16] 17 CFR 240.19b–4(f)(6)(iii).

[17] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

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–FINRA–2024–016 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–FINRA–2024–016. 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–FINRA–2024–016 and should be submitted on or before November 12, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–24202 Filed 10–18–24; 8:45 am]

BILLING CODE 8011–01–P

[18] 17 CFR 200.30–3(a)(12) and (59).

SELECTIVE SERVICE SYSTEM

Performance Review Board Membership

AGENCY: Selective Service System.

ACTION: Notice.

SUMMARY: Notice is hereby given of the names of the members of the Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Lee Levells, Human Resources Officer, Selective Service System, 1501 Wilson Blvd., Arlington, VA 22209, telephone: 703–605–4011.

SUPPLEMENTARY INFORMATION: Sec. 4314(c) (1) through (5) of title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more performance review boards. The board shall review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive.

The Members of the Performance Review Board Are

1. Mark Blythe, Director of Field Service, U.S. Railroad Retirement Board
2. Peggy Gartner, Deputy Office Head, Office of Information and Resource Management, National Science Foundation
3. Leslie Bayless, Chief Operating Officer, Federal Mine Safety and Health Review Commission

Daniel A. Lauretano, Sr.,

General Counsel.

[FR Doc. 2024–24311 Filed 10–18–24; 8:45 am]

BILLING CODE 8015–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20666 and #20667; LOUISIANA Disaster Number LA–20007]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Louisiana

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Louisiana (FEMA–4817–DR), dated 09/23/2024.

Incident: Hurricane Francine.

Incident Period: 09/09/2024 through 09/12/2024.

DATES: Issued on 10/15/2024.

Physical Loan Application Deadline Date: 11/22/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 06/23/2025.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Vanessa Morgan, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Louisiana, dated 09/23/2024, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Parishes: Iberville, Jefferson, St. Bernard, Tangipahoa.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Rafaela Monchek,

Deputy Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024–24216 Filed 10–18–24; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20711 and #20712; GEORGIA Disaster Number GA–20013]

Presidential Declaration Amendment of a Major Disaster for the State of Georgia

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 6.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the State of Georgia (FEMA–4830–DR), dated 09/30/2024.

Incident: Hurricane Helene.

Incident Period: 09/24/2024 and continuing.

DATES: Issued on 10/14/2024.

Physical Loan Application Deadline Date: 11/29/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 06/30/2025.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for the State of Georgia, dated 09/30/2024, is hereby amended to include the following areas as adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): McIntosh.

Contiguous Counties (Economic Injury Loans Only): All counties contiguous to the above-named county have been previously declared.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Rafaela Monchek,

Deputy Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024–24180 Filed 10–18–24; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20732 and #20733; FLORIDA Disaster Number FL–20014]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Florida

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Florida (FEMA–4828–DR), dated 10/05/2024.

Incident: Hurricane Helene.

Incident Period: 09/23/2024 and continuing.

DATES: Issued on 10/07/2024.

Physical Loan Application Deadline Date: 12/04/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 07/07/2025.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Florida, dated 10/05/2024, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Alachua, Bradford, Duval, Union.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Rafaela Monchek,

Deputy Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024–24184 Filed 10–18–24; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #20699 and #20700; FLORIDA Disaster Number FL–20012]

Presidential Declaration Amendment of a Major Disaster for the State of Florida

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 3.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the State of Florida (FEMA–4828–DR), dated 09/28/2024.

Incident: Hurricane Helene.

Incident Period: 09/23/2024 and continuing.

DATES: Issued on 10/07/2024.

Physical Loan Application Deadline Date: 11/27/2024.

Economic Injury (EIDL) Loan Application Deadline Date: 06/30/2025.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Alan Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for the State of Florida, dated 09/28/2024, is hereby amended to include the following areas as adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Alachua, Baker, Bradford, Collier, Duval, Putnam, Union.

Contiguous Counties (Economic Injury Loans Only):

Florida: Broward, Clay, Flagler, Miami-Dade, Monroe, Nassau, St. Johns, Volusia.

Georgia: Charlton, Ware.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Rafaela Monchek,

Deputy Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2024–24182 Filed 10–18–24; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 12565]

Notice of Public Meeting in Preparation for International Maritime Organization Council 133 Meeting

The Department of State will conduct a public meeting at 11 a.m. on Thursday, November 14, 2024, both in-person at Coast Guard Headquarters in Washington, DC, and via teleconference. The primary purpose of the meeting is to prepare for the 133rd session of the International Maritime Organization's (IMO) Council (C 133) to be held in London, United Kingdom from Monday, November 18, 2024, to Friday, November 22, 2024.

Members of the public may participate up to the capacity of the teleconference phone line, which can handle 500 participants or up to the seating capacity of the room if attending in person. The meeting location will be the United States Coast Guard Headquarters, 5PS Conference Room, and the teleconference line will be provided to those who RSVP. To RSVP, participants should contact the meeting coordinator, LCDR Emily Rowan, by email at *Emily.K.Rowan@uscg.mil*. LCDR Rowan will provide access information for in-person and virtual attendance.

The agenda items to be considered by the advisory committee at this meeting mirror those to be considered at Council 133, and include:

—Adoption of the agenda
—Report of the Secretary-General on credentials
—Rules of Procedure
—Strategy and Planning
—Resource Management
—Consolidated text of the IMO Convention
—Enhancement of multilingualism
—IMO Member State Audit Scheme
—Enhancement of GISIS
—Report of the Marine Environmental Protection Committee
—Global maritime training institutions
—External relations
—Report on the status of conventions
—Place, date and duration of the next session of the Council (C 134) and items for inclusion in the provisional agendas for the next two sessions of the Council (C 134 and C 135)
—Supplementary agenda items, if any

Please note: the IMO may, on short notice, adjust the C 133 agenda to accommodate the constraints associated with the meeting format. Any changes to the agenda will be reported to those who RSVP.

Those who plan to participate should contact the meeting coordinator, LCDR Emily Rowan, by email at *Emily.K.Rowan@uscg.mil*, or in writing at 2703 Martin Luther King Jr. Ave. SE, Stop 7509, Washington, DC 20593–7509, by November 7, 2024. Members of the public needing reasonable accommodation should advise the meeting coordinator not later than October 31, 2024. Requests made after that date will be considered but might not be possible to fulfill.

Additional information regarding this and other IMO public meetings may be found at: *https://www.dco.uscg.mil/IMO.*

(Authority: 22 U.S.C. 2656 and 5 U.S.C. 552)

Leslie W. Hunt,

Coast Guard Liaison Officer, Office of Ocean and Polar Affairs, Department of State.

[FR Doc. 2024–24275 Filed 10–18–24; 8:45 am]

BILLING CODE 4710–09–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR–2024–0018]

Applications for Inclusion on the Binational Panels Roster Under the United States-Mexico-Canada Agreement

AGENCY: Office of the United States Trade Representative (USTR).

ACTION: Request for applications.

SUMMARY: The United States-Mexico-Canada Agreement (USMCA) provides for the establishment of a roster of individuals to serve on binational panels convened to review final determinations in antidumping or countervailing duty (AD/CVD) proceedings and amendments to AD/CVD statutes of a USMCA Party. The United States annually renews its selections for the roster. USTR invites applications from eligible individuals wishing to be included on the roster for the period April 1, 2025, through March 31, 2026.

DATES: USTR must receive your application by November 29, 2024.

ADDRESSES: You should submit your application through the Federal eRulemaking Portal: *http://www.regulations.gov* (*regs.gov*), using docket number USTR–2024–0018. Follow the submission instructions below.

FOR FURTHER INFORMATION CONTACT: Thor Petersen, Assistant General Counsel, *Thorvald.J.Petersen@ustr.eop.gov,* 202.395.9599.

SUPPLEMENTARY INFORMATION:

A. Binational Panel AD/CVD Reviews Under the USMCA

Article 10.12 of the USMCA provides that a party involved in an AD/CVD proceeding may obtain review by a binational panel of a final AD/CVD determination of one USMCA Party with respect to the products of another USMCA Party. Binational panels decide whether AD/CVD determinations are in accordance with the domestic laws of the importing USMCA Party using the standard of review that would have been applied by a domestic court of the importing USMCA Party. A panel may uphold the AD/CVD determination, or may remand it to the national administering authority for action not inconsistent with the panel's decision. Panel decisions may be reviewed in specific circumstances by a 3 member extraordinary challenge committee, selected from a separate roster composed of 15 current or former judges.

Article 10.11 of the USMCA provides that a USMCA Party may refer an amendment to the AD/CVD statutes of another USMCA Party to a binational panel for a declaratory opinion as to whether the amendment is inconsistent with the General Agreement on Tariffs and Trade (GATT), the WTO Antidumping or Subsidies Agreements, successor agreements, or the object and purpose of the USMCA with regard to the establishment of fair and predictable conditions for the progressive liberalization of trade while maintaining effective and fair disciplines on unfair trade practices. If the panel finds that the amendment is inconsistent, the two USMCA Parties must consult and seek to achieve a mutually satisfactory solution.

B. Roster and Composition of Binational Panels

Annex 10–B.1 of the USMCA provides for the maintenance of a roster of at least 75 individuals for service on Chapter 10 binational panels, with each USMCA Party selecting at least 25 individuals. A separate five-person panel is formed for each review of a

final AD/CVD determination or statutory amendment. To form a panel, the two USMCA Parties involved each appoint two panelists, normally by drawing upon individuals from the roster. If the Parties cannot agree upon the fifth panelist, one of the Parties, decided by lot, selects the fifth panelist from the roster. The majority of individuals on each panel must consist of lawyers in good standing, and the chair of the panel must be a lawyer.

When there is a request to establish a panel, roster members from the two involved USMCA Parties will complete a disclosure form that is used to identify possible conflicts of interest or appearances thereof. The disclosure form requests information regarding financial interests and affiliations, including information regarding the identity of clients of the roster member and, if applicable, clients of the roster member's firm.

C. Criteria for Eligibility for Inclusion on Roster

The United States bases the selection of individuals for inclusion on the Chapter 10 roster on the eligibility criteria set out in Annex 10–B.1 of the USMCA. Annex 10–B.1 provides that Chapter 10 roster members must be citizens of a USMCA Party, must be of good character and of high standing and repute, and are to be chosen strictly on the basis of their objectivity, reliability, sound judgment, and general familiarity with international trade law. Aside from judges, roster members may not be affiliated with the governments of any of the three USMCA Parties. Annex 10–B.1 also provides that, to the fullest extent practicable, the roster must include judges and former judges.

USTR is committed to diversity, equity, inclusion, and accessibility, and encourages all qualified individuals to apply.

D. Adherence to the USMCA Code of Conduct for Binational Panelists

The Code of Conduct under Chapter 10 and Chapter 31 (Dispute Settlement) (see *https://can-mex-usa-sec.org/secretariat/agreement-accord-acuerdo/usmca-aceum-tmec/code-code-codigo.aspx?lang=eng*), which was established pursuant to Article 10.17 of the USMCA, provides that current and former Chapter 10 roster members ''shall avoid impropriety and the appearance of impropriety and shall observe high standards of conduct so that the integrity and impartiality of the dispute settlement process is preserved.'' The Code of Conduct also provides that candidates to serve on Chapter 10 panels, as well as those who ultimately are selected to serve as panelists, have an obligation to ''disclose any interest, relationship or matter that is likely to affect [their] impartiality or independence, or that might reasonably create an appearance of impropriety or an apprehension of bias.'' Annex 10–B.1 of the USMCA provides that roster members may engage in other business while serving as panelists, subject to the Code of Conduct and provided that such business does not interfere with the performance of the panelist's duties. In particular, Annex 10–B.1 states that ''[w]hile acting as a panelist, a panelist may not appear as counsel before another panel.''

E. Procedures for Selection of Roster Members

Section 412 of the United States-Mexico-Canada Agreement Implementation Act (Pub. L. 116–113 (19 U.S.C. 4582)), establishes procedures for the selection by USTR of the individuals chosen by the United States for inclusion on the Chapter 10 roster. The roster is renewed annually, and applies during the one-year period beginning April 1st of each calendar year.

Under Section 412, an interagency committee chaired by USTR prepares a preliminary list of candidates eligible for inclusion on the Chapter 10 roster. After consultation with the Senate Committee on Finance and the House Committee on Ways and Means, the U.S. Trade Representative selects the final list of individuals chosen by the United States for inclusion on the Chapter 10 roster.

F. Applications

USTR invites eligible individuals who wish to be included on the Chapter 10 roster for the period April 1, 2025, through March 31, 2026, to submit applications. In order to be assured of consideration, USTR must receive your application by November 29, 2024. Submit applications electronically to *regs.gov,* using docket number USTR–2024–0018. For technical questions on submitting comments on *regs.gov,* please contact the *regs.gov* help desk at *regulationshelpdesk@gsa.gov* or 1.866.498.2945. If you are unable to submit through *regs.gov* after seeking assistance from the help desk, please contact Sandy McKinzy at 202.395.9483 before transmitting your application and in advance of the deadline.

In order to ensure the timely receipt and consideration of applications, USTR strongly encourages applicants to make on-line submissions, using *regs.gov*. To apply via *regs.gov,* enter docket number USTR–2024–0018 on the home page and click 'search.' The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting 'notice' under 'document type' on the left side of the search-results page, and click on the 'comment now' link. For further information on using the *regs.gov* website, please consult the resources provided on the website by clicking on 'How to Use *Regulations.gov*' on the bottom of the page.

Regs.gov allows users to provide comments by filling in a 'type comment' field, or by attaching a document using an 'upload file' field. USTR prefers that applications be provided in an attached document. If a document is attached, please type ''Application for Inclusion on USMCA Chapter 10 Roster'' in the 'upload file' field. USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If the submission is in an application other than those two, please indicate the name of the application in the 'type comment' field.

Applications must be typewritten, and should be headed ''Application for Inclusion on USMCA Chapter 10 Roster.'' Applications should include the following information, and each section of the application should be numbered as indicated:

1. Name of the applicant.
2. Business address, telephone number, fax number, and email address.
3. Citizenship(s).
4. Current employment, including title, description of responsibility, and name and address of employer.
5. Relevant education and professional training.
6. Spanish language fluency, written and spoken.
7. Post-education employment history, including the dates and addresses of each prior position and a summary of responsibilities.
8. Relevant professional affiliations and certifications, including, if any, current bar memberships in good standing.
9. A list and copies of publications, testimony, and speeches, if any, concerning AD/CVD law. Judges or former judges should list relevant judicial decisions. Submit only one copy of publications, testimony, speeches, and decisions.
10. Summary of any current and past employment by, or consulting or other work for, the Governments of the United States, Canada, or Mexico.
11. The names and nationalities of all foreign principals for whom the applicant is currently or has previously been registered pursuant to the Foreign

Agents Registration Act, 22 U.S.C. 611 *et seq.,* and the dates of all registration periods.

12. List of proceedings brought under U.S., Canadian, or Mexican AD/CVD law regarding imports of U.S., Canadian, or Mexican products in which the applicant advised or represented (for example, as consultant or attorney) any U.S., Canadian, or Mexican party to such proceeding and, for each such proceeding listed, the name and country of incorporation of such party.

13. A short statement of qualifications and availability for service on Chapter 10 panels, including information relevant to the applicant's familiarity with international trade law and willingness and ability to make time commitments necessary for service on panels.

14. On a separate page, the names, addresses, telephone and fax numbers of three individuals willing to provide information concerning the applicant's qualifications for service, including the applicant's character, reputation, reliability, judgment, and familiarity with international trade law.

G. Current Roster Members and Prior Applicants

Current members of the Chapter 10 roster who remain interested in inclusion on the Chapter 10 roster only need to indicate that they are reapplying and submit updates (if any) to their applications on file. Current members do not need to resubmit their applications. Individuals who previously have applied but have not been selected must submit new applications to reapply. If an applicant, including a current or former roster member, has previously submitted materials referred to in item 9, such materials need not be resubmitted.

H. Public Disclosure

Applications are covered by a Privacy Act System of Records Notice and are not subject to public disclosure and will not be posted publicly on *regs.gov*. They may be referred to other federal agencies and Congressional committees in the course of determining eligibility for the roster, and shared with foreign governments and the USMCA Secretariat in the course of panel selection.

I. False Statements

False statements by applicants regarding their personal or professional qualifications, or financial or other relevant interests that bear on the applicants' suitability for placement on the Chapter 10 roster or for appointment to binational panels, are subject to criminal sanctions under 18 U.S.C. 1001.

Juan Millan,

Acting General Counsel, Office of the United States Trade Representative.

[FR Doc. 2024–24232 Filed 10–18–24; 8:45 am]

BILLING CODE 3390–F4–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2024–2478]

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Report of Inspections Required by Airworthiness Directive, Part 39

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection involves the member of the public that may submit an Alternative Methods of Compliance (AMOC) request to the FAA by using the Airworthiness Directives Development (ADD) External website. The information to be collected will be used to support publicly disseminated information to the FAA and/or is necessary because this information supports the Department of Transpiration's strategic goal to promote the public health and safety by working toward eliminating transportation-related deaths and injuries.

DATES: Written comments should be submitted by December 20, 2024.

ADDRESSES: Please send written comments:

By Electronic Docket: https://www.regulations.gov (Enter docket number into search field).

By Mail: Michelle Janollari, 25249 Country Club Blvd., North Olmsted, OH 44070.

By Email: michelle.k.janollari@faa.gov.

FOR FURTHER INFORMATION CONTACT: Michelle Janollari by email at: *michelle.k.janollari@faa.gov;* phone: 440–686–2001.

SUPPLEMENTARY INFORMATION: *Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120–0056.

Title: Report of Inspections Required by Airworthiness Directives, Part 39.

Form Numbers: There is no standard form to use for AMOC submission. However, the public may access the ADD External website to submit an AMOC request to the FAA.

Type of Review: Renewal of an information collection.

Background: Alternative Methods of Compliance (AMOC) are submitted to the FAA by the general public. While anyone may submit an AMOC there is no standard form to use. From Order 8110.103B Alternative Methods of Compliance (AMOC), Section 32:

3–2. AMOC Proposal. 14 CFR 39.19 states in part that ''anyone may propose to the FAA an alternative method of compliance or a change in the compliance time, if the proposal provides an acceptable level of safety.''

a. Although a letter is preferred, AMOC proposals may be submitted by other means, such as email, fax, or telephone. AMOC proposals received by telephone must be documented.

An AMOC Response Letter is written by an internal FAA user and sent to the AMOC Requester. The template may be generated from the ADD Dashboard and follows the latest Order. There is not an FAA or OMB number on this template.

A member of the public may submit an AMOC request to the FAA by using the ADD External website. Registration is not needed to use this website. External users must consent to the ''Terms of Use'' statement before proceeding to the AMOC proposal web page. An AMOC is required if an owner/operator of aircraft cannot comply with an AD or finds a different method to comply with the actions specified in an AD, as mandated by 14 CFR part 39.

Respondents: The respondents are a member of the public who may submit an AMOC request to FAA by using the ADD External website. We estimate that 25 ADs yearly will require reports of information and findings. The average AD affects about 1,120 owners/operators. Therefore, 25 ADs times 1,120 owners/operators per year equal 28,000 reports.

Frequency: As needed.

Estimated Average Burden per Response: 1 hour.

Estimated Total Annual Burden: 28,000 reporting hours.

Issued on October 16, 2024.

Hollister B. Thorson,

Manager, Airworthiness Products Section, Operational Safety Branch, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2024–24309 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 2024–1721]

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: PIREP Form FAA Form 7110–2

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on July 03, 2024. The collection involves an aircraft pilot's voluntary submission of weather conditions that were encountered while in flight. The information to be collected is necessary because Pilot Report (PIREP) Solicitation and Dissemination has been identified by the ATO as one of the Top 5 hazards in the National Airspace System (NAS). For certain weather conditions, PIREPs are the only means of confirmation that forecasted conditions are occurring. The FAA 7110–2 PIREP Form is a guide to assist pilots in submitting Pilot Weather Reports into the NAS.

DATES: Written comments should be submitted by November 20, 2024.

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: Katie J. Ludwig by email at: *katie.j.ludwig@faa.gov;* phone: 202–267–6195.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information.

OMB Control Number: 2120–0801.

Title: PIREP Form FAA form 7110–2.

Form Numbers: FAA 7110–2.

Type of Review: Renewal of an information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on July 03, 2024 (89 FR 55301). Pilot reporting of weather conditions, commonly referred to as PIREPs, has been standard procedure during most of the twentieth century. PIREPs are voluntary reports from pilots describing weather conditions observed while flying. In some instances, PIREPs are the only way for forecasters to confirm the forecasted conditions are occurring. Complete, accurate, and timely weather information from PIREPs is an essential element of flight safety for all aircraft operations in the National Airspace System (NAS). This information is used by pilots to avoid inadvertent encounters with hazardous weather and preventing weather-related accidents. Pilots most commonly submit PIREPs verbally via radio to air traffic control (ATC). The PIREP Form, FAA Form 7110–2, is a tool to assist ATC personnel and pilots to report the conditions encountered in the proper format. It is essential that the weather conditions in a PIREP be reported be in the correct format to ensure the timely dissemination and availability to the users of the NAS, to include pilots, ATC, National Weather Service (NWS) meteorologists, and weather researchers. The collection of PIREPs is as needed.

Respondents: Pilots.

Frequency: On occasion, depending on the weather conditions encountered.

Estimated Average Burden per Response: Three minutes per hour.

Estimated Total Annual Burden: <1 hour per respondent.

Issued in Washington, DC on October 15, 2024.

Katie Jo Ludwig,

Air Traffic Control Specialist, AJR–B100.

[FR Doc. 2024–24282 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No.: FAA–2023–0200; Summary Notice No.—2024–42]

Petition for Exemption; Summary of Petition Received; Sustainable Skylines Corp.

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

ACTION: Notice.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of Federal Aviation Regulations. The purpose of this notice is to improve the public's awareness of, and participation in, the FAA's exemption process. Neither publication of this notice nor the inclusion nor omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before November 12, 2024.

ADDRESSES: Send comments identified by docket number [FAA–2023–0200] using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to

http://www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jake Troutman, (202) 683–7788, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC.

Dan A. Ngo,

Manager, Part 11 Petitions Branch, Office of Rulemaking.

Petition for Exemption Amendment

Docket No.: FAA–2023–0200.

Petitioner: Sustainable Skylines Corp.

Section(s) of 14 CFR Affected: §§ 61.23(a), 61.23(c), 61.101(e)(4), 61.101(e)(5), 61.113(a), 61.113(b), 61.315(a), 61.315(c)(2), 61.315(c)(3), 91.7(a), 91.119(c), 91.121, 91.403(b), 91.405(a), 91.407(a)(1), 91.409(a)(1), 91.409(a)(2), 91.417(a), 91.417(b).

Description of Relief Sought: Sustainable Skylines Corp. seeks to amend their existing grant of exemption, which allows them to operate the VELARY LIFT 10 unmanned aircraft system (UAS) for banner towing operations launching and recovering from a designated secure area adjacent to and operating over a four nautical mile (nm) stretch of water along the Miami Beach, Florida coastline, to add the Watts Innovations AERO Sky UAS, which is a hybrid VTOL UAS that has a MTOW of 85.5 lbs. to conduct ''Daisy Chaining'' beyond visual line of site operations where visual observers VO(s) continuously observe at least a 2 statute mile radius of airspace surrounding the UA in flight to identify any non-participating aircraft prior to their entry into the planned operational area.

[FR Doc. 2024–24218 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on a Land Release Request at Malden Regional Airport & Industrial Park (MAW), Malden, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of request to release of airport land.

SUMMARY: The FAA proposes to rule and invites public comment on the request to release and sell a 13.96 acre parcel of federally obligated airport property at the Malden Regional Airport & Industrial Park (MAW), Malden, Missouri.

DATES: Comments must be received on or before November 20, 2024.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust, Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: David Blalock, Airport Manager, City of Malden Regional Airport & Industrial Park, 3077 Mitchell Drive, P.O. Box 411, Malden, MO 63863–0411, (573) 276–2279.

FOR FURTHER INFORMATION CONTACT: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust, Room 364, Kansas City, MO 64106, (816) 329–2603, *amy.walter@faa.gov.* The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release a 13.96 acre parcel of airport property at the Malden Regional Airport & Industrial Park (MAW) under the provisions of 49 U.S.C. 47107(h)(2). This is a Surplus Property Airport. The City of Malden requested a release from the FAA to sell a 13.96 acre parcel to be developed by Aycorp, LLC. The FAA determined this request to release and sell property at the Malden Regional Airport & Industrial Park (MAW) submitted by the Sponsor meets the procedural requirements of the FAA and the release and sale of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

The following is a brief overview of the request:

The Malden Regional Airport & Industrial Park (MAW) is proposing the release from obligations and sale of a 13.96 acre parcel of airport property. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at the Malden Regional Airport & Industrial Park (MAW) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances in order to sell the land. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation use.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may request an appointment to inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Malden City Hall.

Issued in Kansas City, MO, on October 15, 2024.

Rodney N. Joel,

Director, FAA Central Region, Airports Division.

[FR Doc. 2024–24290 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on a Land Release Request at Philip Billard Airport (TOP), Topeka, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of request to release of airport land.

SUMMARY: The FAA proposes to rule and invites public comment on the request to release and sell a 44.47 acre parcel of federally obligated airport property at the Philip Billard Airport (TOP), Topeka, Kansas.

DATES: Comments must be received on or before November 20, 2024.

ADDRESSES: Comments on this application may be mailed or delivered

to the FAA at the following address: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust, Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Eric M. Johnson, President and Director of Airports, Metropolitan Topeka Airport Authority, 6510 SE Forbes Ave., Suite 1, Topeka, KS 66619–1446, (785) 862–2362.

FOR FURTHER INFORMATION CONTACT: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE–620G, 901 Locust, Room 364, Kansas City, MO 64106, (816) 329–2603, *amy.walter@faa.gov.* The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release a 44.47 acre parcel of airport property at the Philip Billard Airport, (TOP) provisions of 49 U.S.C. 47107(h)(2). The Metropolitan Topeka Airport Authority requested a release from the FAA to sell a 44.47 acre parcel for continued use as agricultural production. The FAA determined this request to release and sell property at the Philip Bilard Airport (TOP) submitted by the Sponsor meets the procedural requirements of the FAA and the release and sale of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

The following is a brief overview of the request:

The Metropolitan Topeka Airport Authority (TOP) is proposing the release from obligations and sale of a 44.47 acre parcel of airport property. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at the Philip Billard Airport ( ) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances in order to sell the land. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation use.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may request an appointment to inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Metropolitan Topeka Airport Authority Business Center.

Issued in Kansas City, MO, on October 15, 2024.

Rodney N. Joel,

Director, FAA Central Region, Airports Division.

[FR Doc. 2024–24289 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2024–2470]

Agency Information Collection Activities: Requests for Comments; Clearance of a Renewed Approval of Information Collection: Agricultural Aircraft Operations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request Office of Management and Budget (OMB) approval to renew an information collection. The collection involves the submission of FAA Form 8710–3 for the certification process of agricultural aircraft operators, and other reporting and recordkeeping activities required of agricultural aircraft operators. The information to be collected is necessary to evaluate the applicants' qualifications for certification. This collection also involves the submission of information in petitions for exemption by agricultural aircraft operators, plans for operations over congested areas, and recordkeeping requirements for agricultural aircraft operators.

DATES: Written comments should be submitted by December 20, 2024.

ADDRESSES: Please send written comments:

By Electronic Docket: www.regulations.gov (Enter docket number into search field.)

By Mail: Christopher Morris, 800 Independence Ave. SW, Washington, DC 20591.

By Email: chris.morris@faa.gov.

FOR FURTHER INFORMATION CONTACT: Raymond Plessinger by email at: *raymond.plessinger@faa.gov;* phone: 717–443–7296.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120–0049.

Title: Agricultural Aircraft Operations.

Form Numbers: FAA Form 8710–3.

Type of Review: Renewal.

Background: This collection involves the application for issuance or amendment of a 14 CFR part 137 Agricultural Aircraft Operator Certificate. Application for an original certificate or amendment of a certificate issued under 14 CFR part 137 is made on a form, and in a manner prescribed by the Administrator. The FAA form 8710–3 may be obtained from an FAA Flight Standards District Office, or online at *https://www.faa.gov/forms/index.cfm/go/document.information/documentID/1020386.* The completed application is sent to the district office that has jurisdiction over the area in which the applicant's home base of operation is located.

The information collected includes: type of application, operator's name/DBA, telephone number, mailing address, physical address of the principal base of operations, chief pilot/designee name, airman certificate grade and number, and aircraft make/model and registration numbers to be used.

This information collection also includes safety mitigation plans and public interest statements in petitions for exemption; plans for operations over congested areas; and recordkeeping requirements.

Respondents: There are 1,763 active agricultural aircraft operators. Approximately 50 operators are certificated annually, and approximately 50 certificates are surrendered or revoked.

Frequency: New applications when needed; current 14 CFR part 137 certificate do not expire, but may need to be amended on occasion.

Estimated Average Burden per Response: The FAA anticipates 100

applications for new certificates, at 0.5 hours each; 100 applications for amendment, at 0.5 hours each; 100 petitions for exemption, at 0.5 hours each; and 350 submissions of plans for operations over congested areas, at 0.5 hours each. The total reporting burden is thus 650 responses and 325 hours.

All operators certificated under part 137 are required to maintain certain records for a minimum of 12 months. The FAA estimates this recordkeeping burden at 4.5 hours per operator. Assuming a universe of 1,763 operators, the annual recordkeeping burden is 7,934 hours.

Estimated Total Annual Burden: 325 reporting hours + 7,934 recordkeeping hours = 8,259 total hours.

Issued in Washington, DC, on October 16, 2024.

D.C. Morris,

Aviation Safety Analyst, Flight Standards Service, General Aviation and Commercial Division.

[FR Doc. 2024–24233 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA–2024–0069]

Agency Information Collection Activities: Request for Comments for a New Information Collection

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: The FHWA invites public comments about our intention to request the Office of Management and Budget's (OMB) approval for a new information collection, which is summarized below under **SUPPLEMENTARY INFORMATION**. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Please submit comments by December 20, 2024.

ADDRESSES: You may submit comments identified by DOT Docket ID Number 0069 by any of the following methods:

Website: For access to the docket to read background documents or comments received go to the Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Fax: 1–202–493–2251.

Mail: Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

Hand Delivery or Courier: U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Bronwen Keiner, (202) –493–0280 or, Edward Starks (202)-366–5407, Office of Planning, Environment, and Realty, Federal Highway Administration, Department of Transportation, 1200 New Jersey Ave., SE, Washington, DC 20590. Office hours are from 7 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: National Scenic Byway Program (NSBP).

Background: The Federal Highway Administration (FHWA) administers the NSBP. It was established by the Intermodal Surface Transportation Efficiency Act of 1991 in Section 162 of Title 23, United States Code (U.S.C.), and reauthorized and expanded significantly in 1998 under the Transportation Equity Act for the 21st Century and again under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users in 2005. The NSBP is a grass-roots collaborative effort established to help recognize, preserve, and enhance selected roads throughout the United States. Before 2019, Congress last authorized discretionary NSBP funds in 2012 under the Surface Transportation Extension Act of 2012. Between 1992 and 2012, FHWA awarded over $505 million in NSBP grants. In 2022, FHWA awarded approximately $21.8 million in grants to 33 projects.

Respondents: The Notice of Funding Opportunity (NOFO), announcing up to $26.95 million of Fiscal Year (FY) 2023 and 2024 funding for the National Scenic Byways Program (NSBP) discretionary grants is now available for State DOTs and Federally Recognized Indian Tribes on grants.gov. FHWA is expecting roughly 200 applicants to apply for NSBP grant funding.

Frequency: NOFOs and grant solicitations will be published annually by FHWA but, are subject to the availability of funds in appropriations or, any legislation signed into law authorizing funds.

Estimated Average Burden per Response: 3 hours per respondent per applicant.

Estimated Total Annual Burden Hours: It is expected that the respondents will complete approximately 200 applications for an estimated total of 600 annual burden hours.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the FHWA's performance; (2) the accuracy of the estimated burdens; (3) ways for the FHWA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized, including the use of electronic technology, without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued on: October 16, 2024.

Jazmyne Lewis,

Information Collection Officer.

[FR Doc. 2024–24252 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2024–0136]

Request for Comments on the Renewal of a Previously Approved Collection: Port Infrastructure Development Program

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Maritime Administration (MARAD) invites public comments on our intention to request the Office of Management and Budget (OMB) approval to renew an information collection in accordance with the Paperwork Reduction Act of 1995. The proposed collection OMB 2133–0552 (Port Infrastructure Development Program) is being updated to reflect the elimination of the MA–1083 Port Infrastructure Development Program (PIDP) Project Information Form, which is no longer needed. The total respondents and public burden have also reduced since this collection was implemented in 2019. We are required to publish this notice in the **Federal Register** to obtain comments from the public and affected agencies.

ADDRESSES: Written comments and recommendations for the proposed information collections 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: Jonathan Holt, 202–366–8713, Office of Port Infrastructure Development, Maritime Administration, 1200 New Jersey Avenue SE, Washington, DC 20590, Email: *Jonathan.Holt@dot.gov.*

SUPPLEMENTARY INFORMATION:

Title: Port Infrastructure Development Program.

OMB Control Number: 2133–0552.

Type of Request: Extension With Change of a Currently Approved Collection.

Abstract: The Infrastructure Investment and Jobs Act (Pub. L. 117–58, November 15, 2021) (''Bipartisan Infrastructure Law'' or ''BIL'') appropriated $450 million to the PIDP for FY 2024 to make discretionary grants for eligible projects. On March 9, 2024, the Consolidated Appropriations Act, 2024 (Pub. L. 118–42) (''FY 2024 Appropriations Act'') appropriated an additional $120,460,124 for the FY 2024 PIDP grant program. Of that amount, $50 million is available to be awarded as discretionary grants. Altogether, a total $500 million in funding is now available to be awarded by the U.S. Department of Transportation (Department) for the Port Infrastructure Development Program (Program). This appropriations act allows the Department to make discretionary grants to improve port facilities at or near coastal seaports. The purpose of the Program is to accept applications to make grants. Submitted applications will be reviewed to determine if respondents meet the criteria for selection as grant recipients.

The Port Infrastructure Development Program was established under 46 U.S.C. 50302. The statute authorizes the Department of Transportation (''Department'' or ''DOT'') to establish a port infrastructure development program for the improvement of port facilities. To carry out a project under this program, the Department may provide financial assistance, including grants to port authorities or commissions, or to their subdivisions and agents, for port and intermodal infrastructure-related projects.

The Department seeks to fund projects that will advance Departmental priorities of safety, equity, Justice40, climate and sustainability, workforce development, job quality, and wealth creation, as described in the DOT's Strategic Plan and executive orders. MARAD encourages applicants to propose projects that will improve safety, efficiency, or the reliability of the movement of goods through ports and intermodal connection to ports, and reduce greenhouse gas emissions in the transportation sector. Proposed projects must also create proportional impacts to all populations in a project area, increase equitable access to project benefits, support the creation of good-paying jobs with the free and fair choice to join a union, and include the incorporation of strong labor standards, training, and placement programs, especially registered apprenticeships.

Respondents: A State, a political subdivision of a State or a local government, a public agency or publicly chartered authority established by one or more States, a special purpose district with a transportation function, an Indian Tribe or consortium of Indian Tribes, a multistate or multijurisdictional group of entities, or a lead entity described above jointly with a private entity or group of private entities (including the owners or operators of a facility, or collection of facilities, at a port).

Affected Public: State, Local or Tribal Government.

Estimated Number of Respondents: 200.

Estimated Number of Responses: 200.

Estimated Hours per Response: 160.

Annual Estimated Total Annual Burden Hours: 32,000.

Frequency of Response: Once Annually.

A 60-day **Federal Register** Notice soliciting comments on this information collection was published on July 29, 2024, in the **Federal Register** (FR 60966, Vol. 89, No. 145). The posting received one comment, which expressed support for the continued collection of information about program applicants to PIDP, and concern that the elimination of form MA–1083 would result in a loss of information about applicants to the program. MARAD does not agree that without the form, MARAD will lose information about program applicants. The MA–1083 form has not been required from PIDP applicants for multiple fiscal years, without major impacts to the grant program or its operations. Program staff are confident that necessary information about PIDP applicants will continue to be collected without the required MA–1083 form. Additionally, the elimination of the required form will provide modest reductions in the annual burden for PIDP applicants.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.49).

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2024–24293 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Decommissioning and Disposition of the National Historic Landmark Nuclear Ship Savannah; Notice of Site Visit

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Maritime Administration (MARAD) announces a site visit for the National Historic Landmark Nuclear Ship *Savannah* (NSS). MARAD is decommissioning the nuclear power plant of the NSS, which will result in the termination of the ship's Nuclear Regulatory Commission license, making the ship available for disposition, including potential conveyance for preservation. The site visit will provide interested parties an opportunity to learn more about the NSS to assist in determining if they may wish to consider acquiring the ship for preservation purposes, as prescribed in the Programmatic Agreement (PA) covering the decommissioning and disposition of the ship.

DATES: A site visit will be held on November 16, 2024, from 10 a.m. to 4 p.m. Eastern Standard Time. Requests to attend the site visit must be received one week in advance, by November 8, 2024, to facilitate entry. Requests for accommodations for a disability must also be received one week in advance.

ADDRESSES: The site visit will be held onboard the NSS. The NSS is located at Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21224.

FOR FURTHER INFORMATION CONTACT: Erhard W. Koehler, (202) 680–2066 or via email at *marad.history@dot.gov.* You may send mail to N.S. Savannah/ Savannah Technical Staff, Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21224, ATTN: Erhard Koehler.

SUPPLEMENTARY INFORMATION:

I. Background

The decommissioning and disposition of the NSS is an Undertaking under Section 106 of the National Preservation Act (NHPA) of 1966, as amended. Section 106 requires that federal agencies consider views of the public regarding their Undertakings; therefore,

in 2020, MARAD established a Federal docket at *https://www.regulations.gov/docket/MARAD-2020-0133* to provide public notice about the NSS Undertaking. The federal docket was also used in 2021 to solicit public comments on the future uses of the NSS. MARAD is continuing to use this same docket to take in public comment, share information, and post agency actions.

The PA for the Decommissioning and Disposition of the NSS is available on the MARAD docket located at *www.regulations.gov* under docket id ''MARAD–2020–0133.'' The PA stipulates a deliberative process by which MARAD will consider the disposition of the NSS. This process requires MARAD to make an affirmative, good-faith effort to preserve the NSS.

II. Agenda

The agenda will include (1) welcome and introductions; (2) tour of the ship: and (3) questions. The agenda will also be posted on MARAD's website at *https://www.maritime.dot.gov/outreach/history/maritime-administration-history-program* and on the MARAD docket located at *www.regulations.gov* under docket id ''MARAD–2020–0133.''

III. Public Participation

The site visit will be open to the public. Members of the public who wish to attend in person or online must RSVP to the person listed in the **FOR FURTHER INFORMATION CONTACT** section with your name and affiliation.

Special services. The NSS is not compliant with the Americans with Disabilities Act (ADA). The ship has some capability to accommodate persons with impaired mobility. If you require accommodations to attend the site visit, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The U.S. Department of Transportation is committed to providing all participants equal access to this meeting. If you need alternative formats or services such as sign language, interpretation, or other ancillary aids, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

(Authority: 49 CFR 1.81 and 1.93; 36 CFR part 800; 5 U.S.C. 552b.)

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2024–24181 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2019–0078; Notice 2]

Jayco, Inc., Grant of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: Jayco, Inc., (Jayco) has determined that certain model year (MY) 2020 travel trailers, manufactured by Jayco, do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 Kilograms (10,000 Pounds) or Less.* Jayco filed a noncompliance report dated July 16, 2019. In coordination with Jayco, Starcraft RV (Starcraft) and Highland Ridge RV (Highland), subsidiaries of Jayco, also filed noncompliance reports dated July 17, 2019. Jayco subsequently petitioned NHTSA on July 31, 2019, and later amended that petition on September 26, 2019, and November 6, 2019, for a decision that the subject noncompliances are inconsequential as it relates to motor vehicle safety. This document announces the grant of Jayco's petition.

FOR FURTHER INFORMATION CONTACT: Ahmad Barnes, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–7236.

SUPPLEMENTARY INFORMATION:

I. Overview

Jayco has determined that certain MY 2020 travel trailers, manufactured by Jayco, do not fully comply with paragraph S4.3.5 of FMVSS No. 110, *Tire Selection and Rims and Motor Home/Recreation Vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 Kilograms (10,000 Pounds) or Less* (49 CFR 571.110). Jayco filed a noncompliance report dated July 16, 2019, and in addition, Starcraft and Highland, subsidiaries of Jayco, also filed noncompliance reports dated July 17, 2019, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* Jayco subsequently petitioned NHTSA on July 31, 2019, and later amended that petition on September 26, 2019, and November 6, 2019, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that these noncompliances are inconsequential as they relate to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance.* As far as the subsequent petitions are concerned, the September 26, 2019, amended petition removed affected Canadian units. The November 6, 2019, amended petition modified an attachment provided with the petition.

Notice of receipt of Jayco's petition was published with a 30-day public comment period, on January 6, 2020, in the **Federal Register** (85 FR 554). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) website at *https://www.regulations.gov/.* Then follow the online search instructions to locate docket number ''NHTSA–2019–0078.''

II. Trailers Involved

Approximately 6,354 MY 2020 Jayco, approximately 1,006 Starcraft, and approximately 814 Highland travel trailers, manufactured between May 1, 2019, and June 27, 2019, were reported by the manufacturer.

In its petition, Jayco states that the total number of vehicles affected is 8,983. However, that number also includes travel trailers sold in Canada. NHTSA can only grant exemption for vehicles sold in the United States, totaling approximately 8,174 vehicles.

III. Noncompliance

Jayco explains that the noncompliances are that the subject travel trailers are equipped with vehicle placards that state the incorrect vehicle capacity weight and contain an extra character in the recommended tire inflation pressure, therefore, do not meet the requirements set forth in paragraph S4.3.5 of FMVSS No. 110. Specifically, the vehicle placards state that the vehicle weight capacity as 80 kg when it should be 807 kg. Also, the recommended tire inflation pressure for the rear tire states ''552 IKPA,'' and the spare tire states ''552 7KPA'' when they should read 552 KPA.

IV. Rule Requirements

Paragraph S4.3.5 of FMVSS No. 110 includes the requirements relevant to this petition. Each trailer, except for an incomplete vehicle, must show the information specified in paragraphs S4.3(c) through (g) and may show the information specified in paragraphs

S4.3(h) and (i), on a placard permanently affixed proximate to the certification label. Each trailer, on the vehicle placard, contains a cargo capacity statement expressed as ''The weight of cargo should never exceed XXX kilograms or XXX pounds.'' A vehicle manufacturer's recommended cold tire inflation pressure for front, rear, and spare tires is subject to the limitations of paragraph S4.3.4.

V. Summary of Jayco's Petition

The following views and arguments presented in this section, ''V. Summary of Jayco's Petition,'' are the views and arguments provided by Jayco.

Jayco describes the subject noncompliances and contends that the noncompliances are inconsequential as they relate to motor vehicle safety. Jayco argues that although the vehicle weight capacity stated on the vehicle placard is incorrect, the correct value is displayed on the cargo carrying capacity (CCC) label.

Jayco believes that the extra character shown in the cold tire inflation pressure is inconsequential because the correct information is also provided on the sidewall of the tire.

Jayco argues that the top section of the certification label provides the same information as the tire and loading information label and states the correct tire size dimensions and the cold pressure inflation values. Additionally, Jayco says that the bottom section of the certification label displays the CCC of the trailer, which includes the weight values with the fresh water and the waste water tanks filled.

Furthermore, Jayco says that the owner's manual for the subject vehicles includes instructions on how to load the vehicle and where to find the required ratings that are shown on the certification label. Jayco adds that the owner's manuals are also available on the company website at *www.jayco.com.*

Jayco adds that the Manufacturer's Certificate of Origin (MCO) includes the Gross Vehicle Weight Rating (GVWR) and the unloaded vehicle weight (UVW). The difference between these two values would also provide the CCC of the trailer.

Jayco says that all of the trailers affected by the subject noncompliance have been purchased and Jayco has not received any complaints or inquiries regarding CCC from any owners or dealers of the subject trailers.

Jayco contends that NHTSA has granted similar inconsequential petitions in the past, citing a petition from General Motors that was granted in 2019 as an example.[1]

Jayco concludes that the subject noncompliances are inconsequential as they relate to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

VI. NHTSA's Analysis

Jayco explains that the noncompliances are that the ''THE COMBINED WEIGHT OF CARGO SHOULD NEVER EXCEED: XXX kg or XXX lbs.'' figures represented on the required FMVSS No. 110 vehicle placard label manufactured for their RV travel trailers are incorrect and the ''cold tire pressure'' on the same vehicle placards were printed with an extra character for the rear and spare tire line items.

In this particular case, the error pertaining to weight capacity is not deleterious to the safety and well-being of the vehicle operator and its occupants. First, the information on the label required by S4.3.5 of FMVSS No. 110 is more restrictive (80 kg vice the correct figure of 807 kg), allows less weight (cargo) to be present on the vehicle and is obviously wrong. Further, a small search effort by the vehicle user provides an accurate determination of the correct maximum cargo carrying capacity.

FMVSS No. 110 paragraph S9 mandates that each motor home and RV trailer must affix either a motor home occupant and cargo carrying capacity label or an RV trailer CCC label to its vehicles. Among the items of information which the labels must display is the statement that ''THE COMBINED WEIGHT OF CARGO SHOULD NEVER EXCEED: XXX kg or XXX lbs.'' In the case of the Jayco manufactured trailers, the trailers' CCC labels display the correct information—807 kg.

In reference to tire pressure the error present here is the display of an ''extra'' character. To the extent this extra character may confuse an owner or user, an accurate display of the vehicle's cold tire pressure may be found on the vehicle's certification label typically found adjacent to the required FMVSS No. 110 vehicle placard.

An additional source of a trailer's weight and loading characteristics may be found physically in the form of a book in the vehicle's owner's manual, or more often are typically found online.

Jayco notes that NHTSA has previously granted similar inconsequential petitions with respect to this error. The noted example was that of a General Motors, LLC grant of petition for inconsequential noncompliance due to vehicle tire placards that incorrectly stated the spare tire size and cold tire pressure. In that case, the agency agreed with the petitioner that there were several alternative locations to retrieve the desired information.

In this case, the agency agrees that the noncompliance is inconsequential to motor vehicle safety as the information which was the subject of the petition itself—the CCC and the cold tire pressure values—are available and obtainable by other reasonable means. The maximum cargo carrying capacity may be obtained from the CCC label and may be calculated by subtracting the unloaded vehicle weight from the gross vehicle weight rating. Besides the vehicle's tire and information placard, the vehicle operator could seek out the certification label, one of the mounted tires on the vehicle, or the vehicle's owner's manual for specific information related to the cold tire pressure that the vehicle may safely be operated with.

VII. NHTSA'S Decision

In consideration of the foregoing, NHTSA finds that Jayco has met its burden of persuasion that the subject FMVSS No. 110 noncompliance at issue is inconsequential to motor vehicle safety.

Accordingly, Jayco's petition is hereby granted and Jayco is consequently exempt from the obligation of providing notification of, and a free remedy for, that noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, this decision only applies to the subject trailers that Jayco no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of

[1] *See* General Motors, LLC, Grant of Petition for Decision of Inconsequential Noncompliance, 84 FR 25117 (May 30, 2019).

the noncompliant trailers under their control after Jayco notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2024–24310 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[DOT–NHTSA–2023–0036]

National Emergency Medical Services Advisory Council Notice of Public Meeting

AGENCY: National Highway Traffic Safety Administration, U.S. Department of Transportation (DOT).

ACTION: Notice of public meeting.

SUMMARY: This notice announces a meeting of the National Emergency Medical Services Advisory Council (NEMSAC).

DATES: This meeting will be held in-person and simultaneously transmitted via virtual interface. It will be held on November 6–7, 2024, from 12:00 p.m. to 5:00 p.m. ET. Pre-registration is required to attend this meeting. Once registered, a link permitting access to the meeting will be distributed to registrants by email. If you wish to speak during the meeting, you must submit a written copy of your remarks to DOT by October 31, 2024.

ADDRESSES: General information about the Council is available on the NEMSAC internet website at *www.ems.gov.* The registration portal and meeting agenda will be available on the NEMSAC internet website at *www.ems.gov* at least one week in advance of the meeting.

FOR FURTHER INFORMATION CONTACT: Clary Mole, EMS Specialist, National Highway Traffic Safety Administration, U.S. Department of Transportation is available by phone at (202) 868–3275 or by email at *Clary.Mole@dot.gov.* Any committee-related requests should be sent to the person listed in this section.

SUPPLEMENTARY INFORMATION:

I. Background

NEMSAC is authorized under Section 31108 of the Moving Ahead for Progress in the 21st Century (MAP–21) Act of 2012, codified at 42 U.S.C. 300d–4 as a Federal Advisory Committee. The purpose of NEMSAC is to serve as a nationally recognized council of emergency medical services (EMS) representatives to provide advice and consult with:

a. The Federal Interagency Committee on Emergency Medical Services (FICEMS) on matters relating to EMS issues; and

b. The Secretary of Transportation on matters relating to EMS issues affecting DOT.

The NEMSAC provides an important national forum for the non-Federal deliberation of national EMS issues and serves as a platform for advice on DOT's national EMS activities. NEMSAC also provides advice and recommendations to the FICEMS.

II. Agenda

At the meeting, the agenda will cover the following topics:

- Informational sessions
- Updates on NHTSA Initiatives
- Subcommittee Reports on Advisory Statuses
- Strategic Planning

III. Public Participation

This meeting will be open to the public. We are committed to providing equal access to this meeting for all participants. Persons with disabilities in need of an accommodation should send a request to the individual in the **FOR FURTHER INFORMATION CONTACT** section of this notice no later than October 31, 2024.

A period of time will be allotted for comments from members of the public joining the meeting. Members of the public may present questions and comments to the Council using the live chat feature available during the meeting. Members of the public may also submit materials, questions, and comments in advance to the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Members of the public wishing to reserve time to speak directly to the Council during the meeting must submit a request. The request must include the name, contact information (address, phone number, and email address), and organizational affiliation of the individual wishing to address NEMSAC; it must also include a written copy of prepared remarks and must be forwarded to the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice no later than October 31, 2024.

All advance submissions will be reviewed by the Council Chairperson and Designated Federal Officer. If approved, advance submissions shall be circulated to NEMSAC representatives for review prior to the meeting. All advance submissions will become part of the official record of the meeting.

Authority: 42 U.S.C. 300d–4(b); 49 CFR part 1.95(i)(4).

Issued in Washington, DC

Nanda Narayanan Srinivasan,

Associate Administrator, Research and Program Development.

[FR Doc. 2024–24243 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2024–0056 (Notice No. 2024–12)]

Hazardous Materials: Information Collection Activities

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Requests (ICRs) discussed below will be forwarded to the Office of Management and Budget (OMB) for renewal and extension. These ICRs describe the nature of the information collections and their expected burdens. A **Federal Register** notice and request for comments with a 60-day comment period on these ICRs was published in the **Federal Register** on May 10, 2024 under Docket No. PHMSA–2024–0056 (Notice No. 2024–08). PHMSA received no comments in response to this notice.

DATES: Interested persons are invited to submit comments on or before November 20, 2024.

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.

We invite comments on: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the Department's estimate of the burden of the proposed information collection; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the

burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Docket: For access to the dockets to read background documents or comments received, go to *https://www.regulations.gov* or DOT's Docket Operations Office (see **ADDRESSES**).

FOR FURTHER INFORMATION CONTACT: Steven Andrews or Nina Vore, Standards and Rulemaking Division, (202) 366–8553, *ohmspra@dot.gov,* Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.

SUPPLEMENTARY INFORMATION: Section 1320.8(d), title 5, Code of Federal Regulations (CFR) requires the Pipeline and Hazardous Materials Safety Administration (PHMSA) to provide interested members of the public and affected agencies an opportunity to comment on information collection and recordkeeping requests. This notice identifies information collection requests PHMSA will be submitting to OMB for renewal and extension. These information collections are contained in 49 CFR 171.6 of the Hazardous Materials Regulations (HMR; 49 CFR parts 171 through 180). The following information is provided for each information collection: (1) title of the information collection, including former title if a change is being made; (2) OMB control number; (3) summary of the information collection activity; (4) description of affected public; (5) estimate of total annual reporting and recordkeeping burden; and (6) frequency of collection. PHMSA will request a 3-year term of approval for each information collection activity and will publish a notice in the **Federal Register** upon OMB's approval. PHMSA requests comments on the following information collections:

Title: Flammable Cryogenic Liquids.

OMB Control Number: 2137–0542.

Summary: Provisions in § 177.840(a)(2) specify certain safety procedures and documentation requirements for drivers of motor vehicles transporting flammable cryogenic liquids. This information allows the driver to take appropriate remedial actions to prevent a catastrophic release of the flammable cryogenics should the temperature of the material begin to rise excessively or if the travel time will exceed the safe travel time. These requirements are intended to ensure a high level of safety when transporting flammable cryogenics due to their extreme flammability and high compression ratio when in a liquid state. The following information collections and their burdens are associated with this OMB Control Number.

Information collection	Respondents	Total annual responses	Time per response	Total annual burden hours
Flammable Cryogenic Liquids—Reporting	175	18,200	3.5 minutes	1,062
Flammable Cryogenic Liquids—Recordkeeping	175	18,200	30 seconds	152

Affected Public: Carriers of cryogenic materials.

Annual Reporting and Recordkeeping Burden:

Number of Respondents: 350.

Total Annual Responses: 36,400.

Total Annual Burden Hours: 1,214.

Frequency of Collection: On occasion.

Title: Response Plans for Shipments of Oil.

OMB Control Number: 2137–0591.

Summary: Under authority of the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990 (33 U.S.C. 1251 *et seq.*), PHMSA issued regulations in 49 CFR part 130 that require preparation of written spill response plans. The following information collections and their burdens are associated with this OMB Control Number.

Information collection	Respondents	Total annual responses	Time per response	Total annual burden hours
Basic Written Response Plan—New Plans	80	80	33 hours	2,640
Basic Written Response Plan—Updating Plans	7,920	7,920	1 hour	7,920

Affected Public: Carriers that transport oil in bulk, by motor vehicle or rail.

Annual Reporting and Recordkeeping Burden:

Number of Respondents: 8,000.

Total Annual Responses: 8,000.

Total Annual Burden Hours: 10,560.

Frequency of Collection: On occasion.

Title: Requirements for United Nations (UN) Cylinders.

OMB Control Number: 2137–0621.

Summary: This information collection and recordkeeping burden is the result of efforts to amend the HMR to adopt standards for the design, construction, maintenance, and use of cylinders and multiple-element gas containers (MEGCs) based on the standards contained in the UN Recommendations on the Transport of Dangerous Goods. Aligning the HMR with the UN Recommendations promotes flexibility, permits the use of technological advances for the manufacture of the pressure receptacles, provides for a broader selection of pressure receptacles, reduces the need for special permits, and facilitates international commerce in the transportation of compressed gases. Information collection requirements address domestic and international manufacturers of cylinders that request approval by the approval agency for cylinder design types. The approval process for each cylinder design type includes review, filing, and recordkeeping of the approval application. The approval agency is required to maintain a set of the approved drawings and calculations for each design it reviews and a copy of each initial design type approval certificate approved by the Associate Administrator for the Office of Hazardous Materials Safety for not less than 20 years. The following information collections and their burdens are associated with this OMB Control Number.

Information collection	Respondents	Total annual responses	Time per response	Total annual burden hours
UN Pressure Receptacle Approval—New Request	35	35	6 hours	210
UN Pressure Receptacle Approval—Modified Request	100	100	6 hours	600
UN Pressure Receptacle Approval—Recordkeeping	75	75	6 minutes	8

Affected Public: Fillers, owners, users, and retesters of UN cylinders.

Annual Reporting and Recordkeeping Burden:

Number of Respondents: 210.

Total Annual Responses: 210.

Total Annual Burden Hours: 818.

Frequency of Collection: On occasion.

Issued in Washington, DC, on October, 16, 2024, under authority delegated in 49 CFR 1.97.

Alexander Ronald Wolcott,

Acting Chief, Regulatory Review and Reinvention Branch, Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

[FR Doc. 2024–24294 Filed 10–18–24; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Community Reinvestment Act Regulation

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of its information collection titled, ''Community Reinvestment Act Regulation.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by November 20, 2024.

ADDRESSES: Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557–0357, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Fax:* (571) 293–4835.

Instructions: You must include ''OCC'' as the agency name and ''1557–0357'' in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' tab and click on ''Information Collection Review'' from the drop-down menu. From the ''Currently under Review'' drop-down menu, select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching OMB control number ''1557–0357'' or ''Community Reinvestment Act Regulation.'' Upon finding the appropriate information collection, click on the related ''ICR Reference Number.'' On the next screen, select ''View Supporting Statement and Other Documents'' and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov,* please contact the Regulatory Information Service Center at (202) 482–7340.

FOR FURTHER INFORMATION CONTACT: Shaquita Merritt, Clearance Officer, (202) 649–5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Community Reinvestment Act Regulation.

OMB Control No.: 1557–0357.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: The CRA requires the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation (agencies) to assess the record of regulated financial institutions (institutions) in helping to meet the credit needs of their entire communities, including low- and moderate-income neighborhoods, consistent with safe and sound operations.[1] The CRA further requires the agencies to take this record into account in evaluating applications for mergers, branches, and certain other corporate activities.[2] The CRA statute requires the agencies to issue regulations to carry out its purposes.[3]

The agencies use the data collected under the CRA regulations to fulfill their statutory obligations, including the assessment of each institution's record

[1] 12 U.S.C. 2903(a)(1).

[2] *See* 12 U.S.C. 2903(a)(2).

[3] 12 U.S.C. 2905.

of helping to meet the credit needs of local communities. The agencies use the data to support their conclusions regarding an institution's record of performance, in assigning a CRA rating, and in preparing the public evaluations that the statute requires. Additionally, the agencies use these CRA assessments in evaluating an institution's applications for mergers, branches, and other corporate activities. The public uses the data to assess the institution's CRA performance and to participate meaningfully in the application process.

The scope of this information collection covers national banks, insured Federal branches and any Federal branch that is uninsured that results from an acquisition described in section 5(a)(8) of the International Banking Act of 1978 (12 U.S.C. 3103(a)(8)) (''banks'') and Federal savings associations (''savings associations).

Section-by-Section Analysis

- 12 CFR 25.25(b)—Requests for designation as a wholesale or limited purpose bank or savings association must be made in writing with the OCC at least three months prior to the proposed effective date of the designation.
- 12 CFR 25.27—Strategic plans must be submitted at least three months prior to proposed effective dates. Plans must include measurable goals and address all the applicable performance categories. Plans must include a description of informal efforts to solicit public suggestions, any written public comments received, and if revised pursuant to public comment, a copy of the initial plan. Amendments may be submitted in the case of a change in material circumstances.
- 12 CFR 25.42(a), 12 CFR 25.42(b)(1)—Large banks and savings associations [4] must collect and maintain certain small business/small farm loan data in a machine-readable form and large banks or savings associations that were not small banks or savings associations during the prior calendar year must report it annually.
- 12 CFR 25.42(b)(2)—Large banks and savings associations, except those that were small banks or savings associations during the prior calendar year, must report annually in machine readable form the aggregate number and aggregate amount of community development loans originated or purchased.
- 12 CFR 25.42(b)(3)—Large banks and savings associations that are subject to reporting under 12 CFR 1003 (Home Mortgage Disclosure (Regulation C)), except those that were small banks or savings associations during the prior calendar year, must report the location of each home mortgage loan application, origination, or purchase outside the metropolitan statistical area(s) in which the bank or savings association has a home/branch office.
- 12 CFR 25.42(c)(1), 12 CFR 25.42(c)(2)—All banks and savings associations may collect and maintain in machine readable form certain data for consumer loans originated or purchased by a bank or savings association for consideration under the lending test. Other information may be included concerning their lending performance, including additional loan distribution data.
- 12 CFR 25.42(d)—Banks and savings associations that elect to have the OCC consider loans by an affiliate, for purposes of the lending or community development tests or an approved strategic plan, must collect, maintain, and report the data that the bank or savings association would have collected, maintained, and reported pursuant to 12 CFR 25.42(a)–(c), respectively, had the loans been originated or purchased by the bank or savings association. For home mortgage loans, the bank or savings association must also be prepared to identify the home mortgage loans reported under HMDA by the affiliate.
- 12 CFR 25.42(e)—Banks and savings associations that elect to have the OCC consider community development loans by a consortium or a third party, for purposes of the lending or community development tests or an approved strategic plan, must report for those loans the data that the bank or savings association would have reported under 12 CFR 25.42(b)(2), respectively, had the loans been originated or purchased by the bank or savings association.
- 12 CFR 25.42(f)—Small banks and savings associations that qualify for evaluation under the small bank and savings association performance standards but elect evaluation under the lending, investment, and service tests must collect, maintain, and report the data required for other banks or savings associations under 12 CFR 25.42(a) and 25.42(b).
- 12 CFR 25.42(g)—Banks and savings associations, except small banks or savings associations or those that were small banks or savings associations during the prior calendar year, must collect and report to the OCC by March 1 each year a list for each assessment area showing the geographies within the area.
- 12 CFR 25.43(a)—All banks and savings associations must maintain a public file that contains certain specified details: all written comments and responses; a copy of the public section of the bank's or savings association's most recent CRA performance evaluation; a list of the bank's or savings association's branches; a list of the branches opened or closed; a list of services offered; and a map of each assessment area delineated by the bank or savings association.
- 12 CFR 25.43(b)—Large banks and savings associations, except those that were small banks or savings associations during the prior calendar year, must include in their public files certain information pertaining to the institution and its affiliates, if applicable, for each of the prior two calendar years. If the bank or savings association has elected to have one or more categories of its consumer loans considered under the lending test, for each of these categories, they must include the number and amount of loans: to low-, moderate-, middle-, and upper-income individuals; located in low-, moderate-, middle-, and upper income census tracts; and located inside the bank's assessment area(s) and outside the bank's or savings association's assessment area(s); and their CRA Disclosure Statement. A bank or savings association required to report home mortgage loan data pursuant to 12 CFR part 1003 must include a written notice that the institution's HMDA Disclosure Statement may be obtained on the Consumer Financial Protection Bureau's (Bureau's) website. A bank or savings association that elected to have the OCC consider the mortgage lending of an affiliate must include the name of the affiliate and a written notice that the affiliate's HMDA Disclosure Statement may be obtained at the Bureau's website. A small bank or savings association or a bank or savings association that was a small bank or savings association during the prior calendar year must include: its loan-to-deposit ratio for each quarter of the prior calendar year and, at its option, additional data on its loan-to-deposit ratio; and the information required for other banks or savings associations by 12 CFR 24.43(b)(1), if it has elected to be evaluated under the lending, investment, and service tests. A bank or savings association that has been approved to be assessed under a strategic plan must include in its public file a copy of that plan. A bank or savings association that received a less than satisfactory rating during its most

[4] Although the CRA regulations do not define ''large banks and savings associations,'' this term is used by the agencies to describe banks and savings associations that exceed the small bank or savings association asset size threshold in 12 CFR 25.12(u).

recent examination must include in its public file a description of its current efforts to improve its performance in helping to meet the credit needs of its entire community. The bank must update the description quarterly.

• 12 CFR 25.43(c)–(e)—A bank or savings association must make available to the public for inspection upon request and at no cost the information required in this section at the main office or branch as specified. Upon request, a bank or savings association must provide copies, either on paper or in another form acceptable to the person making the request, of the information in its public file. A bank or savings association must ensure that this information is current as of April 1 of each year.

Estimated Burden:

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 1,247.[5]

Estimated Total Annual Burden: 148,298 hours.

Comments: On July 16, 2024, the OCC published a 60-day notice for this information collection, (89 FR 57992). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Patrick T. Tierney,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2024–24194 Filed 10–18–24; 8:45 am]

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[5] The *Estimated Number of Respondents* and *Estimated Total Annual Burden* were updated to (1) include Federally insured branches, (2) confirm the use of up-to-date bank asset sizes, and (3) make other clarifying revisions to ensure accurate estimates.

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons and vessels that have been placed on OFAC's List of Specially Designated Nationals and Blocked Persons (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: This action was issued on October 11, 2024. See **SUPPLEMENTARY INFORMATION** for relevant dates.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, 202–622–2420; or Assistant Director for Sanctions Compliance, 202–622–2490 or *https://ofac.treasury.gov/contact-ofac*.

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 Action

On October 11, 2024, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons and vessels are blocked under the relevant sanctions authority listed below.

BILLING CODE 4810–AL–P

Entities

1. HARRY VICTOR SHIP MANAGEMENT AND OPERATION L.L.C (Arabic: هاري فيكتور لإدارة السفن و تشغيلها ش.ذ.م.م), 213 Atrium Centre, Khalid Bin Waleed Road, PO Box 44432, Dubai, United Arab Emirates; Organization Established Date 27 Jan 2020; Identification Number IMO 6142171; Business Registration Number 874638 (United Arab Emirates); Economic Register Number (CBLS) 11494758 (United Arab Emirates) [IRAN-EO13846] (Linked To: TRILIANCE PETROCHEMICAL CO. LTD).

   Designated pursuant to section 1(a)(iii)(A) of Executive Order 13846 of August 6, 2018, "Reimposing Certain Sanctions With Respect to Iran," 83 FR 38939, 3 CFR, 2019 Comp., p. 854 (E.O. 13846) for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, TRILIANCE PETROCHEMICAL CO. LTD.

2. RITA SHIPPING INC, Trust Company Complex, Ajeltake Road, Majuro, Ajeltake 96960, Marshall Islands; Organization Established Date 06 Mar 2023; Identification Number IMO 6394782; Registration Number 118772 (Marshall Islands) [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

   Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

3. MAX MARITIME SOLUTIONS FZE (Arabic: ماكس ماريتايم سوليوشنز م م ح), Office G22, Building 1, Hamriyah Free Zone, Sharjah, United Arab Emirates; Organization Established Date 14 Jul 2022; Identification Number IMO 6340553; License 23186 (United Arab Emirates); Economic Register Number (CBLS) 11915229 (United Arab Emirates) [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

   Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

4. DIAMANTE TANKERS INCORPORATED, Panama City, Panama; Identification Number IMO 6268146 [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

5. DAVINA SHIPPING INC, Trust Company Complex, Ajeltake Road, Majuro, Ajeltake Island 96960, Marshall Islands; Identification Number IMO 6506091 [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

   Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

6. JAZIRA DAS INTERNATIONAL REFINDED OIL PRODUCTS TRADING L.L.C (Arabic: جزيرة داس انترناشيونال لتجارة مشتقات تكرير النفط ش.ذ.م.م) (a.k.a. JAZIRADAS INTL COMPANY), Office 1803, Nassima Business Tower, Sheikh Zayed Road, Dubai, United Arab Emirates; Hong Kong, China; License 729177 (United Arab Emirates); Economic Register Number (CBLS) 10921430 (United Arab Emirates) [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

   Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

7. CATHAY HARVEST MARINE LTD (Chinese Traditional: 國豐海運有限公司), Room 1603, 16/F Lucky Centre No 165-171 Wan Chai Road, Wan Chai, Hong Kong, China; Organization Established Date 26 Aug 2022; Identification Number IMO 6350550; Company Number 3185362 (Hong Kong); Business Registration Number 74372180 (Hong Kong) [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

   Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

8. DERECTTOR COMPANY LIMITED (a.k.a. DERECTTOR CO LTD; a.k.a. DERECTTOR CO., LIMITED), Room 32, 11/F Lee Ka Industrial Building 8 NG Fong Street, San Po Kong, Kowloon, Hong Kong, China; 31-06, Fuli Center, 6, Gangxing Lu, Zhongshan Qu, Dalian, Liaoning 116001, China; Organization Established Date 29 Jan 2021; Identification Number IMO 9207391; Company Number 3016374 (Hong Kong); Business Registration Number 72621769 (Hong Kong) [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

   Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial,

material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

9. DELNAZ SHIP MANAGEMENT SDN BHD (a.k.a. DELNAZ SHIP MANAGEMENT), 5433-1, Jalan J9, Tamam Melawati, 53100, Kuala Lumpur, Malaysia; Identification Number IMO 6271661 [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

10. ELZA SHIPPING SA, 80 Broad Sheet, Monrovia, Liberia; Organization Established Date 2021; Company Number 6243757 (Liberia) [IRAN-EO13846] (Linked To: NATIONAL IRANIAN OIL COMPANY).

Designated pursuant to section 1(a)(ii) of E.O. 13846 for, on or after November 5, 2018, having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the NATIONAL IRANIAN OIL COMPANY.

BILLING CODE 4810–AL–C

Vessels

1. ANHONA (V3GK3) Oil Products Tanker Belize flag; Vessel Registration Identification IMO 9354521; MMSI 312171000 (vessel) [IRAN–EO13846] (Linked To: HARRY VICTOR SHIP MANAGEMENT AND OPERATION L.L.C).

Identified pursuant to E.O. 13846, as property in which HARRY VICTOR SHIP MANAGEMENT AND OPERATION L.L.C, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

2. GOODWIN (E5U5022) Crude Oil Tanker Cook Islands flag; Vessel Registration Identification IMO 9379703; MMSI 518999041 (vessel) [IRAN–EO13846] (Linked To: HARRY VICTOR SHIP MANAGEMENT AND OPERATION L.L.C).

Identified pursuant to E.O. 13846, as property in which HARRY VICTOR SHIP MANAGEMENT AND OPERATION L.L.C, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

3. SPIRIT OF CASPER (a.k.a. MARIA GRACE) (3E6116) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9224271; MMSI 352003872 (vessel) [IRAN–EO13846] (Linked To: RITA SHIPPING INC).

Identified pursuant to E.O. 13846, as property in which RITA SHIPPING INC, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

4. WEN YAO (E5U5189) Crude Oil Tanker Cook Islands flag; Vessel Registration Identification IMO 9288095; MMSI 518999208 (vessel) [IRAN–EO13846] (Linked To: HARRY VICTOR SHIP MANAGEMENT AND OPERATION L.L.C).

Identified pursuant to E.O. 13846, as property in which HARRY VICTOR SHIP MANAGEMENT AND OPERATION L.L.C, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

5. BENDIGO (a.k.a. LEONOR) (8P2397) Crude Oil Tanker Barbados flag; Vessel Registration Identification IMO 9289491; MMSI 314925000 (vessel) [IRAN–EO13846] (Linked To: MAX MARITIME SOLUTIONS FZE).

Identified pursuant to E.O. 13846, as property in which MAX MARITIME SOLUTIONS FZE, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

6. CARNATIC (a.k.a. ANNICK; a.k.a. KIONI; a.k.a. TOBA) (8P2398) Crude Oil Tanker Barbados flag; Vessel Registration Identification IMO 9304655; MMSI 314926000 (vessel) [IRAN–EO13846] (Linked To: MAX MARITIME SOLUTIONS FZE).

Identified pursuant to E.O. 13846, as property in which MAX MARITIME SOLUTIONS FZE, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

7. SALVIA (a.k.a. YANNIS) (T7BJ6) Crude Oil Tanker San Marino flag; Vessel Registration Identification IMO 9297319; MMSI 268240702 (vessel) [IRAN–EO13846] (Linked To: MAX MARITIME SOLUTIONS FZE).

Identified pursuant to E.O. 13846, as property in which MAX MARITIME SOLUTIONS FZE, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

8. DAVINA (T8A4843) Crude Oil Tanker Palau flag; Vessel Registration Identification IMO 9259367; MMSI 511101471 (vessel) [IRAN–EO13846] (Linked To: DAVINA SHIPPING INC).

Identified pursuant to E.O. 13846, as property in which DAVINA SHIPPING INC, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

9. LUNA PRIME (a.k.a. SELENE) (3E2167) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9174220; MMSI 352001994 (vessel) [IRAN–EO13846] (Linked To: CATHAY HARVEST MARINE LTD).

Identified pursuant to E.O. 13846, as property in which CATHAY HARVEST MARINE LTD, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

10. CARINA (8P2232) Crude Oil Tanker Barbados flag; Vessel Registration Identification IMO 9240512; MMSI 314872000 (vessel) [IRAN–EO13846] (Linked To: DERECTTOR COMPANY LIMITED).

Identified pursuant to E.O. 13846, as property in which DERECTTOR COMPANY LIMITED, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

11. CRYSTAL ROSE (3E4037) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9292228; MMSI 352001298 (vessel) [IRAN–EO13846] (Linked To: DERECTTOR COMPANY LIMITED).

Identified pursuant to E.O. 13846, as property in which DERECTTOR COMPANY LIMITED, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

12. CROSS OCEAN (3E4640) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9251810; MMSI 352002860 (vessel) [IRAN–EO13846] (Linked To: DELNAZ SHIP MANAGEMENT SDN BHD).

Identified pursuant to E.O. 13846, as property in which DELNAZ SHIP MANAGEMENT SDN BHD, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

13. DIMITRA II (T7BI5) Crude Oil Tanker San Marino flag; Vessel Registration Identification IMO 9208215; MMSI 268249801 (vessel) [IRAN–EO13846] (Linked To: DELNAZ SHIP MANAGEMENT SDN BHD).

Identified pursuant to E.O. 13846, as property in which DELNAZ SHIP MANAGEMENT SDN BHD, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

14. SATINA (3E2250) Products Tanker Panama flag; Vessel Registration Identification IMO 9308778; MMSI 352002316 (vessel) [IRAN–EO13846] (Linked To: DELNAZ SHIP MANAGEMENT SDN BHD).

Identified pursuant to E.O. 13846, as property in which DELNAZ SHIP MANAGEMENT SDN BHD, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

15. TYCHE I (3E5017) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9247390; MMSI 352002704 (vessel) [IRAN–EO13846] (Linked To: DELNAZ SHIP MANAGEMENT SDN BHD).

Identified pursuant to E.O. 13846, as property in which DELNAZ SHIP MANAGEMENT SDN BHD, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

16. ELZA (D5SE4) Crude Oil Tanker Liberia flag; Vessel Registration Identification IMO 9221671; MMSI 636018950 (vessel) [IRAN–EO13846] (Linked To: ELZA SHIPPING SA).

Identified pursuant to E.O. 13846, as property in which ELZA SHIPPING SA, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

17. AVENTUS I (3E2078) Crude Oil Tanker Panama flag; Vessel Registration Identification IMO 9280873; MMSI 352898820 (vessel) [IRAN–EO13846] (Linked To: DIAMANTE TANKERS INCORPORATED).

Identified pursuant to E.O. 13846, as property in which DIAMANTE TANKERS INCORPORATED, a person whose property and interests in property are blocked pursuant to E.O. 13846, has an interest.

Lisa M. Palluconi,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2024–24221 Filed 10–18–24; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request on International Boycott Report

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning information collection requirements related to international boycott report.

DATES: Written comments should be received on or before December 20, 2024 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov*. Include OMB control number 1545–0216 or International Boycott Report, in the subject line.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form should be directed to Kerry Dennis at (202) 317–5751, or at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet, at *Kerry.L.Dennis@irs.gov*.

SUPPLEMENTARY INFORMATION:

Title: International Boycott Report.

OMB Number: 1545–0216.

Form Number: 5713 and Sch's A, B, & C.

Abstract: Persons having operations in or related to countries which require participation in or cooperation with an international boycott may be required to report these operations on Form 5713. Persons use Schedule A with Form 5713 to figure the international boycott factor to use in figuring the loss of tax benefits. Persons use Schedule B with Form 5713 to specifically attribute taxes and income to figure the loss of tax benefits. Filers of Schedule A or B (Form 5713) use Schedule C to compute the loss of tax benefits from participation in or cooperation with an international boycott.

Current Actions: There is no change to the paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 5,632.

Estimated Time per Response: 25 hours, 28 min.

Estimated Total Annual Burden Hours: 143,498 hours.

The following paragraph applies to all the collections of information covered by this notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained if their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: October 16, 2024.

Kerry L. Dennis,

Tax Analyst.

[FR Doc. 2024–24262 Filed 10–18–24; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Information Collection Tools Relating to the Voluntary Disclosure Practice and the Streamlined Filing Compliance Procedures

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning information collection requirements related to voluntary disclosure practice and the streamlined filing compliance procedures.

DATES: Written comments should be received on or before December 20, 2024 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov*. Include OMB control number 1545–2241 or Voluntary Disclosure Practice and the Streamlined Filing Compliance Procedures, in the subject line.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) should be directed to Kerry Dennis at (202) 317–5751, or at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet, at *Kerry.L.Dennis@irs.gov*.

SUPPLEMENTARY INFORMATION:

Title: Voluntary Disclosure Practice and the Streamlined Filing Compliance Procedures.

OMB Number: 1545–2241.

Form Number(s): 14457, 14653, 14654 and 15023.

Abstract: The IRS offers two very different compliance paths to two very different populations of taxpayers. First, the Voluntary Disclosure Practice is a longstanding practice of IRS Criminal Investigation (CI). CI takes timely, accurate, and complete voluntary disclosures under consideration when determining whether to recommend criminal prosecution. A voluntary disclosure will not automatically guarantee immunity from prosecution; however, a voluntary disclosure may result in prosecution not being recommended. Form 14457 is used for all voluntary disclosures. Second, the Streamlined Filing Compliance Procedures are available to eligible taxpayers who can truthfully certify that their failure to report foreign financial assets and pay all tax due in respect of those assets resulted from non-willful conduct. Forms 14653 and 14654 relate to the Streamlined Filing Compliance Procedures. Form 15023 has been revised to be used as a response to compliance alerts.

Current Actions: There are changes to the paperwork burden previously approved by OMB. The agency has updated the number of respondents/responses for Forms 14457, 14653, and 14654. Form 15023 has been revised, but the changes do not affect burden and the estimated number of respondents/responses will remain the same and will be re-evaluated during the next revision cycle. The changes to the response estimates result in an overall decrease of 1,478 responses and an overall annual time burden of 61,496 hours.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or Households.

Estimated Number of Respondents: 15,091.

Estimated Time per Response: 21 hours, 47 min.

Estimated Total Annual Burden Hours: 328,892 hours.

The following paragraph applies to all the collections of information covered by this notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained if their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: October 16, 2024.

Kerry L. Dennis,

Tax Analyst.

[FR Doc. 2024–24277 Filed 10–18–24; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0635]

Agency Information Collection Activity Under OMB Review: Suspension of Monthly Check

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration, 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: Comments and recommendations for the proposed information collection should be sent by November 20, 2024.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *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. 2900–0635.''

FOR FURTHER INFORMATION CONTACT: *VA PRA information:* Maribel Aponte, (202) 461–8900, *vacopaperworkreduact@va.gov.*

SUPPLEMENTARY INFORMATION:

Title: Suspension of Monthly Check (VA Form 29–0759).

OMB Control Number: 2900–0635 *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Extension of a currently approved collection.

Abstract: The form is used by the Department of Veterans Affairs to advise the beneficiary that his/her monthly check has been suspended. The information requested is authorized by law, 38 U.S.C. 1917.

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 89 FR 65985, August 13, 2024.

Affected Public: Individuals or Households.

Estimated Annual Burden: 83 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 500.

(Authority: 44 U.S.C. 3501 *et seq.*)

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2024–24234 Filed 10–18–24; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0049]

Agency Information Collection Activity Under OMB Review: Request Fork Approval of School Attendance and School Attendance Report

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden, and it includes the actual data collection instrument.

DATES: Comments and recommendations for the proposed information collection should be sent by November 20, 2024.

ADDRESSES: To submit comments and recommendations for the proposed information collection, please type the following link into your browser: *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. 2900–0049.''

FOR FURTHER INFORMATION CONTACT: *VA PRA information:* Maribel Aponte, 202–461–8900, *vacopaperworkreduact@va.gov*

SUPPLEMENTARY INFORMATION: *Title:* Request for Approval of School Attendance (VA Forms 21–674 and 21–674c) and School Attendance Report (VA Form 21–674b).

OMB Control Number: 2900–0049 *https://www.reginfo.gov/public/do/PRASearch.*

Type of Review: Revision of a currently approved collection.

Abstract: VA Forms 21–674 and 21–674c are used to gather information that is necessary to determine benefit entitlement to or for a veteran's child between the ages of 18 and 23 who is attending school. VA Form 21–674b is used to verify the school attendance of a child who is receiving benefits or for whom benefits are being received. Without this information, VA would be unable to properly authorize benefits for school attendance. No changes have been made to these forms. The respondent burden has increased due to the estimated number of receivables averaged over the past year.

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: 89 FR 66506, August 15, 2024.

Affected Public: Individuals or Households.

Estimated Annual Burden: 15,862 hours.

Estimated Average Burden per Respondent: 12 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 79,310.

(Authority: 44 U.S.C. 3501 *et seq.*)

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2024–24235 Filed 10–18–24; 8:45 am]

BILLING CODE 8320–01–P

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Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

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