AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 89 Tuesday,

No. 214 November 5, 2024

Pages 87763–87930

OFFICE OF THE FEDERAL REGISTER

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

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

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

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

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

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

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

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

How To Cite This Publication: Use the volume number and the page number. Example: 89 FR 12345.

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

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

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

Single copies/back copies:

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

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:

Email	*FRSubscriptions@nara.gov*
Phone	**202–741–6000**

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

Printed on recycled paper.

Contents

Federal Register

Vol. 89, No. 214

Tuesday, November 5, 2024

Agriculture Department
See Forest Service
See Rural Housing Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 87840

Bureau of the Fiscal Service
NOTICES
Rate to Be Used for Federal Debt Collection, and Discount and Rebate Evaluation, 87929–87930

Census Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
American Community Survey and Puerto Rico Community Survey, 87841–87843

Centers for Medicare & Medicaid Services
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Medicaid and Children's Health Insurance Program, 87879–87880

Children and Families Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Child Care and Development Fund Annual Aggregate Report, 87880–87881
Child Care and Development Fund Quarterly Case-Level Report, 87881–87882

Coast Guard
RULES
Safety Zone:
Firework Display within the Sector Columbia River Captain of the Port Zone, 87791–87792
Security Zone:
Corpus Christi Ship Channel, Corpus Christi, TX, 87789–87791
Special Local Regulation:
Seddon Channel, Tampa, FL, 87787–87789

Commerce Department
See Census Bureau
See Foreign-Trade Zones Board
See Industry and Security Bureau
See International Trade Administration
See National Oceanic and Atmospheric Administration

Commodity Futures Trading Commission
NOTICES
Hearings, Meetings, Proceedings, etc.:
Market Risk Advisory Committee, 87861–87862

Defense Department
NOTICES
Hearings, Meetings, Proceedings, etc.:
Strategic Environmental Research and Development Program Scientific Advisory Board, 87862

Education Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
2020/25 Beginning Postsecondary Students Full-Scale Study, 87862–87863

Energy Department
See Federal Energy Regulatory Commission
PROPOSED RULES
Energy Conservation Program:
Test Procedures for Residential and Commercial Clothes Washers and Consumer Clothes Dryers, 87803–87821
NOTICES
Hearings, Meetings, Proceedings, etc.:
High Energy Physics Advisory Panel, 87863–87864

Environmental Protection Agency
PROPOSED RULES
Air Quality State Implementation Plans; Approvals and Promulgations:
Arizona; Yuma 2015 8-Hour Ozone Nonattainment Area; Redesignation Request and Maintenance Plan, 87828–87838
Delaware; Removal of Excess Emissions Provisions; Proposed Correction, 87826–87828
NOTICES
Hearings, Meetings, Proceedings, etc.:
Historically Black Colleges and Universities and Minority Serving Institutions Advisory Council, 87873–87874
Pesticide Registration Review:
Proposed Decisions for Several Pesticides, 87872–87873

Export-Import Bank
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Export Working Capital Guarantee, 87874–87875
Meetings; Sunshine Act, 87874

Federal Aviation Administration
PROPOSED RULES
Airworthiness Directives:
Airbus Helicopters, 87821–87825

Federal Communications Commission
NOTICES
Privacy Act; Systems of Records, 87875–87877

Federal Deposit Insurance Corporation
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 87877–87879

Federal Energy Regulatory Commission
NOTICES
Application:
EONY Generation Ltd., 87865–87866
Let it Go, LLC, 87868–87869
Combined Filings, 87864, 87869–87871
Environmental Assessments; Availability, etc.:
Ampersand Christine Falls Hydro, LLC, 87866–87867

Hearings, Meetings, Proceedings, etc.:
Federal and State Current Issues Collaborative, 87866
Request under Blanket Authorization:
Gulf South Pipeline Co., LLC, 87867–87868

Federal Highway Administration
NOTICES
Final Federal Agency Action:
Finding of No Significant Impact for the I–84/US–89 Interchange Reconstruction in Utah, 87928–87929

Federal Reserve System
NOTICES
Change in Bank Control:
Acquisitions of Shares of a Bank or Bank Holding Company, 87879

Fiscal Service
NOTICES
Rate to Be Used for Federal Debt Collection, and Discount and Rebate Evaluation, 87929–87930

Foreign Assets Control Office
NOTICES
Sanctions Action, 87930

Foreign-Trade Zones Board
NOTICES
Authorization of Production Activity:
Unimacts Co., Foreign-Trade Zone 265, Conroe, TX, 87843–87844

Forest Service
NOTICES
Hearings, Meetings, Proceedings, etc.:
Black Hills National Forest Advisory Board, 87840–87841

Health and Human Services Department
See Centers for Medicare & Medicaid Services
See Children and Families Administration
See Health Resources and Services Administration
See National Institutes of Health

Health Resources and Services Administration
NOTICES
Lists of Designated Primary Medical Care, Mental Health, and Dental Health Professional Shortage Areas, 87882–87883

Homeland Security Department
See Coast Guard

Housing and Urban Development Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Single Family Premium Collection Subsystem—Periodic, 87885–87886
Tribal Intergovernmental Advisory Committee Membership, 87886–87887

Indian Affairs Bureau
NOTICES
Documented Petition:
Federal Acknowledgment as an American Indian Tribe, 87887–87888

Industry and Security Bureau
RULES
Hearings, Meetings, Proceedings, etc.:
Revisions to Space-Related Export Controls under Export Administration Regulations and International Traffic in Arms Regulations, 87783–87784
PROPOSED RULES
Hearings, Meetings, Proceedings, etc.:
Revisions to Space-Related Export Controls and International Traffic in Arms Regulations, 87825–87826

Interior Department
See Indian Affairs Bureau
See National Park Service
See Reclamation Bureau

Internal Revenue Service
RULES
Sales of Seized Property, 87784–87787

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Advance Notification of Sunset Review, 87857–87858
Barium Chloride from the People's Republic of China and India, 87852–87854
Certain Quartz Surface Products from India, 87850–87852
Common Alloy Aluminum Sheet from Germany, 87854–87855
Sales at Less Than Fair Value; Determinations, Investigations, etc.:
Dioctyl Terephthalate from Malaysia, 87848–87850
Dioctyl Terephthalate from Poland, 87844–87846
Dioctyl Terephthalate from Taiwan, 87846–87848
Dioctyl Terephthalate from the Republic of Turkiye, 87855–87857

International Trade Commission
NOTICES
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Fiber-Optic Connectors, Adapters, Jump Cables, Patch Cords, Products Containing the Same, and Components Thereof, 87891
Certain TOPCon Solar Cells, Modules, Panels, Components Thereof, and Products Containing Same, 87889–87890

Justice Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Semiannual Progress Report for Grantees from the Engaging Men and Youth Program, 87891–87893
Semiannual Progress Report for the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program, 87894–87895
State Criminal Alien Assistance Program, 87893–87894

Labor Department
See Occupational Safety and Health Administration

National Institutes of Health
NOTICES
Hearings, Meetings, Proceedings, etc.:
Center for Scientific Review, 87883–87885

National Center for Advancing Translational Sciences, 87884
National Institute of Allergy and Infectious Diseases, 87885
Office of the Secretary, 87883

National Oceanic and Atmospheric Administration
RULES
Fisheries of the Exclusive Economic Zone off Alaska:
Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area, 87798–87799
Reallocation of Pacific Cod in the Western Regulatory Area of the Gulf of Alaska, 87799–87800
PROPOSED RULES
Pacific Island Fisheries:
Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator; Withdrawal, 87838–87839
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application Forms for Membership on a National Marine Sanctuary Advisory Council, 87860–87861
Coastal and Marine Ecological Classification Standard Solicitation for Revisions, 87858–87859
Hearings, Meetings, Proceedings, etc.:
New England Fishery Management Council, 87859, 87861
Western Pacific Fishery Management Council, 87859–87860

National Park Service
NOTICES
National Register of Historic Places:
Pending Nominations and Related Actions, 87888

Nuclear Regulatory Commission
NOTICES
Facility Operating and Combined Licenses:
Applications and Amendments Involving Proposed No Significant Hazards Considerations, etc., 87898–87902

Occupational Safety and Health Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
National Fall Safety Stand-Down to Prevent Falls in Construction, 87897–87898
Nationally Recognized Testing Laboratories:
SGS North America, Inc.; Application for Expansion of Recognition, 87895–87897

Personnel Management Office
NOTICES
Hearings, Meetings, Proceedings, etc.:
Chief Human Capital Officers Council, 87902

Postal Regulatory Commission
NOTICES
New Postal Products, 87902–87904

Presidential Documents
PROCLAMATIONS
Special Observances:
Critical Infrastructure Security and Resilience Month (Proc. 10846), 87763–87764
National Adoption Month (Proc. 10847), 87765–87766
National Alzheimer's Disease Awareness Month (Proc. 10848), 87767–87768
National Diabetes Month (Proc. 10849), 87769–87770
National Entrepreneurship Month (Proc. 10850), 87771–87772
National Family Caregivers Month (Proc. 10851), 87773–87774
National Lung Cancer Awareness Month (Proc. 10852), 87775–87776
National Native American Heritage Month (Proc. 10853), 87777–87779
National Veterans and Military Families Month (Proc. 10854), 87781–87782

Reclamation Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Use Authorization Application, 87889

Rural Housing Service
PROPOSED RULES
Guaranteed Rural Rental Housing Program:
Requirement to Record Deed Restriction, 87801–87803

Securities and Exchange Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 87918–87919
Self-Regulatory Organizations; Proposed Rule Changes:
BOX Exchange LLC, 87921–87924
Cboe BZX Exchange, Inc., 87904–87907
Cboe EDGA Exchange, Inc., 87907–87914
Investors Exchange LLC, 87924–87926
Nasdaq PHLX LLC, 87919–87921
New York Stock Exchange LLC, 87917–87918
The Nasdaq Stock Market LLC, 87914–87917

State Department
NOTICES
Culturally Significant Objects Imported for Exhibition:
The Dead Sea Scrolls, 87927
Determination:
Foreign Operations, and Related Programs Appropriations Act, Relating to Assistance to Yemen, 87927
Foreign Operations, and Related Programs Appropriations Act, Relating to Assistance to Zimbabwe, 87926–87927
Exchange Visitor Program, 87927–87928

Transportation Department
See Federal Aviation Administration
See Federal Highway Administration
RULES
Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 87792–87798

Treasury Department
See Bureau of the Fiscal Service
See Fiscal Service
See Foreign Assets Control Office
See Internal Revenue Service

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

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

CFR PARTS AFFECTED IN THIS ISSUE

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

3 CFR

Proclamations:

10846.....87763
10847.....87765
10848.....87767
10849.....87769
10850.....87771
10851.....87773
10852.....87775
10853.....87777
10854.....87781

7 CFR

Proposed Rules:

3565.....87801

10 CFR

Proposed Rules:

430.....87803

14 CFR

Proposed Rules:

39.....87821

15 CFR

734.....87783
740.....87783
742.....87783
744.....87783
746.....87783
774.....87783

Proposed Rules:

734.....87825
740.....87825
742.....87825
744.....87825
746.....87825
774.....87825

26 CFR

301.....87784

33 CFR

100.....87787
165 (2 documents) 87789, 87791

40 CFR

Proposed Rules:

52 (2 documents) 87826, 87828
81.....87828

49 CFR

40.....87792

50 CFR

679 (2 documents) 87798, 87799

Proposed Rules:

665.....87838

Federal Register
Vol. 89, No. 214
Tuesday, November 5, 2024

Presidential Documents

Title 3—

The President

Proclamation 10846 of October 31, 2024

Critical Infrastructure Security and Resilience Month, 2024

By the President of the United States of America

A Proclamation

From the energy that powers our homes to the networks that connect us and the systems that protect our health and safety, our critical infrastructure keeps our economy thriving and our communities secure. This Critical Infrastructure Security and Resilience Month, we recommit to strengthening our country's critical infrastructure and building an America that is safe and secure for generations to come.

This year, I signed a National Security Memorandum to secure and enhance the resilience of United States critical infrastructure—updating the policy for the first time in a decade. This represents the launch of a new era in protecting our infrastructure against all threats and hazards by safeguarding our strong and innovative economy and enhancing our collective resilience to disasters before they happen. But there is more to do. Climate change is making natural disasters more frequent, ferocious, and costly—endangering our supply chains, creating more instability for our communities, and straining the critical infrastructure Americans depend on for their livelihoods. And we need to stay vigilant against adversaries that seek to maliciously target our critical infrastructure, including through cyberattacks.

To meet this moment, my Administration made a once-in-a-generation investment in our Nation's infrastructure—creating an opportunity to build in resilience to all hazards upfront and by design. Through my American Rescue Plan, Bipartisan Infrastructure Law, Inflation Reduction Act, and CHIPS and Science Act, we are investing billions of dollars to secure and bolster our infrastructure. That includes improving our electric grid so that people can maintain power in any situation, elevating roads and bridges over possible flood zones, funding community resilience programs, and more. These investments have not only helped to protect Americans—they have benefited our economy, creating jobs and new possibilities for our communities. At the NATO summit this year, I announced an arrangement with Canada and Finland to collaborate on the production of polar icebreakers. The partnership will advance United States economic and national security interests by strengthening our shipbuilding and industrial capacity while simultaneously opening up new trade routes and pushing back against foreign aggression and bolstering our international alliances. This year, I also announced a United States Port Security Initiative to reverse our dependence on foreign manufactured port equipment.

Ensuring our Nation is resilient in the face of threats also means working with other nations around the globe to build better, stronger, and more sustainable infrastructure. At the G7 Summit in June, I was proud to announce the historic progress we have made with our Partnership for Global Infrastructure and Investment. This initiative will strengthen United States national and economic security for Americans at home and enable sustainable economic growth for partner countries. To date, we have mobilized $60 billion to create high-quality global infrastructure. That comes on top of our work with the European Union and African heads of state to develop the Lobito Corridor as well as our work with the Democratic Republic of the Congo and Zambia to expand regional and global trade markets

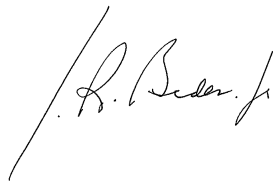
through the Port of Lobito in Angola. We continue to pursue opportunities to expand our investments across Africa and around the world, including the Indo-Pacific, Central Asia, the Middle East, and the Western Hemisphere. Investments like these create more shared opportunities, prosperity, and security for everyone.

Across the Nation, America is writing the greatest comeback story we have ever known—people are putting shovels in the ground, founding new businesses, and creating hope for entire communities. It is more important now than ever before that we remain vigilant against any threats that seek to undermine our collective security and prosperity.

During Critical Infrastructure Security and Resilience Month, we recommit to safeguarding and strengthening our Nation's critical infrastructure to save lives and allow our Nation to continue doing what it does best: creating new possibilities.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as Critical Infrastructure Security and Resilience Month. I call upon the people of the United States to recognize the importance of protecting our Nation's infrastructure and to observe this month with appropriate measures to enhance our national security and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25798
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10847 of October 31, 2024

National Adoption Month, 2024

By the President of the United States of America

A Proclamation

Every child deserves to know the unconditional love of a permanent home. During National Adoption Month, we honor all the wonderful families that grow through adoption, we remind our foster youth and adoptees that we are right by their side, and we rededicate ourselves to ensuring that every child has the opportunity to reach their full potential.

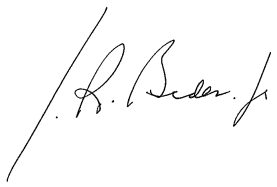
More than 100,000 children are in our Nation's foster care system awaiting the adoption that could offer them familial love, a lasting home, and a stable foundation for them to grow. That is why I have called on the Congress to make the adoption tax credit fully refundable, lowering the cost of adoption and giving families and legal guardians some breathing room. I have also called on the Congress to provide housing vouchers to all 20,000 youth exiting foster care annually—a key step in helping them secure stable housing during this difficult transition. To further support kinship caregivers, the Department of Health and Human Services issued a final rule last year that requires States to provide them with the same level of financial support that other foster parents receive. My Administration is also working to eliminate barriers LGBTQI+ families face in the adoption process and ensure LGBTQI+ foster youth grow up in safe and loving environments. And through the expanded Military Parental Leave Program, we are giving service members more time to spend with their families after a child is born, adopted, or placed in their homes for long-term foster care.

My Administration also remains committed to supporting youth who are aging out of foster care. Since the beginning of my Administration, the Department of Housing and Urban Development has awarded over $60 million to provide over 4,000 vouchers to foster youth, helping them secure housing as they leave the foster care system. And my Administration is working to ensure these youth can keep their SNAP benefits without work reporting requirements, easing a difficult transition period. We have also been working to help foster youth stay in school and graduate, make the successful transition to postsecondary education, train for jobs, pay their bills, and get their lives off to a solid start.

During National Adoption Month, we celebrate the love shared by adoptive families and professionals across our country. And we honor the millions of adoptive and kinship families who have welcomed new family members into their loving homes.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Adoption Month. I encourage all Americans to honor this month by helping the children and youth in their communities secure their forever homes and find the love and connection that they need to thrive.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25802
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10848 of October 31, 2024

National Alzheimer's Disease Awareness Month, 2024

By the President of the United States of America

A Proclamation

Too many Americans know the pain of losing a loved one to Alzheimer's—a leading cause of death in older adults. During National Alzheimer's Disease Awareness Month, we honor the courage and resilience of all those facing this devastating disease. We recommit to supporting every caregiver who pours their heart into helping people with Alzheimer's face this disease with dignity. And we strengthen our resolve to do everything we can to prevent, treat, and eliminate Alzheimer's as we know it.

Currently, over six million Americans have Alzheimer's disease, which robs people of their memories, clarity, and identity—taking a difficult emotional, financial, and physical toll on people facing the disease and the loved ones standing by their side. Alzheimer's also disproportionately impacts African Americans and Latino Americans, who are more likely to develop dementias than people of any other race or ethnicity. People with Down syndrome also have a higher risk of developing Alzheimer's.

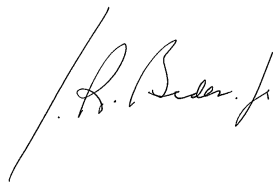
My Administration has taken steps to drive new breakthroughs toward preventing, detecting, and treating Alzheimer's. I secured $4 billion for the Advanced Research Projects Agency for Health, directing funding to researchers and innovators who are pioneering new techniques and technologies to transform the lives of people with Alzheimer's and improve human health outcomes. I was also proud to sign the reauthorization of the National Alzheimer's Project Act and the Alzheimer's Accountability and Investment Act, ensuring the Federal Government is doubling down on our commitment to address Alzheimer's disease and related dementias. The National Institutes of Health is funding new clinical trials that are doing cutting-edge work to improve the lives of people with Alzheimer's—from pursuing new drugs that could prevent and treat dementia to improving cognition and memory for those who have it.

My Administration is committed to supporting the caregivers who care for people with Alzheimer's. I signed the Executive Order on Increasing Access to High-Quality Care and Supporting Caregivers—the most comprehensive set of executive actions any President has ever taken to improve care for hardworking families while supporting care workers and family caregivers. In response, the Centers for Medicare and Medicaid Services (CMS) launched the GUIDE Model, which offers a package of respite services, caregiver support and education, and care management and coordination for people living with Alzheimer's and related dementias. CMS is also continuing to increase access to cognitive care assessments so more people with Alzheimer's get the resources and care they need. And the Centers for Disease Control and Prevention is working to increase access to early detection, prevention, and treatment of dementias like Alzheimer's.

During National Alzheimer's Disease Awareness Month, we recommit to improving the prevention and treatment of Alzheimer's disease. We honor all the lives we have lost and all those we can still save. And we uplift the spirit of hope that countless medical professionals, researchers, and caregivers working to help people with Alzheimer's carry each day.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Alzheimer's Disease Awareness Month. I call on the people of the United States of America to honor and support those living with Alzheimer's and the many people who continue extraordinary and tireless efforts to combat this disorder and care for those affected by it. I encourage all Americans to visit Alzheimers.gov for evidence-based resources and information.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25803
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10849 of October 31, 2024

National Diabetes Month, 2024

By the President of the United States of America

A Proclamation

Over 38 million Americans, or 1 in every 10 people, have diabetes. During National Diabetes Month, we raise awareness about this chronic condition and promote the strategies that can prevent and manage it. We recommit to making treatment more affordable and accessible. And we strengthen our resolve to find cures.

Diabetes takes a physical and financial toll on Americans nationwide, and many Americans must decide between paying for treatments and putting food on the table. Insulin—a life-saving drug for some people with diabetes—can cost Americans upwards of $300, even though it costs drug companies as little as $10 per vial to make. Some Americans end up rationing their medication, which can have serious effects on their health and well-being. While Big Pharma makes record profits, Americans pay exorbitant prices—higher than anywhere else in the world. It is unacceptable. No one should have to lie awake at night wondering if they can afford their medical bills or their insulin prescription.

Since I came into office, I have worked to ensure that health care is a right in this country, not a privilege—and that meant lowering the cost of insulin. That is why my Administration took on Big Pharma and won. I signed the Inflation Reduction Act, which capped the cost of insulin at $35 for people on Medicare. And the largest manufacturer of insulin in the United States answered my call to lower the cost to $35 per month for everyone. My Inflation Reduction Act also empowered Medicare to negotiate lower drug prices, lowering the costs of medications used to treat common diseases, including drugs that treat diabetes. Further, that law requires drug companies that raise prices faster than inflation to pay Medicare back the difference, saving seniors up to $618 per dose of medication. Moreover, beginning in 2025, the Inflation Reduction Act will cap total out-of-pocket drug costs at $2,000 per year for people on Medicare. There is still more to do, but this will help ensure Americans—including those with diabetes—have the dignity, security, and peace of mind they deserve.

My Administration is also working to drive new breakthroughs in preventing, detecting, and treating diabetes while ensuring that Americans have the resources they need to lead healthy lifestyles. I secured $4 billion for the Advanced Research Projects Agency for Health to make strides in transforming the prevention, detection, and treatment of deadly diseases like diabetes. We have seen enormous research advances in recent years to develop promising new diabetes drugs, including the first cell therapy for adults with Type 1 diabetes and the first new oral medication for children with Type 2 diabetes in decades. At the same time, we recognize that the impact of Type 2 diabetes can be greatly decreased through improvements in nutrition and physical activity. My Administration announced new standards for school meals to improve their nutritional value and give schools the option to require locally produced, unprocessed menu ingredients. We also held the first White House Conference on Hunger, Nutrition, and Health in over 50 years, bringing together advocates, health care providers, food companies, and officials from every level of government. As a part of that

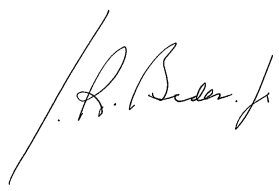
conference, we launched the White House Challenge to End Hunger and Build Healthy Communities. In total, we have secured more than $10 billion in bold, new commitments from the public and private sectors to end hunger and reduce diet-related diseases like diabetes.

My Administration also recognizes that tens of millions of Americans have prediabetes and are at risk of developing Type 2 diabetes within 5 years. Diabetes increases one's risk of heart attack, cancer, stroke, blindness, kidney failure, and the loss of toes, feet, or legs. Many of these cases are preventable, and the risk factors are often related to poor nutrition and inadequate physical activity. To learn more about the risks and how to address prediabetes and help prevent Type 2 diabetes, visit the Centers for Disease Control and Prevention National Diabetes Prevention Program: cdc.gov/diabetes-prevention.

During National Diabetes Month, we celebrate the resilience and courage of all those affected by diabetes. We thank the dedicated medical professionals, loved ones, and advocates who support this community. And we recommit to working around the clock to improve care for those affected and get us closer to finding cures.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Diabetes Month. I call upon all Americans, school systems, government agencies, nonprofit organizations, health care providers, research institutions, and other interested groups to join in activities that raise diabetes awareness and help prevent, treat, and manage this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25804
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10850 of October 31, 2024

National Entrepreneurship Month, 2024

By the President of the United States of America

A Proclamation

Entrepreneurs embody the essence of America—their ideas and energy have always kept our country on the cutting edge, and their determination and drive uplift communities, create millions of jobs, and keep our Nation moving forward. This month, we celebrate their unstoppable spirit.

Supporting entrepreneurs, especially small business owners, has always been key in growing our economy from the middle out and bottom up, giving everyone a fair shot to get ahead. Many entrepreneurs are at the heart and soul of their communities, running the mom-and-pop shops that are the glue of our neighborhoods. But when Vice President Harris and I took office, hundreds of thousands of small businesses had been forced to close down due to the pandemic, and millions more were hanging by a thread. Not only were entrepreneurs' livelihoods on the line but also their life's savings and hopes of growing wealth for the next generation.

That is why Vice President Harris and I were committed to investing in America's entrepreneurs and innovators. My American Rescue Plan provided billions of dollars in capital and support to small businesses. My CHIPS and Science Act is investing more into research and manufacturing than ever before, building the high-tech industries of the future and the small-business supply chains to support them right here at home while helping them expand their businesses in high-growth, high-wage industries. And my Inflation Reduction Act is incentivizing manufacturers to help tackle the climate crisis using American suppliers while cutting down on entrepreneurs' overhead costs like health insurance and energy bills.

The Biden-Harris Administration is also committed to ensuring every small business and entrepreneur has a fair shot. This year, the Small Business Administration (SBA) provided a record $56 billion through more than 100,000 small business financings—the most in more than 15 years and a 50 percent increase over 2020. The Federal Government has invested tens of billions of dollars into small disadvantaged businesses. The SBA is lending tens of billions of dollars to small businesses that would otherwise struggle to access capital. Since 2020, the number of SBA-backed loans doubled for women-owned businesses, tripled for Black-owned businesses, more than doubled for Latino-owned businesses, and increased by about 70 percent for Asian American-owned businesses. And my Bipartisan Infrastructure Law also made the Minority Business Development Agency permanent to help close the gap for these and other entrepreneurs from underserved and underrepresented communities too long left behind.

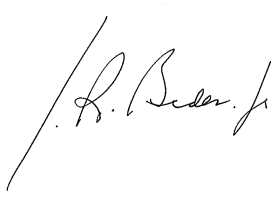
Today, entrepreneurs across the country have filed nearly 20 million new business applications since Vice President Harris and I took office—each an act of hope and confidence in our economy. A record number of those businesses are being opened by Black, Latino, and women entrepreneurs. And 16 million new jobs have been created.

I have often said that America can be defined in one word: possibilities. That is what entrepreneurship is all about. During National Entrepreneurship Month, we honor every entrepreneur with a vision for something better

and the grit to make it real, growing our economy and creating new possibilities for everyone.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Entrepreneurship Month. I call upon all Americans to commemorate this month with appropriate programs and activities and to celebrate November 19, 2024, as National Entrepreneurs' Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25805
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10851 of October 31, 2024

National Family Caregivers Month, 2024

By the President of the United States of America

A Proclamation

Family caregivers are the backbone of our Nation, making tremendous sacrifices to be there for the people who need and cherish them most. This month, we honor their selfless love and courage, and we recommit to getting them the support they deserve. They should know their country has their backs.

For far too long, the cost of care in this country has been too high. Today, millions of Americans are part of the so-called sandwich generation, caring for both young kids and aging parents at the same time. Too many families struggle to afford help, spending their own retirement savings to pay for the care of their loved ones or quitting their own jobs to stay home and provide it themselves. Most often, it is women who bear the brunt of care work. And the pay for professional care workers is far too low.

In the United States of America, no one should have to choose between caring for a parent who raised them, a child who depends on them, and a paycheck that they need. That is why I signed the American Rescue Plan, which made the biggest investment in child care ever. It delivered historic support to over 225,000 child care programs serving as many as 10 million children across the country, helping keep their doors open for millions of working families who rely on them. It expanded the Child Tax Credit, which helped cut the child poverty rate nearly in half. Overall, my Administration increased funding for child care by nearly 50 percent while helping States expand and strengthen programs that enable low-income families afford child care as well. We also required companies seeking significant Federal funding from our CHIPS and Science Act to submit a plan on how they will help employees access affordable child care.

We have finalized new rules that strengthen staffing standards in nursing homes to ensure residents can age with dignity. We have made sure that home care workers get a bigger share of Medicaid payments so more Americans can keep living in their own communities and homes. And we have worked to increase Medicare resources to promote equitable access to care and caregiver training.

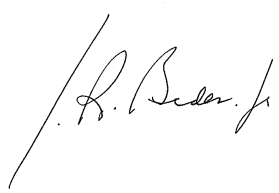
But we have to do more to ease the load on America's 50 million unpaid family caregivers, who too often still shoulder the burden of care all alone. Through the American Rescue Plan, we devoted $145 million to the National Family Caregiver Support Program, which delivers counseling, training, and short-term relief to family caregivers and other informal care providers. Furthermore, my Administration released the first-ever National Strategy to Support Family Caregivers, which includes new initiatives that directly support family caregivers and strengthen existing programs. And I signed a historic Executive Order, representing the most comprehensive set of administrative actions ever to increase access to high-quality child care and long-term care and support for caregivers, including military and veteran caregivers. The Executive Order is working to make sure caregivers get the support they deserve while building the supply of high-quality care so families have options. My Administration is continuing to work toward

lowering the cost of care across the country and providing stronger paid family and medical leave.

How we treat our young children, aging parents, and loved ones and how we value those who care for them are fundamental to who we are as a Nation. During National Family Caregivers Month, we pledge to get every family caregiver in this country the same kind of relief, respect, and support that they give so selflessly to others.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Family Caregivers Month. I encourage all Americans to reach out to those who provide care for our Nation's family members, friends, and neighbors in need to recognize, honor, and thank them.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25806
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10852 of October 31, 2024

National Lung Cancer Awareness Month, 2024

By the President of the United States of America

A Proclamation

Too many Americans know the pain of losing a loved one to lung cancer, the leading cause of cancer death in the United States. During National Lung Cancer Awareness Month, we honor all those living with lung cancer and their loved ones. We thank the researchers searching for answers and the medical professionals who are working tirelessly to care for those with lung cancer, and we recommit to ending cancer as we know it.

Although scientists have made incredible breakthroughs that have improved prevention, detection, and treatment for cancer and saved lives, a lung cancer diagnosis can be terrifying. This year, nearly 250,000 Americans will be diagnosed with the disease. Treatment can be grueling. Medical bills can cause concerns for the whole family. And the flood of medical information directed toward patients and their caretakers can be overwhelming. Too often, people feel lost and left behind, especially those who are disproportionately impacted by lung cancer—such as Black men, rural residents, and women under 50 years old.

Cancer is personal to many families, including mine, so I made fighting cancer a top priority in my Administration. The First Lady and I began by reigniting the Biden Cancer Moonshot, aiming to cut the cancer death rate by at least 50 percent over the next 25 years. I also secured $4 billion in bipartisan funding and established the Advanced Research Projects Agency for Health to support scientists, innovators, and public health professionals in driving innovation to prevent, detect, and treat cancer and other life-threatening diseases.

My Administration is also working around the clock to make cancer treatments more affordable and the treatment process more manageable for families. We have saved millions of families $800 per year on their health insurance premiums by strengthening Medicaid and the Affordable Care Act. Through my Inflation Reduction Act, we are capping total out-of-pocket prescription drug costs for Medicare beneficiaries at $2,000 per year, including for cancer drugs, which can cost many times that. And for the first time ever, families fighting cancer can access patient navigation services that are fully paid for through Medicare, Medicaid, and private insurance—helping guide families through the diagnosis and treatment process and offering them much-needed support.

My Administration is also committed to preventing cancer by tackling another driver of cancer deaths in this country: smoking. To ensure that Americans who want to quit have the support they need, the Department of Health and Human Services created a Framework to Support and Accelerate Smoking Cessation, setting goals and strategies to help our communities reduce smoking. And the Centers for Disease Control and Prevention launched a $15 million program that will help increase awareness about smoking and options for services to help people quit. For anyone looking to quit smoking, you can find resources at BeTobaccoFree.gov or smokefree.gov or by calling 877–44U–QUIT.

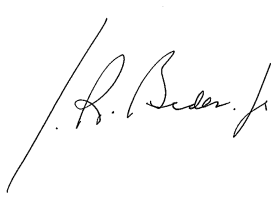
My Administration is expanding early detection and screening services because an early diagnosis of lung cancer can save lives. Together, Federal

agencies, community health centers, and other partners are providing early detection knowledge and support services to underserved communities. I encourage all Americans to talk to their doctors about lung cancer symptoms.

During National Lung Cancer Awareness Month, we strengthen our commitment to standing by all those facing lung cancer and their families, and we ensure they have access to the care they need. We also rededicate ourselves to spreading awareness about lung cancer and working to end cancer as we know it, in order to save more lives.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Lung Cancer Awareness Month. I call upon the people of the United States to speak with their doctors and health care providers to learn more about lung cancer. I encourage citizens, government agencies, private businesses, nonprofit organizations, the media, and other interested groups to increase awareness about what Americans can do to prevent, detect, and treat lung cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25807
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10853 of October 31, 2024

National Native American Heritage Month, 2024

By the President of the United States of America

A Proclamation

During National Native American Heritage Month, we honor the history, rich cultures, and vast contributions of Native peoples. We celebrate the hundreds of Tribal Nations that are ushering in a new era in our Nation-to-Nation relationships. And we recommit to respecting Tribal sovereignty and self-determination and working in partnership with Tribal Nations to bring new prosperity and security to Native peoples.

Indigenous peoples' history in the United States is defined by strength, survival, and a deep commitment to and pride in their heritage, right to self-governance, and ways of life. Native peoples have built and sustained powerful Tribal Nations, and the knowledge they developed still benefits us today. However, our Nation's failed policies of the past subjected generations of Native peoples to cruelty, violence, and intimidation. The forced removal of Native peoples from their homes and ancestral homelands; attempts to assimilate entire generations; and stripping of Indigenous peoples of their identities, cultures, and traditions are some of the darkest chapters of our Nation's history. The trauma and turmoil fundamentally altered their communities. As the first President to visit Indian Country in 10 years, I delivered a national apology for the unspeakable harms caused to Native peoples at Federal Indian Boarding Schools.

Indigenous peoples have persisted and survived—a testament to their resilience and resolve. Today, Native communities are leading the way forward and continuing to strengthen the fabric of the United States. They have long served in the United States military and currently serve in the highest levels of government—including the Secretary of the Interior, Deb Haaland, America's first Native American Cabinet secretary. In every field and sector, Native peoples are pushing for progress and contributing to our shared prosperity.

Since I came into office, the Federal Government has made record investments in Tribal Nations. Federal contracts with Native American-owned companies increased by over $8 billion from 2020 to 2023. My American Rescue Plan made the largest direct Federal investment in Tribal Nations ever, helping vaccinate Tribal communities during the COVID–19 pandemic and keeping the economy going. My Bipartisan Infrastructure Law made the single biggest investment in Tribal roads, bridges, water, high-speed internet, electricity, irrigation, environmental cleanup, and so much more. My Inflation Reduction Act made the biggest investment in fighting climate change ever—including funding to help Tribal communities lead in the just transition to clean energy and ease the impact of droughts, wildfires, and rising sea levels, which threaten Native lives and precious homelands.

My Administration is also working to ensure that Native communities are safe and secure and have the resources they need to thrive. I signed an Executive Order that improves the Federal response to the epidemic of missing and murdered Indigenous peoples. When we reauthorized the Violence Against Women Act in 2022, we included historic provisions to reaffirm Tribal sovereignty and expand Tribal jurisdiction in cases where outside perpetrators harm members of their Nation. And for the first time ever,

my Administration also secured advance funding for the Indian Health Service so hospitals can plan ahead, order supplies, and hire doctors. We have provided historic funding to Tribal communities to help fight the behavioral health crisis and taken significant steps to improve maternal health for Native American women, who are twice as likely to die from pregnancy-related complications as white women.

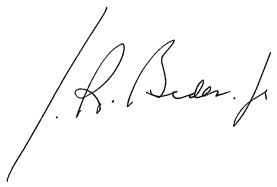
I have always believed that we must know the good, the bad, and the truth of who we are as a Nation—we must acknowledge our history so that we can begin to remember and heal. That is why I became the first President to issue a formal apology for the Federal Indian Boarding School era, one of the most horrific chapters in our Nation's history. For 150 years, the Federal Government mandated the removal of Native children from their families and Tribes—and as a result, generations of Native children had their childhoods stolen and whole Tribal cultures were erased. I am proud to formally end the silence surrounding this shameful era and I remain proud that my Administration defended the Indian Child Welfare Act in court, ensuring that our Nation respects Tribal sovereignty and protects Native children by helping Native families stay together and grow up with their languages and cultures. And we are working to support Native American families and communities as they heal from the Federal Indian Boarding School era through the Department of the Interior's Road to Healing initiative and by supporting Native language preservation and public safety initiatives.

My Administration has also worked with Tribal Nations to preserve, protect, and steward important ancestral Tribal lands and waters. Through more than 200 co-stewardship and co-management agreements signed under my leadership, we are working side by side with Tribes to make decisions about how to manage the lands that are most precious to them. And to date, I have protected and conserved more than 45 million acres of our Nation's lands and waters. That includes the Chumash Heritage National Marine Sanctuary, vast offshore waters off California's coast and the first sanctuary to be proposed by Indigenous communities. I have also established, expanded, and restored 11 national monuments, many containing sites considered sacred to Tribal Nations—from Bears Ears National Monument, Grand Staircase-Escalante National Monument, and Avi Kwa Ame National Monument to Baaj Nwaavjo I'tah Kukveni-Ancestral Footprints of the Grand Canyon National Monument, Berryessa Snow Mountain National Monument, and others.

During National Native American Heritage Month, we honor the heritage and contributions of Native peoples, and we work tirelessly to build a future grounded in dignity, respect, and partnership. We remain committed to working with Native communities to write a new and better chapter in American history for Tribal Nations—one that honors the solemn promise the United States made to Tribal Nations, fulfills our Federal trust and treaty obligations, and works together to rebuild Tribal economies and institutions.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Native American Heritage Month. I urge all Americans, as well as their elected representatives at the Federal, State, and local levels, to observe this month with appropriate programs, ceremonies, and activities. Also, I urge all Americans to celebrate November 29, 2024, as Native American Heritage Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25808
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Presidential Documents

Proclamation 10854 of October 31, 2024

National Veterans and Military Families Month, 2024

By the President of the United States of America

A Proclamation

Each veteran and military family represents a link in a chain of honor that stretches back to our founding days, unwavering in their devotion to their loved ones who served in uniform. This month, we honor all of our military and veteran families. They too serve and sacrifice to answer our Nation's call to duty. We owe them a debt of gratitude we can never fully repay.

I often say that, as a Nation, we have many obligations, but only one is truly sacred: to prepare and equip those we send into harm's way and to care for them and their families when they come home.

We are continually working to make sure that our Nation's veterans and service members have access to the benefits and care they deserve. I have signed more than 34 bipartisan bills to better support our service members, veterans and their families, caregivers, and survivors. One of those bills, the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics (PACT) Act, was the most significant expansion of benefits and services for toxic-exposed veterans and survivors in nearly 30 years. To date, more than 1.1 million veterans and over 11,000 survivors are now receiving new service-connected disability benefits, and over 796,000 veterans have newly enrolled in Veterans Affairs health care since the law was enacted. This law is helping families who lost loved ones to toxic illness gain access to critical resources and services, including monthly benefits, educational assistance, home loans, and more. Actions outlined in our national strategy to prevent military and veteran suicide are tackling the root causes of the military and veteran suicide crisis, including by better supporting families through the Governor's Challenge to Prevent Suicide Among Service Members, Veterans, and their Families. And we are making progress in eliminating homelessness and improving financial security for veteran and military families. Too often, veteran and military families become the targets of bad actors and scam artists. My Administration's Veteran Service Member Family Fraud Evasion initiative is providing easy, one stop access to resources to report fraud and get help from the Federal Government to combat scams. Additionally, I signed an Executive Order that implemented historic, bipartisan military justice reforms to transform how the military handles sexual assault and domestic violence cases. And I directed the Department of Defense to review pay and benefits for our service members—an important step toward ensuring their compensation reflects their service and sacrifice.

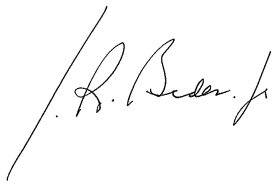
Military-connected families sacrifice for our country, answering the call to duty over and over again. Many military and veteran spouses, caregivers, and survivors struggle to achieve their desired career goals due to unique challenges military-connected families face. This is why I signed an Executive Order that takes the most comprehensive set of administrative actions in history to support the economic security of military families and veterans' spouses, caregivers, and survivors. I encouraged Federal agencies to do more to retain military spouses through flexible policies, ensuring they have access to stable jobs throughout their careers. Last year, I signed an Executive

Order that directed more than 50 actions to improve the care economy, which included critical actions to better support military and veteran caregivers and expand access to military child care. These orders build on the efforts taken by my Administration to improve the quality of life for military families, including initiatives to ease military moves, afford housing, and find child care. Joining Forces, the First Lady's initiative, is working to better support military and veteran families—doing everything from making school transitions easier for military children to expanding economic opportunities for military spouses and caregivers.

This is personal for my family and for me. We know the pride of seeing your child wear the uniform of the United States. We know the pain of long deployments far from home. We know what it is like to pray for the safe return of someone you love. This month, may we show our immense gratitude for our military and veteran families, whose courage and dedication represent the best of who we are as a Nation.

NOW, THEREFORE, I, JOSEPH R. BIDEN JR., President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2024 as National Veterans and Military Families Month. I call upon the people of the United States to honor veterans and military families with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand twenty-four, and of the Independence of the United States of America the two hundred and forty-ninth.



[FR Doc. 2024–25811
Filed 11–4–24; 8:45 am]
Billing code 3395–F4–P

Rules and Regulations

Federal Register
Vol. 89, No. 214
Tuesday, November 5, 2024

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

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

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 734, 740, 742, 744, 746, and 774

[Docket No. 241030–0286]

RIN 0694–XC109

Public Briefing on Revisions to Space-Related Export Controls Under Export Administration Regulations and International Traffic in Arms Regulations

AGENCY: Bureau of Industry and Security, U.S. Department of Commerce.

ACTION: Notification of public briefing on regulatory actions.

SUMMARY: On October 23, 2024, the Bureau of Industry and Security (BIS) published in the **Federal Register** related rules: a final rule, ''Export Administration Regulations: Removal of License Requirements for Certain Spacecraft and Related Items for Australia, Canada, and the United Kingdom,'' and an interim final rule, ''Export Administration Regulations: Revisions to Space-Related Export Controls.'' This document announces that, on November 6, 2024, BIS will host a public briefing on these rules. This document also provides details on the procedures for participating in the public briefing. Elsewhere in this issue of the **Federal Register**, BIS is publishing notification of the public briefing on related proposed rulemaking.

DATES:

Public briefing: The public briefing will be held on November 6, 2024. The public briefing will begin at 1 p.m. Eastern Standard Time (EST) and conclude at 3 p.m. EST.

Deadline to register: Register no later than November 1, 2024, to attend in person. Register by November 5, 2024, for virtual participation.

Deadline for submitting questions for the public briefing: Questions for the briefing must be received no later than 5 p.m. EST, November 4, 2024.

ADDRESSES:

In-Person: The public briefing will be held at the Commerce Research Library at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. Register at: *space.commerce.gov/export24.* In-person attendance is limited to the capacity of the room.

Virtual: To attend this event virtually, register at *space.commerce.gov/export24.*

Submitting questions: Submit questions in writing through the registration links at *space.commerce.gov/export24.*

Recordkeeping: A summary of the briefing and Q&A will be posted for the record at *space.commerce.gov/export24* and at *regulations.gov.*

FOR FURTHER INFORMATION CONTACT: For questions, contact Joseph A. Cristofaro, Director, Sensors, Aerospace and Marine Division, Office of National Security Controls, Bureau of Industry and Security, U.S. Department of Commerce, at (202) 482–2440 or by email: *Joseph.Cristofaro@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

On October 23, 2024, BIS published the final rule ''Export Administration Regulations: Removal of License Requirements for Certain Spacecraft and Related Items for Australia, Canada, and the United Kingdom'' (89 FR 84766), which amended the Export Administration Regulations (EAR) (15 CFR 730 through 774) by removing controls for certain spacecraft and related items for exports and reexports to Australia, Canada, and the United Kingdom. These spacecraft and related items involve remote sensing or space-based logistics, assembly, or servicing. Taking into account the close relations with these three allied countries, including in space collaboration, as well as their inclusion in the National Technology and Industrial Base, this final rule removed the license requirement for the export, reexport and transfer (in-country) to these countries for the specified spacecraft and related items.

On the same day, BIS published the interim final rule ''Export Administration Regulations: Revisions to Space-Related Export Controls'' (89 FR 84770), which made changes to controls for spacecraft and related items under the EAR. This interim final rule reduced license requirements on less sensitive items to reflect the close relations with certain countries and to better facilitate space collaboration with those countries; and made refinements and clarifications to existing controls. These changes will better enable a globally competitive U.S. space industrial base while continuing to protect U.S. national security and foreign policy interests.

Public Briefing

On November 6, 2024, the Bureau of Industry and Security will host a public briefing to address the details of and answer questions on these related rules and the proposed rules discussed elsewhere in this issue of the **Federal Register**. The Department of Commerce, the State Department, and other U.S. Government agencies, as appropriate, will participate in the public briefing. The public briefing will be held on November 6, 2024, at the Commerce Research Library of the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. The public briefing will begin at 1 p.m. EST and conclude at 3 p.m. EST.

Procedure for Requesting Participation

To participate in the public meeting virtually or in-person, register at: *space.commerce.gov/export24* no later than November 1, 2024, to attend in person, or by November 5, 2024, for virtual participation. for virtual participation. Note that due to space limitations, the capacity for in-person participation is limited. Once in-person capacity is reached, additional registrants will be directed to participate virtually. This web page will also display the agenda of the public meeting and any other necessary information. This web page will also display the agenda of the public meeting and any other necessary information.

Procedure for Submitting Questions

In-person and virtual attendees are encouraged to submit written questions in advance of the briefing through the registration links at *space.commerce.gov/export24.* Questions must be received by 5 p.m. EST on Monday, November 4, 2024.

Note that while public questions will also be accepted during the public briefing if there is available time, written questions will be prioritized.

All questions and answers from the public meeting will be posted at *space.commerce.gov/export24* and at the Federal eRulemaking Portal at *http://www.regulations.gov* under the docket numbers BIS–2018–0029 or BIS 2024–0031. Related records are made accessible in accordance with the regulations published in 15 CFR part 4.

Special Accommodations

For any special accommodation needs, please send an email to: *space.commerce@noaa.gov.*

Matthew S. Borman,

Principal Deputy Assistant Secretary for Strategic Trade and Technology Security.

[FR Doc. 2024–25663 Filed 11–1–24; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[TD 10011]

RIN 1545–BQ34

Modernizing Regulations on Sales of Seized Property

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulation.

SUMMARY: This document contains final regulations regarding the sale of a taxpayer's property that the IRS seizes by levy. The final regulations amend existing regulations to better allow the IRS to maximize sale proceeds for the benefit of the taxpayer whose property the IRS has seized and the public fisc. The final regulations affect all sales of property the IRS seizes by levy.

DATES:

Effective date: These regulations are effective November 5, 2024.

Applicability date: For date of applicability, *see* § 301.6335–1(f).

FOR FURTHER INFORMATION CONTACT: Micah A. Levy, (202) 317–6832 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Authority

This document contains amendments to the Procedure and Administration Regulations (26 CFR part 301) issued by the Secretary of the Treasury or her delegate (Secretary) under the authority granted by sections 6335(e)(2) and 7805(a) of the Internal Revenue Code regarding the sale of property that is seized by levy by the IRS (seized property).

Section 6335(e)(2) provides an express delegation of authority, stating that the Secretary shall by regulations prescribe the manner and other conditions of the sale of property seized by levy. If one or more alternative methods or conditions are permitted by regulations, the Secretary shall select the alternatives applicable to the sale. Sections 6335(e)(2)(A) through (F) expressly provide that such regulations shall provide: (i) that the sale shall not be conducted in any manner other than by public auction or by public sale under sealed bids; (ii) in the case of the seizure of several items of property, whether such items shall be offered separately, in groups, or in the aggregate and whether such property shall be offered both separately (or in groups) and in the aggregate, and sold under whichever method produces the highest aggregate amount; (iii) whether the announcement of the minimum price determined by the Secretary may be delayed until the receipt of the highest bid; (iv) whether payment in full shall be required at the time of acceptance of a bid, or whether a part of such payment may be deferred for such period (not to exceed 1 month) as may be determined by the Secretary to be appropriate; (v) the extent to which methods (including advertising) in addition to those prescribed in section 6335(b) may be used in giving notice of the sale; and (vi) under what circumstances the Secretary may adjourn the sale from time to time (but such adjournments shall not be for a period to exceed in all 1 month).

Finally, section 7805(a) authorizes the Secretary to ''prescribe all needful rules and regulations for the enforcement of [the Code], including all rules and regulations as may be necessary by reason of any alteration of law in relation to internal revenue.''

Background

On October 16, 2023, the Department of the Treasury (Treasury Department) and the IRS published in the **Federal Register** (88 FR 71323) a notice of proposed rulemaking (REG–127391–16) proposing amendments to regulations under 26 CFR part 301 (proposed regulations). The proposed regulations conformed the prescribed manner and conditions of sales of seized property with modern practices. The proposed amendments included changes to facilitate online sales, give greater flexibility in grouping property and specifying terms of payment, and provide clarity to the IRS in making decisions about which employees can be assigned to conduct sales or perform related ministerial duties. *See* the Explanation of Provisions section of REG–127391–16 at 88 FR 71324–71326 for a discussion of the proposed regulations.

The Treasury Department and the IRS received one comment in response to the notice of proposed rulemaking, but the comment did not address the proposed regulations. The comment is available at *https://www.regulations.gov* or upon request. No public hearing was requested or held on the proposed regulations. These final regulations therefore adopt the text of the proposed regulations with only minor, nonsubstantive changes.

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(b) of Executive Order 12866, as amended. Therefore, a regulatory impact assessment is not required.

II. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (5 U.S.C. chapter 6), it is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities. This certification is based on the fact that the regulations solely conform the prescribed manner and conditions of sales of seized property with modern practices by making the sales process both more efficient and more likely to produce higher sales prices.

Pursuant to section 7805(f) of the Code, the notice of proposed rulemaking preceding these regulations was submitted to the Chief Counsel for the Office of Advocacy of the Small Business Administration for comment on its impact on small business, and no comments were received.

III. Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) 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. These final regulations do 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.

IV. 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. These final regulations do not have federalism implications and do not impose substantial direct compliance costs on State and local governments or preempt State law within the meaning of the Executive Order.

V. 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 these regulations is Micah A. Levy, Office of the Associate Chief Counsel (Procedure and Administration). However, other personnel from the Treasury Department and the IRS participated in the development of the regulations.

List of Subjects in 26 CFR Part 301

Employment taxes, Estate taxes, Excise taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, the Treasury Department and the IRS amend 26 CFR part 301 as follows:

PART 301—PROCEDURE AND ADMINISTRATION

■ **Paragraph 1.** The authority citation for part 301 is amended by adding an entry for § 301.6335–1 in numerical order to read in part as follows:

Authority: 26 U.S.C. 7805.

* * * * *

Section 301.6335–1 also issued under 26 U.S.C. 6335(e)(2).

* * * * *

■ **Par. 2.** Section 301.6335–1 is amended by:

■ 1. Redesignating paragraphs (a) through (d) as paragraphs (b) through (e), respectively;

■ 2. Adding a new paragraph (a);

■ 3. Revising newly designated paragraphs (b) and (c)(1) and (2);

■ 4. Adding a subject heading to newly redesignated paragraph (c)(3);

■ 5. Revising newly redesignated paragraphs (d)(1) and (2) and (d)(3)(i) and (ii);

■ 6. Removing newly redesignated paragraph (d)(3)(iii);

■ 7. Revising newly redesignated paragraph (d)(4)(iii);

■ 8. Removing newly redesignated paragraph (d)(4)(iv);

■ 9. Revising newly redesignated paragraphs (d)(5)(i), (ii), and (iv) and (d)(6), (7), and (9);

■ 10. Adding paragraph (d)(11);

■ 11. Revising newly redesignated paragraphs (e)(1) and (3); and

■ 12. Adding paragraph (f).

The additions and revisions read as follows:

§ 301.6335–1 Sale of seized property.

(a) *In general.* Section 6335 of the Internal Revenue Code (Code) and this section provide the rules under which the Internal Revenue Service (IRS) conducts sales of property seized by levy.

(b) *Notice of seizure*—(1) *Issuance and delivery.* As soon as practicable after seizure of property, the IRS must give written notice to the property's owner (or, in the case of personal property, to the property's possessor). The written notice must be delivered to the owner (or to the possessor, in the case of personal property) or left at the owner's usual place of abode or business if there is such within the internal revenue district in which the seizure is made. If the owner cannot be readily located or has no dwelling or place of business within such district, the notice may be mailed to the owner's last known address. For purposes of this section, the term *internal revenue district* means an internal revenue district within the meaning of section 7621 of the Code and includes an IRS field collection territory or other successor IRS subdivision or office.

(2) *Contents.* The notice of seizure must specify the sum demanded and contain, in the case of personal property, a list sufficient to identify the property seized and, in the case of real property, a description with reasonable certainty of the property seized.

(c) * * *

(1) *In general.* As soon as practicable after seizure of the property, the IRS must give notice of sale in writing to the owner. Such notice will be delivered to the owner or left at the owner's usual place of abode or business if located within the internal revenue district in which the seizure is made. If the owner cannot be readily located or has no dwelling or place of business within such district, the notice may be mailed to the owner's last known address. For further guidance regarding the definition of last known address, *see* § 301.6212–2. The notice must specify the property to be sold, and the time, place, manner, and conditions of the sale thereof, and must expressly state that only the right, title, and interest of the delinquent taxpayer in and to such property is to be offered for sale. The notice will also be published in some newspaper published in the county wherein the seizure is made or in a newspaper generally circulated in that county. For example, if a newspaper of general circulation in a county but not published in that county will reach more potential bidders for the property to be sold than a newspaper published within the county, or if there is a newspaper of general circulation within the county but no newspaper published within the county, the IRS may publish the notice of sale in the newspaper of general circulation within the county. If there is no newspaper published or generally circulated in the county, the notice will be posted at the post office nearest the place where the seizure is made, to the extent authorized under law, and in not less than two other public places.

(2) *Alternative methods.* The IRS may use other methods of giving notice of sale and of advertising seized property, in addition to those referred to in paragraph (c)(1) of this section, if the IRS believes that the nature of the seized property to be sold is such that a wider or more specialized advertising coverage will enhance the possibility of obtaining a higher price for the seized property.

(3) *Exception.* * * *

(d) * * *

(1) *Time and place of sale.* The sale will be held at the time and place stated in the notice of sale. The time of sale will not be less than 10 days nor more than 40 days from the time of giving public notice under section 6335(b) of the Code and paragraph (c) of this section. The place of an in-person sale will be within the county in which the property is seized, except such sale may be held at a place outside that county if the IRS determines, by special order of a delegated official, that substantially higher bids may be obtained for the property by holding the sale in such other county. The place of an online sale will generally be the county in which the property is seized. If, based on the facts and circumstances, the IRS determines that the place of an online sale is not within the county in which the property is seized, the sale may be

conducted online by special order when doing so would be more efficient or would likely result in more competitive bids.

(2) *Adjournment of sale.* When it appears that an adjournment of the sale will best serve the interest of the United States or that of the taxpayer, the IRS may adjourn the sale from time to time, but the date of the sale will not be later than one month after the date fixed in the original notice of sale.

(3) * * *

(i) *Minimum price.* Before the sale of property seized by levy, the IRS will determine a minimum price, taking into account the expenses of levy and sale, for which the property must be sold. The IRS will either announce the minimum price before the sale begins or defer announcement of the minimum price until after the receipt of the highest bid, in which case, if the highest bid is greater than the minimum price, no announcement of the minimum price will be made.

(ii) *Purchase by the United States.* Before the sale of seized property, the IRS will determine whether the purchase of the property by the United States at the minimum price would be in the best interest of the United States. In determining whether the purchase of the property would be in the best interest of the United States, the IRS may consider all relevant facts and circumstances including, for example—

(A) Marketability of property;

(B) Cost of maintaining the property;

(C) Cost of repairing or restoring the property;

(D) Cost of transporting the property;

(E) Cost of safeguarding the property;

(F) Cost of potential toxic waste cleanup; and

(G) Other factors pertinent to the type of property.

(4) * * *

(iii) *Release to owner.* If the property is not declared to be sold under paragraph (d)(4)(i) or (ii) of this section, the property will be released to the owner of the property and the expense of the levy and sale will be added to the amount of tax for the collection of which the United States made the levy. Any property released under this paragraph (d)(4)(iii) will remain subject to any lien imposed by subchapter C of chapter 64 of subtitle F of the Code.

(5) * * *

(i) *Sale of indivisible property.* If any property levied upon is not divisible, so as to enable the IRS by sale of a part thereof to raise the whole amount of the tax and expenses of levy and sale, the whole of such property will be sold. For application of surplus proceeds of sale, *see* section 6342(b) of the Code.

(ii) *Separately, in groups, or in the aggregate.* The IRS, in selecting how seized property will be offered for sale, will consider which method is likely to produce the highest total sales price as well as which method is most feasible. The seized property may be offered for sale—

(A) As separate items,

(B) As groups of items,

(C) In the aggregate, or

(D) Both as separate items (or in groups) and in the aggregate, in which case, the property will be sold under the method that produces the highest aggregate amount.

* * * * *

(iv) *Terms of payment.* The property will be offered for sale in accordance with whichever of the following terms is fixed by the IRS in the public notice of sale:

(A) Payment in full upon acceptance of the highest bid, or

(B) An initial payment upon acceptance of the highest bid if the payment is in the amount (either the dollar amount or the percentage of the purchase price) specified in the notice of sale and followed by payment of the balance (including all costs incurred for the protection or preservation of the property subsequent to the sale and prior to final payment) within a specified period, not to exceed one month from the date of the sale.

(6) *Method of sale and sale procedures.* The IRS will sell the property either at a public auction (at which open competitive bids will be received) or at a public sale under sealed bids.

(i) *Invitation to bidders.* Bids will be solicited through a public notice of sale.

(ii) *Form for use by bidders.* A bid must be submitted in the manner specified by the IRS in the notice of sale or in instructions referenced by that notice.

(iii) *Remittance with bid.* The notice of sale, or instructions referenced in the notice, will specify the initial payment amount, acceptable forms of the remittance (such as check, credit or debit card, electronic payment, or other means), and the address (physical or online) at which the bid and remittance must be submitted.

(iv) *Time for receiving bids.* A bid will not be considered unless it is received in the manner and before the time specified in the notice of sale, instructions referenced in the notice, or in the announcement of the adjournment of the sale.

(v) *Consideration of bids.* The public notice of sale will specify whether the property is to be sold separately, by groups, or in the aggregate, or by a combination of these methods, as provided in paragraph (d)(5)(ii) of this section. If the notice, or instructions referenced in the notice, specifies an alternative method, bidders may submit bids under one or more of the alternatives. In case of error in computing the total price of a group of property in any bid, the unit price of each piece of property will control. The IRS has the right to waive any technical defects in a bid. A technical defect in a bid is deemed waived if the IRS treats it as the winning bid. In the event two or more highest bids are equal in amount, the IRS will reopen the bidding until a high bid is submitted without any ties. After the opening, examination, and consideration of all bids, the IRS will announce the amount of the highest bid or bids and the name of the successful bidder or bidders. Any remittance submitted in connection with an unsuccessful bid will be returned at the conclusion of the sale.

(vi) *Withdrawal of bids.* A bid may be withdrawn only in the manner specified in the notice of sale or in instructions referenced in the notice. A technical defect in a bid confers no right on the bidder for the withdrawal of the bid after it has been opened or accepted.

(7) *Payment of bid price.* All payments for property sold under this section must be made in the form and manner (whether by check, credit or debit card, electronic payment, or other means) specified by the IRS in the public notice of sale or in instructions referenced in the notice. If payment in full is required upon acceptance of the highest bid, the payment must be made at the time and in accordance with the terms specified in the notice of sale. If deferred payment is permitted, the initial payment must be made upon acceptance of the bid at the time and in accordance with the terms specified in the notice of sale, and the balance must be paid on or before the date fixed for payment thereof. Any remittance submitted with a successful bid will be applied toward the purchase price.

* * * * *

(9) *Default in payment.* If payment in full is required upon acceptance of the bid and is not paid when due, the IRS will proceed again to sell the property in the manner provided in section 6335(e) of the Code and this section. If the conditions of the sale permit part of the payment to be deferred, and if such part is not paid within the prescribed period, suit may be instituted against the purchaser for the purchase price or such part thereof as has not been paid, together with interest at the rate of six

percent per annum from the date of the sale; or, in the discretion of the IRS, the sale may be declared null and void for failure to make full payment of the purchase price and the property may again be advertised and sold as provided in section 6335(b), (c), and (e) of the Code and this section. In the event of such readvertisement and sale, any new purchaser will receive such property or rights to property free and clear of any claim or right of the former defaulting purchaser, of any nature whatsoever, and the amount paid upon the bid price by such defaulting purchaser will be forfeited to the United States.

* * * * *

(11) *Participation in sale by revenue officers.* No revenue officer who seized the property to be sold at a sale conducted under section 6335 of the Code and this section may participate in the sale of that seized property. This restriction does not apply to sales of perishable goods conducted under section 6336 of the Code.

(e) * * *

(1) *In general.* The owner of any property seized by levy may request that the IRS sell such property within 60 days after such request, or within any longer period specified by the owner. The IRS must comply with such a request unless it determines that compliance with the request is not in its best interests. If the IRS decides not to comply with the request, it must notify the owner of the determination within the 60-day period, or any longer period specified by the owner.

* * * * *

(3) *Notification to owner.* The IRS will respond in writing to a request for sale of seized property as soon as practicable after receipt of such request and in no event later than 60 days after receipt of the request, or, if later, the date specified by the owner for the sale.

(f) *Applicability date.* The rules of this section apply to sales of property seized on or after November 5, 2024.

Douglas W. O'Donnell,

Deputy Commissioner.

Approved: October 15, 2024.

Aviva R. Aron-Dine,

Deputy Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2024–25464 Filed 11–4–24; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2024–0528]

RIN 1625–AA08

Special Local Regulation; Seddon Channel, Tampa, FL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation for certain navigable waters in Seddon Channel near the Tampa Convention Center in Tampa, FL during the Red Bull Flugtag event. This temporary special local regulation is necessary to ensure the safety of spectators and mariners transiting the area from the dangers associated with this competitive event. This rulemaking would temporarily prohibit entering, transiting through, anchoring, blocking, or loitering within the regulated area, unless authorized by the Captain of the Port St. Petersburg or designated representative.

DATES: This rule is effective from 7 a.m. through 8 p.m. on November 9, 2024.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2024–0528 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Marine Science Technician Second Class Zachary VanLier, Sector St. Petersburg Prevention Department, U.S. Coast Guard; telephone 813–228–2191, email *Zachary.I.Vanlier@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

On January 13, 2024, the Red Bull organization notified the Coast Guard of the intention to conduct the ''Red Bull Flugtag'' event adjacent to the Tampa Convention Center waterfront in the vicinity of the Seddon Channel in Tampa, FL. The Red Bull Flugtag is a free event that challenges people to design and construct homemade ''flying crafts'' and attempt to fly or glide those crafts off a temporary structure. Approximately 35 to 40 teams composed of individuals will participate in the event. However, the expectation is that many spectators will be in attendance to witness the competition from both land and water. In response, on September 5, 2024, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Special Local Regulation; Seddon Channel, Tampa, FL (89 FR 72348). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this fireworks display. During the comment period that ended October 7, 2024, we received 0 comments.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to respond to the potential safety hazards associated with the establishment of the Special Local Regulation during the marine event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority in 46 U.S.C. 70034. The Captain of the Port Sector St. Petersburg (COTP) has determined that potential hazards associated with the marine event, and there is an increase in navigational risk associated with the competitors attempt to fly home-made, human-powered flying machines into the Seddon Channel. The purpose of this rule is to ensure safety of vessels and the navigable waters in the special local regulated area before, during, and after the scheduled event.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published September 5, 2024. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

This rule establishes a special local regulation from 7 a.m. until 8 p.m., on November 9, 2024. The special local regulation would establish: (1) An event area; (2) spectator area; and (3) an enforcement area on the Seddon Channel near the Tampa Convention Center in Tampa, FL during the Red Bull Flugtag event. For the event area all non-participant persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining

within unless authorized by the COTP or a designated representative. For the spectator area, vessels will be directed to anchor while the event is taking place. For the enforcement area, designated representatives may control vessel traffic as determined by the prevailing conditions.

Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the event area by contacting the COTP St. Petersburg by telephone at (866) 881–1392, or a designated representative via VHF radio on channel 16. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the COTP St. Petersburg or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the COTP St. Petersburg or a designated representative. The Coast Guard will provide notice of the special local regulation by Local Notice to Mariners, Broadcast Notice to Mariners, and on-scene designated representatives.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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

This regulatory action determination is based on the rule being enforced in a small, designated area in the Seddon Channel for only one day. Although persons and vessels may not enter, transit through, anchor in, or remain within the event area without authorization from the COTP St. Petersburg or a designated representative, they may operate in the surrounding area during the enforcement period. Persons and vessels may still enter, transit through, anchor in, or remain within the spectator area and enforcement area. The Coast Guard will provide advance notification of the special local regulation to the local Notice to Mariners and Broadcast Notice to Mariners.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received 0 comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

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

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969(42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves implementation of regulations within 33 CFR part 100 applicable to organized marine events on the navigable waters of the United States that could negatively impact the safety of waterway users and shore side activities in the event area lasting for 13 total hours. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A

Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

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

List of Subjects in 33 CFR Part 100

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

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

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

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

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

■ 2. Add § 100.T07–0528 to read as follows:

§ 100.T07–0528 Red Bull Flugtag Seddon Channel, Tampa, FL.

(a) *Regulated areas.* The regulations in this section apply to the following areas (all coordinates are based on North American Datum 1983):

(1) *Event area.* All navigable waters in Seddon Channel commencing at latitude 27°56′27″ N, 082°27′28″ W, thence to position 27°56′29″ N, 082°27′28″ W, thence to position 27°56′25″ N, 082°27′18″ W, thence to position 27°56′23″ N, 082°27′19″ W, thence to the original position.

(2) *Spectator area.* All navigable waters in Seddon Channel commencing at latitude 27°56′25″ N, 082°27′32″ W, thence to position 27°56′28″ N, 082°27′30″ W, thence to position 27°56′23″ N, 082°27′19″ W, thence to position 27°56′19″ N, 082°27′23″ W, thence to position 27°56′12″ N, 082°27′21″ W, thence to position 27°56′12″ N, 082°27′23″ W, thence to original position.

(3) *Enforcement area.* All navigable waters in Seddon Channel commencing at latitude 27°56′18″ N, 082°27′43″ W, thence to position 27°56′30″ N, 082°27′33″ W, thence to position 27°56′30″ N, 082°27′29″ W, thence to position 27°56′25″ N, 082°27′17″ W, thence to position 27°56′22″ N, 082°27′16″ W, thence to position 27°56′18″ N, 082°27′20″ W, thence to position 27°56′04″ N, 082°27′13″ W, thence to position 27°56′02″ N, 082°27′19″ W, thence to position 27°56′23″ N, 082°27′32″ W, thence to position 27°56′17″ N, 082°27′39″ W thence to the original position.

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

Captain of the Port (COTP) St. Petersburg means the Commander, U.S. Coast Guard Sector St. Petersburg or any Coast Guard commissioned, warrant or petty officer who has been authorized by the COTP to act on his behalf.

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

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

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

(2) Designated representatives may control vessel traffic throughout the enforcement area described in paragraph (a)(3) of this section as determined by the prevailing conditions.

(3) To seek permission to enter, contact the COTP or the COTP's representative by contacting the COTP St. Petersburg by telephone at (866) 881–1392. Those in the regulated area must comply with all lawful orders or directions given to them by the COTP or the designated representative.

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

(d) *Enforcement period.* This section will be enforced from 7 a.m. to 8 p.m. on November 9, 2024.

Dated: October 30, 2024.

Michael P. Kahle,

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

[FR Doc. 2024–25712 Filed 11–4–24; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2024–0975]

RIN 1625–AA87

Security Zone; Corpus Christi Ship Channel, Corpus Christi, TX

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary moving security zones for navigable waters within a 500-yard radius of certain vessels carrying cargo requiring an elevated level of security in the Corpus Christi Ship Channel and the La Quinta Channel. The temporary security zones are needed to protect the vessels, the cargo, and the surrounding waterway from terrorist acts, sabotage, or other subversive acts, accidents, or events of a similar nature. Entry of vessels or persons into these zones are prohibited unless specifically authorized by the Captain of the Port, Sector Corpus Christi or a designated representative.

DATES: For the purposes of enforcement, actual notice will be used from October 29, 2024, until November 5, 2024. This rule is effective without actual notice from November 5, 2024, through November 10, 2024. It will be subject to enforcement each day it is in effect, and when the vessels are loaded and transiting the channels.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2024–0975 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Lieutenant Tim Cardenas, Sector Corpus Christi Waterways Management Division, U.S. Coast Guard; telephone 361–939–5130, email*Tim.J.Cardenas@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Sector Corpus Christi
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule under the authority in 5 U.S.C. 553(b)(B). This statutory provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard was notified October 21, 2024 the need to establish this security zone by October 29, 2024, to ensure security of certain vessels and the surrounding area and lacks sufficient time to request public comments and respond to these comments before the safety zone must be established. As such, it is impracticable to publish an NPRM.

Additionally, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because prompt action is needed to provide for the security of these vessels while they are in transit and carrying potentially dangerous cargo in need of elevated security.

III. Legal Authority and Need for Rule

The Coast Guard is issuing these security zone regulations under the authority in 46 U.S.C. 70051 and 70124. The Captain of the Port, Sector Corpus Christi (COTP) has determined that potential hazards are associated with the transit of the Motor Vessels (M/V) GLOBAL SEALINE and MOL HESTIA. There is a security concern within a 500-yard radius of these vessels when they are loaded. This rule is needed to provide for the safety and security of these vessels, their cargo, and the surrounding waterway from terrorist acts, sabotage, or other subversive acts, accidents, or other events of a similar nature while the vessels are transiting in a loaded condition.

IV. Discussion of the Rule

The Coast Guard is establishing 500-yard radius, temporary, moving security zones around M/V GLOBAL SEALINE and MOL HESTIA within the navigable waters of the Corpus Christi Ship Channel and the La Quinta Channel. The public will easily be able to identify these vessels because their names are clearly marked on the port and starboard bow and the stern of each vessel. The zones for these vessels will be effective from October 29, 2024, through November 10, 2024, to protect the vessels, their cargo, and the surrounding waterways from terrorist acts, sabotage, or other subversive acts, accidents, or other events of a similar nature while the vessels are traveling within the La Quinta Channel and the Corpus Christi Ship Channel. The zones will be enforced only during the time the vessels are transiting the channels.

No vessel or person will be permitted to enter the security zone without obtaining permission from the COTP or a designated representative. As used in this section, ''designated representative'' means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port, USCG Sector Corpus Christi (COTP) in the enforcement of the security zone. Persons or vessels desiring to enter or pass through each zone must request permission from the COTP or a designated representative on VHF–FM channel 16 or by telephone at 361–939–0450. If permission is granted, all persons and vessels must comply with the instructions of the COTP or designated representative. The COTP or a designated representative will inform the public through Broadcast Notices to Mariners (BNMs) and/or Marine Safety Information Bulletins (MSIBs) as appropriate for the enforcement times and dates for the security zone.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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

This regulatory action determination is based on the size, duration, and location of the security zone. This rule will impact a small, designated area of 500-yards around the moving vessels in the Corpus Christi Ship Channel and La Quinta Ship Channel as these vessels transit the channel over a thirteen-day period. Most vessels will be able to move around the security zone and therefore the impediment to the movement of other vessels will be minimal. Moreover, the rule allows other vessels to seek permission to enter or pass through each zone may request permission from the COTP or a designated representative on VHF–FM channel 16 or by telephone at 361–939–0450.

B. Impact on Small Entities

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

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

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

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain

about this rule or any policy or action of the Coast Guard.

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f) and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves moving security zones lasting for the duration of time that the M/V GLOBAL SEALINE and MOL HESTIA are within the Corpus Christi Ship Channel and La Quinta Channel while loaded with cargo. It will prohibit entry within a 500-yard radius of the M/V GLOBAL SEALINE and MOL HESTIA while the vessels are transiting loaded within Corpus Christi Ship Channel and La Quinta Channel. It is categorically excluded from further review under L60(a) in Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08–0975 to read as follows:

§ 165.T08–0975 Security Zones; Corpus Christi Ship Channel, Corpus Christi, TX.

(a) *Location.* All navigable waters encompassing a 500-yard radius around the M/V GLOBAL SEALINE and MOL HESTIA, while the vessels are loaded and in the Corpus Christi Ship Channel and the La Quinta Channel.

(b) *Definitions.* As used in this section, ''designated representative'' means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port, USCG Sector Corpus Christi (COTP) in the enforcement of the security zone.

(c) *Effective period.* This section will be in effect from October 29, 2024, through November 10, 2024. This section will be enforced when any of the vessels are in the specified channels and carrying cargo.

(d) *Regulations.* (1) The general security zone regulations in subpart D of this part apply. Entry into the zone is prohibited unless authorized by the Captain of the Port Sector Corpus Christi (COTP) or a designated representative.

(2) Persons or vessels desiring to enter or pass through the zones must request permission from the COTP Sector Corpus Christi on VHF–FM channel 16 or by telephone at 361–939–0450.

(3) If permission is granted, all persons and vessels shall comply with the instructions of the COTP or designated representative.

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

Dated: October 28, 2024.

T.H. Bertheau,

Captain, U.S. Coast Guard, Captain of the Port, Sector Corpus Christi.

[FR Doc. 2024–25711 Filed 11–4–24; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2024–0946]

Safety Zone; Firework Display Within the Sector Columbia River Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce safety zone regulations for the City of Richland Lighted Boat Parade Fireworks Display on December 6 and 7, 2024, to provide for the safety of life on navigable waterways during this display. Our regulation for safety zones within the Sector Columbia River Captain of the Port Zone identifies the regulated area for this event in Richland, WA. During the enforcement period, no person may enter or remain in the safety zone unless authorized by

the Captain of the Port Sector Columbia River or a designated representative.

DATES: The regulations in 33 CFR 165.1315 will be enforced from 7 p.m. until 8:30 p.m., each day on December 6 and 7, 2024.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email Lieutenant Commander Jesse Wallace, Waterways Management Division, Sector Columbia River, Coast Guard; telephone 503–572–3524, email *SCRWWM@USCG.MIL.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone in 33 CFR 165.1315 for the City of Richland Lighted Boat Parade Fireworks Display, in Richland, WA, from 7 p.m. until 8:30 p.m., each day on December 6 and 7, 2024 on the Columbia River. The safety zone will include all navigable waters within a 450-yard radius of the fireworks launch site location of approximately 46°16′29″ N; 119°16′10″ W.

The special requirements listed in 33 CFR 165.1315 apply to the activation and enforcement of the safety zone. During the enforcement period, as reflected in § 165.1315(e), no person may enter or remain in the safety zone unless authorized by the Captain of the Port Sector Columbia River or a designated representative. Additionally, each person in the safety zone must comply with the lawful order or directions of the Captain of the Port Sector Columbia River or designated representative.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: October 25, 2024

J.W. Noggle,

CAPTAIN, U.S. Coast Guard, Captain of the Port Sector Columbia River.

[FR Doc. 2024–25644 Filed 11–4–24; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 40

[Docket DOT–OST–2021–0093]

RIN 2105–AE94

Procedures for Transportation Workplace Drug and Alcohol Testing Programs

AGENCY: Office of the Secretary, Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: The U.S. Department of Transportation (DOT) revises its drug and alcohol testing procedures, as amended by a final rule published on May 2, 2023, to provide temporary qualification requirements for mock oral fluid monitors, provide for consistent requirements by identifying which individuals may be present during an oral fluid collection, and clarify how collectors are to document that a sufficient volume of oral fluid was collected.

DATES: This final rule is effective on December 5, 2024.

FOR FURTHER INFORMATION CONTACT: Bohdan Baczara, Deputy Director, Office of Drug and Alcohol Policy and Compliance, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone number 202–366–3784; *ODAPCwebmail@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Authority for This Rulemaking

This rulemaking is promulgated under the authority originally enacted in the Omnibus Transportation Employee Testing Act (OTETA) of 1991, codified at 49 U.S.C. 45102 and 45104 (aviation industry testing), 49 U.S.C. 20140 (rail), 49 U.S.C. 31306 (motor carrier), and 49 U.S.C. 5331 (transit). OTETA requires that the Department incorporate the Department of Health and Human Services' (HHS) Mandatory Guidelines, including amendments, into the Department's regulations for testing and laboratory requirements for aviation, rail (except for rail post-accident testing), motor carrier, and transit testing. Additional authority at 5 U.S.C. 7301 note and Executive Order 12564, specify HHS as the agency that establishes scientific and technical guidelines for Federal workplace drug testing programs and standards for certification of laboratories engaged in such drug testing. While DOT has discretion concerning many aspects of its regulations governing testing in the transportation industries' regulated programs, DOT follows the HHS Mandatory Guidelines for the laboratory and specimen testing procedures.

On October 25, 2019, HHS published a final rule establishing the Mandatory Guidelines for Federal Workplace Drug Testing Programs using Oral Fluid (OFMG), which became effective January 1, 2020. (84 FR 57554, Oct. 25, 2019). As of the time of the publication of this final rule, there have been no laboratories yet certified by HHS for oral fluid testing.

II. Background

DOT published a final rule amending the procedures for its drug testing program (49 CFR part 40) on May 2, 2023 (88 FR 27596) (May 2023 final rule). The May 2023 final rule went into effect on June 1, 2023. The final rule authorized oral fluid drug testing as an additional methodology for employers to use as a means of achieving the safety goals of the program.

We have determined instances in which the text of various aspects of the procedures as amended by the May 2023 final rule need to be further amended due to unforeseen circumstances that have rendered it impossible to comply with requirements for mock oral fluid collection observers, for consistency with regard to privacy during the specimen collection, and to clarify the means by which collectors document that a sufficient volume of oral fluid was collected.

To address the issues identified above, DOT published a direct final rule (DFR) on June 21, 2024. (89 FR 5189) DOT published the DFR without a prior proposed rule because we viewed the DFR as a noncontroversial action and anticipated no adverse comments on any of the provisions of the rule. The DFR was to become effective on August 5, 2024, unless DOT received adverse comments on the provisions of the DFR. DOT noted that if adverse comments were received, it would publish a timely withdrawal in the **Federal Register** informing the public that the provisions of the rule on which adverse comments were received would not take effect.

On the same day, DOT published a notice of proposed rulemaking (NPRM) containing the same amendments in the DFR that served as the proposed rule to amend Part 40 if adverse comments were received on any of the provisions in the DFR (89 FR 52002). DOT noted that if adverse comments were received, DOT would address the public comments received in a subsequent final rule based on the NPRM. DOT stated that it would not institute a second comment period on the NPRM.

DOT received adverse comments to each of the provisions in the DFR and NPRM, and DOT published a notice withdrawing the DFR in the **Federal Register** on August 1, 2024 (89 FR 62665).

III. Comments to the DFR and NPRM

DOT received 15 unique comments to the DFR, and 18 unique comments to the NPRM.[1] These comments included

[1] There were duplicate comments filed for both the DFR and the NPRM that are included in the docket in *www.regulations.gov.*

three that expressed concerns about, or opposed the use of, oral fluid testing generally, and one that was not related to the subject rulemaking. DOT considered and responded to comments expressing the same concerns about and opposing oral fluid testing in the May 2023 final rule establishing oral fluid testing as an additional test methodology for employers. These comments are therefore outside of the scope of this rulemaking, which makes only technical corrections to the May 2023 final rule, and are not addressed in this final rule.

A. Comments in Support of the Amendments

The Substance Abuse Program Administrators Association (SAPAA), a nonprofit trade association with a membership encompassing third-party administrators, in-house program administrators, medical review officers (MROs), HHS-certified laboratories, substance abuse professionals (SAP), manufacturers of testing devices, and collection sites/collectors, supported each of the changes to Part 40 as outlined in the DFR and NPRM. SAPAA stated that the changes ''emphasize the necessity of aligning the regulations with practical implementation realities and reflect the successful introduction of similar guidelines in the past,'' and that ''nothing in these changes would negatively impact the ability to train DOT oral fluid collectors once collection devices are commercially available; and, in fact, would facilitate that process.''

Airlines for America (A4A) commented, stating that it generally supports DOT's efforts in the DFR and NPRM to address the issues identified regarding the May 2023 final rule. A4A suggested that DOT extend the sunset date for the regulatory relief under § 40.35(c)(3) to 18 months, instead of 12 months as proposed. A4A also requested that DOT clarify the intent of § 40.35(c)(2)(ii), specifically with respect to whether the qualified collector under that section is required to have conducted *oral fluid* training under Part 40 for a period of at least one year. Finally, A4A suggested that DOT permit an employee to orally waive the prohibition on others ''actually witnessing the testing process.''

DOT received one comment supporting the clarifying language to § 40.73(c)(2) regarding how collectors are to specify that a sufficient volume of oral fluid was collected. That commenter stated that the amendment ''brings uniformity to all collectors, maintains consistent results, and promotes more efficient workflow and data from collectors.''

B. Comments in Opposition to the Amendments

DOT received comments from two individuals opposing the proposed amendment to § 40.73(a)(1) regarding who may witness the oral fluid testing process.

DOT received comments opposing the DFR and the NPRM from the National Drug and Alcohol Screening Association (NDASA), a nonprofit association with a membership that includes laboratories, employers' substance abuse program administrators, compliance auditors, consortia/third party administrators (C/TPA), specimen collection facilities, collectors, breath alcohol technicians, screening test technicians, laboratories, MROs, and SAPs. In addition, several other organizations and individuals provided comments opposing the DFR and NPRM by either (1) citing to NDASA's comments as the basis for their opposition, or (2) attaching a copy of NDASA's comments as their docket submittal.

In discussing comments on this rule and our response to them, we focus on the substance of positions that commenters expressed, and on why we did or did not make changes in response. We address each of the substantive comments provided to the DFR and the NPRM in the discussion of the amendments to Part 40 in the following section.

IV. Amendments to Part 40

A. Section 40.35 What training requirements must a collector meet for oral fluid collection?

The May 2023 final rule established requirements for oral fluid collector qualifications in § 40.35 that mirrored as closely as possible existing urine collector qualifications in § 40.33. All of the qualification training requirement categories (*i.e.,* basic information, qualification training, initial proficiency demonstration, refresher training, error correction training, and documentation) are identical. Regarding the mock collections specified in § 40.35(c), we required oral fluid collectors to demonstrate proficiency in collections by completing five consecutive error-free mock collections for each device they will use. These mock collections must be monitored and evaluated by a ''qualified collector'' who has demonstrated the necessary knowledge, skills, and abilities by additionally: (i) regularly conducting DOT drug test collections for a period of at least one year; (ii) conducting collector training under this part for at least one year; or (iii) successfully completing a ''train the trainer'' course.

At this time, however, individuals wanting to be oral fluid collectors are not able to be qualified because there are no currently qualified oral fluid collectors per § 40.35(c)(2) with the additional qualifications at § 40.35(c)(2)(i), (ii), or (iii) to monitor and evaluate the trainee's mock collections. In the NPRM, we stated that we did not intend to create a factual impossibility, and that we meant for the oral fluid monitors for the mock proficiency demonstrations to be proficient as oral fluid collectors.

To facilitate the training of oral fluid collectors, we proposed to amend the regulation to authorize individuals to monitor mock oral fluid collections without meeting the requirement of being a qualified oral fluid collector specified in § 40.35. To ensure the proficiency of the collection monitor, we proposed that this regulatory flexibility would apply only to those individuals meeting the knowledge, skills, and abilities in § 40.35(c)(2)(ii) or (iii).[2] With regard to the knowledge, skills, and abilities in § 40.35(c)(2)(ii), we proposed to waive the requirement that individuals conducting oral fluid collector training have at least one year of experience conducting collector training, but stated that we expect those individuals to have a thorough understanding of Part 40 and to be well versed in the course content they are teaching. The course content must meet the requirements in § 40.35(b), and individuals conducting training should maintain good records (for example, the course content for the instructor and student, the duration of the training, the dates the course was taught, who attended the course and any certificate of successful completion provided to students, etc.) to demonstrate that they conducted the training. We noted that this is no different than what would be expected of those conducting urine

[2] We noted that the knowledge, skills, and abilities in § 40.35(c)(i) require regularly conducting DOT drug test collections (in this case, for oral fluids) for at least one year. This is not possible because until HHS certifies an oral fluid laboratory(ies) with a device that meets DOT's requirements per appendix B of part 40, oral fluid is not a permissible means of collection. We determined that, in contrast to paragraphs (c)(ii) and (c)(iii), there is no way for an individual to otherwise possess the knowledge, skills, and abilities in paragraph (c)(i) such that the individual could competently observe mock collections. As a result, we stated that those who want to act as monitors specified in subparagraph (c)(2)(i) must still become qualified collectors and meet the one-year requirement of regularly conducting DOT oral fluid drug test collections before they can act as monitors.

collection training today. Individuals conducting this training would be eligible to observe oral fluid mock collections during the period of regulatory relief.

We proposed that the regulatory relief would sunset one year after HHS published a **Federal Register** notice that it certified the first oral fluid drug testing laboratory. We stated that we would publish a **Federal Register** document specifying the date the first oral fluid laboratory was certified by HHS and the effective date that individuals observing mock collections (*i.e.,* monitors) would need to comply with the qualified collector requirements in § 40.35(c)(2) established in the May 2023 final rule so that all would be aware of the effective date of the regulatory flexibility.

Comments

NDASA (and the other commenters that echoed NDASA's comments) objected to the proposed change to § 40.35(c), expressing concern that DOT was ''lowering its standards'' by not requiring the monitor of the mock oral fluid collections to be a qualified oral fluid collector under the requirements of § 40.35. Instead, NDASA recommended that DOT retain the language of § 40.35(c)(2) as currently written, which it contends would permit qualified urine collectors under § 40.33 to serve as monitors for the required mock oral fluid collections.

Specifically, NDASA recommended leaving § 40.35(c)(2) unchanged because, as it currently reads, a monitor must be a ''qualified collector.'' Under the current Part 40, the only qualified collectors are urine collectors who meet the requirements of § 40.33. Therefore, if the Direct Final Rule does not become effective, current qualified urine collectors who have taken a train the trainer class would be able to be the monitors of the initial proficiency demonstrations required under § 40.35(c).

NDASA and others also objected to language in the preamble stating that individuals conducting oral fluid collector training under § 40.35(c)(2)(ii) ''should maintain good records (for example, the course content for the instructor and student, the duration of the training, the dates the course was taught, who attended the course and any certificate of successful completion you may have provided students, etc.) to demonstrate that they conducted the training.'' NDASA states that it is the responsibility of those receiving the training, and not of the trainer, to retain proof of their training and its sufficiency with Part 40. NDASA believes that the preamble language imposes (1) new ''processes and requirements,'' and (2) an ''additional and arguably redundant record-keeping requirement for monitors or trainers'' that were not properly evaluated through regulatory and cost analyses.

As noted above, A4A recommended that DOT extend the sunset date for the regulatory relief under § 40.35(c)(3) to 18 months, instead of 12 months as proposed.

DOT Response

While the training and qualification requirements for urine collectors and oral fluid collectors in Part 40 are similar, they are also unique because of the differences in the collection site, collection equipment and supplies used, and the collection process for urine and oral fluid specimens. The intent to have separate training and qualification requirements for urine collectors and oral fluid collectors is evident when looking at the manner in which Part 40 was amended in the May 2023 rule that authorized—for the first time—the use of a specimen other than urine in the DOT drug testing program. In the May 2023 final rule, DOT stated that it had ''amended § 40.31 to *separately* specify the requirements for collectors of urine and oral fluid specimens, respectively.'' (88 FR at 27600) (emphasis added). Specifically, § 40.31(b) states that ''A urine collector must meet training requirements of § 40.33,'' and § 40.31(c) states that ''An oral fluid collector must meet training requirements of § 40.35.''

In the May 2023 final rule, DOT established requirements for oral fluid collector qualifications in a new § 40.35 that mirrored the existing urine collector qualifications in § 40.33 as closely as possible. The qualification training requirements in the new § 40.35 for oral fluid collectors directly parallel those in the longstanding § 40.33 for urine collectors (*i.e.,* Basic Information, Qualification Training, Initial Proficiency Demonstration, Refresher Training, Error Correction Training, and Documentation).

While §§ 40.33 and 40.35 mirror each other to the extent possible, there are provisions in each section that are unique and tailored specifically to the particular specimen type (urine or oral fluid), recognizing the distinct differences between a urine collection and an oral fluid collection (*i.e.,* training on ''shy bladder'' collections for urine in § 40.33(b)(2), and training on ''dry mouth'' collections for oral fluid in § 40.35(b)(4); completion of a urine mock collection for a scenario in which the urine temperature is not within the acceptable range in § 40.33(c)(1), and completion of an oral fluid mock collection for a scenario in which the employee has something in the employee's mouth that might interfere with the collection in § 40.35(c)(1)).

Beyond the training and qualification requirements for collectors in §§ 40.33 and 40.35, DOT established separate requirements for urine and oral fluid collections in Subpart D of Part 40, ''Collection Sites, Forms, Equipment and Supplies Used in DOT Urine and Oral Fluid Collections'' (see §§ 40.40–40.51), and in Subpart E of Part 40, ''Specimen Collections'' (see §§ 40.61–40.79).

Given the above, DOT clarifies that under the May 2023 final rule, a qualified urine collector (§ 40.33) is not a qualified oral fluid collector (§ 40.35), and vice-versa.

Section 40.35(c)(2) requires that a ''qualified collector'' monitor and evaluate an individual's performance in a series of mock oral fluid collections before that individual becomes a qualified oral fluid collector. And, per § 40.35(c)(2)(i), (ii), and (iii), the qualified collector that will serve as the monitor for the mock collections is additionally required to have demonstrated knowledge, skills, and abilities by (1) ''regularly conducting DOT drug test collections for a period of at least one year''; or (2) ''conducting collector training under Part 40 for at least one year''; or (3) ''successfully completing a 'train the trainer' course.''

As currently written, § 40.35(c)(2) does not expressly state that the qualified collector needs to be a qualified *oral fluid* collector. Similarly, §§ 40.35(c)(2)(i), (ii), and (iii) do not expressly require the qualified collector that will serve as the monitor to have: (1) regularly conducted DOT *oral fluid* drug test collections for a period of at least one year; (2) conducted *oral fluid* collector training under Part 40 for at least one year; or (3) successfully completed an *oral fluid* ''train the trainer'' course.

However, and while § 40.35(c)(2) and § 40.35(c)(2)(i), (ii), and (iii) do not expressly state that the qualified collector for the oral fluid mock collections must be a qualified oral fluid collector and have specific experience in oral fluid collections or training, DOT believes that this is the only reasonable interpretation of the requirement as written based on (1) the manner in which § 40.35 is drafted and, more importantly, (2) the fact that a qualified urine collector is not a qualified oral fluid collector and, therefore, lacks the knowledge needed to monitor and attest in writing that the mock oral fluid collections are error-free. Qualified

urine collectors do not have the specific, detailed knowledge, skills, and abilities directly related to oral fluid devices and collections to serve as appropriate monitors for mock oral fluid collections. If DOT had intended to permit qualified urine collectors to serve as monitors for oral fluid mock collections, it would have affirmatively stated so in the regulatory text.

DOT acknowledged in its June 2024 DFR that it had inadvertently created a factual impossibility given the current language of § 40.35. There are no currently qualified oral fluid collectors per § 40.35(c)(2) who meet the additional qualifications at § 40.35(c)(2)(i), (ii) or (iii) to monitor and evaluate the trainee's mock collections; therefore, no one can be a qualified oral fluid collector at this time.

To best facilitate the timely training of oral fluid collectors, DOT continues to believe that it is appropriate to authorize individuals to monitor mock oral fluid collections without meeting the requirement of being a qualified oral fluid collector, specified in § 40.35 as proposed in the NPRM. As discussed above, qualified urine collectors are not qualified oral fluid collectors, and they are similarly not qualified to monitor and evaluate a trainee's performance in oral fluid mock collections merely because they are qualified in urine collections. As qualified urine collectors are not qualified to serve in this role, and because there are no qualified oral fluid collectors to serve in the same role, this rule permits individuals who are not qualified oral fluid collectors to serve as monitors for oral fluid mock collections provided that they meet certain requirements.

Specifically, to ensure the proficiency of collection monitors, this regulatory flexibility—consistent with what we proposed in the NPRM—will apply only to those individuals meeting the knowledge, skills, and abilities in § 40.35(c)(2)(ii) or (iii). With regard to the knowledge, skills, and abilities in § 40.35(c)(2)(ii), we are waiving the requirement that individuals conducting oral fluid collector training have at least one year of experience conducting collector training, but we expect those individuals to have a thorough understanding of Part 40 and to be well versed in the course content they are teaching. The course content must meet the requirements in § 40.35(b), and individuals conducting training should maintain good records (for example, the course content for the instructor and student, the duration of the training, the dates the course was taught, who attended the course, any certificate of successful completion provided to the students, etc.) to demonstrate that they conducted the training. This is no different than what would be expected of those conducting urine collection training today. Individuals conducting Part 40 oral fluid training would be eligible to observe oral fluid mock collections during the period of regulatory relief.[3]

As noted above, DOT specified in the preamble to the June 2024 DFR and NPRM that individuals conducting training *should* maintain good records to demonstrate that they conducted the training; however, DOT did not include regulatory text in the DFR, or propose regulatory text in the NPRM, regarding record retention requirements or expectations for oral fluid collector trainers. DOT also does not require in its Part 40 regulations that such records should or must be maintained—for trainers of urine collectors, breath alcohol technicians, or oral fluid collectors. Instead, the preamble language in the June 2024 DFR and NPRM stating that individuals conducting oral fluid collector training should keep certain records of these training sessions was based on our expectation that individuals conducting collector training would normally be retaining those records as a business best practice. NDASA and others objected to the same preamble language in the NPRM, contending that the preamble language imposed new standards and documentation retention requirements for monitors of mock collections.

The commenters are correct in stating that Part 40 requires urine and oral fluid collectors and breath alcohol technicians to maintain documentation showing that they meet all of the requirements to collect DOT specimens (see § 40.33(g), 40.35(g), and 40.213(g), respectively). In this final rule, DOT is not establishing any new regulatory requirement that monitors, trainers, and/or trainees retain specific records of the training materials used to qualify the trainees.

A4A recommended extending the sunset provision from 12 months, as proposed, to 18 months because it believes that 12 months is insufficient for the industry to establish the necessary number of qualified collectors to train all other collectors in the oral fluid collecting process. A4A contends that ''This difficulty is exacerbated for airlines, which operate globally and in remote locations . . . that make it unreasonable to expect the establishment of the necessary cadre of qualified collectors exactly one year after publication that can train other collectors.''

DOT does not believe that it is necessary to extend the sunset date beyond 12 months, as proposed. In its comments, NDASA stated that it alone has trained ''several hundred'' trainers through its train-the-trainer course since the issuance of DOT's oral fluid rule in May 2023. This—coupled with the regulatory flexibility established in this rule—will ensure that there are a sufficient number of qualified oral fluid collectors within the first year of laboratories being certified without the need for an extended sunset date.

As noted above, while §§ 40.35(c)(2) and 40.35(c)(2)(i), (ii), and (iii) do not expressly state that the qualified collector for the oral fluid mock collections must be a qualified *oral fluid* collector and have specific experience in *oral fluid* collections or training, DOT believes that this is the only reasonable interpretation of the requirement as written based on: (1) The manner in which § 40.35 is drafted, and more importantly, (2) the fact that a qualified urine collector is not a qualified oral fluid collector, and therefore, lacks the knowledge needed to monitor and attest in writing that the mock oral fluid collections are error-free. To clarify this, and consistent with our stated intent, we have amended the language in those

[3] DOT also notes that § 40.209, ''What procedural problems do not result in the cancellation of a test and do not require corrective action?,'' provides a list of matters that never result in the cancellation of a test. Included in that list at § 40.209(b)(3) is ''The collection of a specimen by a collector who is required to have been trained (see § 40.33 or 40.35), but who has not met this requirement.'' As noted in the December 19, 2000 final rule (65 CFR 79462), this section is based on a ''general principle'' that ''tests cannot be cancelled based on an error that does not have a significant adverse effect on the right of the employee to have a fair and accurate test. The point of this proposal was to prevent administrative or judicial decisions invalidating drug tests that were fair and accurate, but had certain de minimis irregularities.'' [65 FR 79503] DOT went further, and specifically with respect to the issue of collector training and qualifications, stated ''One of the points we make in this section is *that a urine collection or an alcohol test must not be cancelled solely because the collector, BAT, or STT has not met training requirements.* Such a test would be cancelled only if there were a fatal flaw or other circumstances requiring cancellation.'' [Id.] [Emphasis added]. This means that if a collector properly conducts a urine test in accordance with the provisions of Part 40 (or an oral fluid test when laboratories have been approved) without having met the requirements of § 40.33, the test is not permitted to be cancelled. Simply stated, if an individual is not a qualified urine or oral fluid collector and that person collects a specimen by following Part 40 ''to the letter,'' the collection is a good collection and is not to be cancelled. In a similar vein, DOT believes that in these beginning stages of oral fluid testing, it is appropriate for individuals who are conducting collector training, and who are well versed in the course content that they are teaching (*i.e.,* their instruction follows Part 40 procedures), to be qualified to serve as monitors for mock oral fluid collections.

sections to specifically refer to ''oral fluid'' where necessary. For the same reasons, we have similarly amended the language in § 40.33(c)(2) and §§ 40.33(c)(2)(i), (ii), and (iii) regarding urine mock collections to refer specifically to ''urine'' where necessary.

B. Section 40.73 How is an oral fluid specimen collected? (persons allowed in the testing room)

DOT intended in the May 2023 final rule that the procedures for oral fluid testing parallel the alcohol testing procedures found in § 40.223(b), which requires the breath alcohol technician (BAT) or screening test technician (STT) to prohibit anyone other than the BAT or STT, the employee, or a DOT representative from witnessing the testing process. Such a provision also affords privacy to the employee being tested.

In the NPRM, DOT proposed to correct the inadvertent omission of this provision from its oral fluid testing requirements. Specifically, we proposed to add a new paragraph to the regulation instructing the oral fluid collector not to allow anyone other than the collector, the employee being tested, or a DOT agency representative to witness the testing process. This instruction parallels the alcohol testing procedure found in § 40.223(b) and would afford the employee privacy during testing.

Comments

Two individuals opposed the proposed amendment, stating that restricting who may be present during the testing process to the collector, the employee, or a DOT agency representative is too restrictive and will hinder the ability of collection sites to train new staff and monitor for ongoing quality assurance. And, as noted earlier, A4A recommended that because the oral fluid testing process does not include immediate testing results or require exposure of private body parts, DOT ''should empower the employee to orally waive the prohibition on others 'actually witness[ing] the testing process.' '' A4A believes that doing so may materially improve the efficiency of the collection process.

DOT Response

Part 40 outlines the steps that must be taken to protect the security of urine, oral fluid, and alcohol testing sites, including identifying who is considered to be an ''authorized person'' who is permitted to enter the testing site (see § 40.43(e)(1), § 40.48(d)(1), and § 40.223(a)(1), respectively). In each case, these authorized persons are limited to the individual being tested, the collector/BAT/STT and other collection/testing site workers, DERs, employee and employer representatives authorized by the employer (*e.g.,* representatives authorized pursuant to an employer policy or collective bargaining agreement), and DOT agency representatives.

However, who may *enter the testing site* differs from who is permitted to *actually witness the collection/testing process.* Beyond identifying who is an ''authorized person'' that is permitted to enter a drug or alcohol testing site, Part 40 identifies who may actually witness the collection/testing process for drug and alcohol tests. Prior to the approval of oral fluid testing, this was limited to urine drug testing and alcohol testing. Because of the privacy concerns associated with urine testing, § 40.43(e)(2) expressly prohibits the collector from permitting anyone to enter the urination facility in which employees provide specimens (*i.e.,* actually witness the collection process) except for the observer in a directly observed collection or the monitor in a monitored collection. While alcohol tests are observed tests, § 40.223(b) has long prohibited BATs and STTs from permitting any person besides the BAT or STT, the employee, or a DOT agency representative to ''actually witness the testing process.''

While Part 40 limits who is an ''authorized person'' that may be at the testing site, those authorized persons include other collection site workers. DOT understands the concerns articulated by the commenters, but we believe that limiting who may actually witness the oral fluid testing process, similar to what has been done for decades for alcohol testing, will not unduly restrict a collection site from conducting training or monitoring for ongoing quality assurance given that other collection site workers (including other collectors) may be present at the testing site. Oral fluid drug tests, like alcohol tests, are observed tests. As noted in the NPRM, it was our intention in the May 2023 final rule that the procedures for oral fluid testing parallel the alcohol testing procedure found in § 40.223(b), which requires the BAT or STT to prohibit anyone other than the BAT or STT, the employee, or a DOT representative to witness the testing process.

We do not believe that there would be any material efficiency gains to be realized in the oral fluid testing process by permitting employees to orally waive the prohibition on others actually witnessing the testing process, as suggested by A4A. We believe that it is important to maintain consistency in the DOT drug and alcohol testing program and process and will continue to limit who may witness the oral fluid testing process to the collector, the employee, and a DOT agency representative. As noted above and in the NPRM, limiting who may actually witness the oral fluid testing process also affords privacy to the employee being tested even though we recognize that the privacy interest for oral fluid is not as heightened as for urine testing. Given the above, we have retained the amendment to § 40.73(a)(1) as proposed in the NPRM.

C. Section 40.73 How is an oral fluid specimen collected? (specification of the collection of a sufficient amount of oral fluid)

The current § 40.73(c)(2) requires the oral fluid collector to ensure that a sufficient specimen volume is collected. To be more specific and provide our interpretation of how collectors ensure that a sufficient volume is collected, we proposed to require the collector to also check the ''Volume Indicator(s) Observed'' box in Step 2 of the CCF. Specifically, we proposed to add language to § 40.73(c)(2) to instruct the collector to document in Step 2 of the CCF that they observed the volume indicator(s) during the collection.

Comments

NDASA provided the only comment on this issue and stated that the collector should not be relying on the volume indicator until after the specimen is collected. As such, NDASA recommended revising the proposed language to read as follows: ''After the employee provides a sufficient specimen, check the ''Volume [I]ndicator(s) Observed'' box in Step 2 of the Federal CCF to document that you observed the volume indicator(s).''

DOT Response

DOT agrees with this editorial suggestion, and has incorporated the revised language as suggested.

D. Other Comments

While acknowledging that the language of the regulatory provisions of the DFR/NPRM does not prevent qualified trainers from beginning to train oral fluid collectors before HHS certifies a laboratory to conduct oral fluid testing, NDASA contends that the preamble to the DFR sets an ''artificial barrier'' to NDASA members and other qualified trainers from doing so, thereby ''causing a detrimental financial burden to small businesses.'' Specifically, NDASA stated ''Delaying collector training until after laboratories are HHS-

certified will cause small businesses that have met the train the trainer requirements to suffer the loss of training revenue.'' In addition, NDASA anticipates that if the process of training collectors and conducting those collectors' proficiency demonstrations is delayed until after HHS certifies laboratories for oral fluid testing, that there will be a ''rush on the market'' to obtain approved oral fluid collection devices causing: (1) potential shortages of inventory, and (2) price increases because demand may exceed supply, and concluded that ''small businesses will bear the brunt of these problems and costs.''

NDASA stated that ''There is no need to wait for laboratories to be certified by the HHS National Laboratory Certification Program (NLCP) before the training of individuals to collect oral fluid specimens can begin.'' In addition, NDASA stated that delaying collector training until after HHS certifies laboratories will ''create a shortage of properly trained and qualified oral fluid collectors from being able to collect specimens for possibly months after the first laboratories are certified.'' Finally, NDASA stated that delaying training and qualification of oral fluid collectors until after HHS certifies laboratories will further delay full implementation of the oral fluid rule provisions, including § 40.67(g)(3), which requires oral fluid collections to be conducted in specified scenarios.

DOT Response

The purpose of the amendment to § 40.35 is to facilitate the timely qualification of oral fluid collectors. However, oral fluid specimens cannot be collected, and DOT oral fluid testing cannot be implemented, until HHS certifies at least two laboratories, one to serve as a primary laboratory, and a second to serve as a split specimen laboratory, and until there is a device that meets DOT requirements per Appendix B of Part 40. As part of the laboratory application and certification process, a specific oral fluid collection device will be identified and approved for use by that laboratory by HHS and NLCP. To date, HHS has not yet certified any laboratories for oral fluid drug testing with a device that meets DOT standards. It follows that no oral fluid collection devices meeting DOT's device standards have been approved as part of the HHS/NLCP lab certification.

At the same time, DOT acknowledges that oral fluid collection devices are currently available and are being used for non-DOT oral fluid drug testing purposes. Further, NDASA states that there is an oral fluid collection device that has been approved for use by the Food and Drug Administration (FDA), and that several laboratories expect to use that same device when submitting applications to HHS/NLCP for certification at some point in the future.

DOT anticipated that oral fluid trainers and prospective oral fluid collectors would wait until a specific oral fluid collection device meeting DOT's standards had been approved by HHS/NLCP as part of the official laboratory certification process before conducting and obtaining training on how to use that specific device. Otherwise, trainers and prospective collectors would be risking the expenditure of significant time and costs to become trained in the operation of an oral fluid collection device that may not ultimately be approved as part of a laboratory's certification by HHS/NLCP.

DOT did not intend to prevent individuals from training on devices to collect oral fluid specimens before HHS certifies a laboratory and use of an associated oral fluid collection device. As noted above, training on an oral fluid collection device that has not been approved for use as part of an official HHS laboratory certification package comes with the risk that the device may not be ultimately included and approved for use by a laboratory by HHS.[4] This risk is borne entirely by the trainer and prospective collector, as DOT does not have any role in determining which particular oral fluid collection device is submitted by a laboratory to HHS as part of the laboratory's approval/certification.

Because there is no regulatory requirement to wait until the first laboratory is certified by HHS before beginning training on the use of oral fluid collection devices, there is no detrimental financial burden or loss of training revenue to those small businesses that have taken train-the-trainer courses. Additionally, while NDASA expressed concern that: (1) sufficient quantities of approved oral fluid collection devices may not be available if training is delayed until after laboratories have been certified, and (2) suppliers of those devices may increase the price of those devices because demand may exceed supply, DOT does not believe there will be any issues regarding market availability or cost of the devices for training purposes.

Importantly, and as discussed above, DOT makes it clear that while training on the use of an oral fluid collection device can take place at any time—including prior to the certification by HHS of an oral fluid drug testing laboratory—mock collections (and therefore, qualification of oral fluid collectors) cannot take place unless/until DOT provides regulatory flexibility with respect to the qualifications of the monitors for the required mock collections, which DOT accomplishes in this final rule. Therefore, because § 40.35(b)(2) requires oral fluid collectors to be trained to proficiency in the operation of the particular oral fluid collection device(s) that the collector will be using, an individual becoming a qualified oral fluid collector on a specific oral fluid device before a laboratory is certified by HHS to use that device risks having to (1) receive training to proficiency on another device, and (2) complete the mock collections on that other device if the laboratory is not ultimately certified by HHS to use the device that the collector was originally trained on and qualified to use.

[4] Section 40.35(b)(2) requires oral fluid collectors to be trained to proficiency ''in the operation of the particular oral fluid collection device(s) you will be using.''

IV. Regulatory Notices and Analyses

This rule is a non-significant rule for purposes of Executive Order (E.O.) 12886, as supplemented by E.O. 13563 and amended by E.O. 14094, and will not impose any significant costs or have impacts beyond those analyzed in the May 2, 2023 final rule. DOT has determined that the regulatory analyses conducted for the May 2, 2023 final rule remain applicable to this action. DOT makes these statements on the basis that, as a series of technical amendments that correct or clarify existing regulatory provisions, specifically to establish temporary requirements to qualify an initial group of mock oral fluid collection observers, establish privacy requirements during an oral fluid collection, and clarify how collectors are to document that a sufficient volume of oral fluid was collected, this action will not impose any significant costs or have impacts beyond those analyzed in the May 2, 2023 final rule.

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. DOT will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United

States. This rule does not constitute a major rule as defined in 5 U.S.C. 804(2).

In accordance with Compliance with Pay-As-You-Go Act of 2023 (Fiscal Responsibility Act of 2023, Pub. L. 118–5, D. B, Title III) and OMB Memorandum (M–23–21) dated September 1, 2023, the Department has determined that this final rule is not subject to the Pay-As-You-Go Act of 2023 because it will not increase direct spending beyond specified thresholds.

List of Subjects in 49 CFR Part 40

Administrative practice and procedures, Alcohol abuse, Alcohol testing, Drug abuse, Drug testing, Laboratories, Reporting and recordkeeping requirements, Safety, Transportation.

For the reasons stated in the preamble, DOT amends 49 CFR part 40 as follows:

PART 40—PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS

■ 1. The authority citation for Part 40 continues to read as follows:

Authority: 49 U.S.C. 102, 301, 322, 5331, 20140, 31306, and 45101 *et seq.*

■ 2. In § 40.33, revise paragraph (c)(2) to read as follows:

§ 40.33 What training requirements must a collector meet for urine collection?

* * * * *

(c) * * *

(2) Another person must monitor and evaluate your performance, in person or by a means that provides real-time observation and interaction between the instructor and trainee, and attest in writing that the mock collections are ''error-free.'' This person must be a qualified urine collector who has demonstrated necessary knowledge, skills, and abilities by—

(i) Regularly conducting DOT urine drug test collections for a period of at least one year;

(ii) Conducting urine collector training under this part for at least one year; or

(iii) Successfully completing a urine ''train the trainer'' course.

* * * * *

■ 3. In § 40.35, revise paragraph (c)(2) and add paragraph (c)(3) to read as follows:

§ 40.35 What training requirements must a collector meet for oral fluid collection?

* * * * *

(c) * * *

(2) Another person must monitor and evaluate your performance, in person or by a means that provides real-time observation and interaction between you and the qualified collector, who must attest in writing that the mock collections are ''error-free.'' Except as provided in paragraph (c)(3) of this section, this person must be a qualified oral fluid collector who has demonstrated necessary knowledge, skills, and abilities by—

(i) Regularly conducting DOT oral fluid drug test collections for a period of at least one year;

(ii) Conducting oral fluid collector training under this part for at least one year; or

(iii) Successfully completing an oral fluid ''train the trainer'' course.

(3) As the person monitoring and evaluating the collector's five mock collections pursuant to paragraphs (c)(1) and (2) of this section, you need not be a qualified oral fluid collector to do so if you meet the necessary knowledge, skills, and abilities in paragraph (c)(2)(ii) or (iii) until otherwise specified (one year after HHS publishes a **Federal Register** notification of the first certified oral fluid drug testing laboratory (HHS notification)). Furthermore, the one-year requirement in paragraph (c)(2)(ii) is not applicable until otherwise specified (one year after the HHS notification).

* * * * *

■ 4. In § 40.73, add paragraph (a)(1) and a reserved paragraph (a)(2) and revise paragraph (c)(2) to read as follows:

§ 40.73 How is an oral fluid specimen collected?

* * * * *

(a) * * *

(1) As the oral fluid collector, you must not allow any person other than you, the employee, or a DOT agency representative to actually witness the testing process.

(2) [Reserved]

* * * * *

(c) * * *

(2) The collector must ensure the collection is performed correctly (*i.e.,* using the oral fluid device in the manner described by its manufacturer), that the collection device is working properly, and that a sufficient specimen volume is collected. After the employee provides a sufficient specimen, check the ''Volume Indicator(s) Observed'' box in Step 2 of the Federal CCF to document that you observed the volume indicator(s) during the collection.

* * * * *

Signed pursuant to authority delegated at 49 CFR 1.27(c) in Washington, DC.

Subash Iyer,

Acting General Counsel.

[FR Doc. 2024–25403 Filed 11–4–24; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 240304–0068; RTID 0648–XE445]

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

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

ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is reallocating the projected unused amount of Pacific cod from trawl catcher vessels and from catcher vessels greater than or equal to 60 feet (18.3 meters (m)) length overall (LOA) using pot gear to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear, Amendment 80 vessels, and catcher/processors using hook-and-line gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the 2024 total allowable catch (TAC) of Pacific cod to be harvested.

DATES: Effective October 31, 2024, through 2400 hours, Alaska local time (A.l.t.), December 31, 2024.

FOR FURTHER INFORMATION CONTACT: Andrew Olson, 907–586–7228.

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

The 2024 Pacific cod TAC specified for trawl catcher vessels in the BSAI is 28,754 mt as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024) and reallocations (89 FR 67327, August 20, 2024 and 89 FR 79454, September 30, 2024).

The 2024 Pacific cod TAC specified for catcher vessels greater than or equal to 60 feet (18.3 meters (m)) LOA using pot gear in the BSAI is 11,620 mt as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024).

The 2024 Pacific cod TAC specified for catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the BSAI is 6,884 metric tons (mt) as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024) and reallocations (89 FR 24736, April 9, 2024; 89 FR 67327, August 20, 2024; and 89 FR 79454 September 30, 2024).

The 2024 Pacific cod TAC specified for Amendment 80 vessels in the BSAI is 20,147 mt as established by the final 2024 and 2025 harvest specification for groundfish in the BSAI (89 FR 17287, March 11, 2024) and reallocation (89 FR 75505, September 16, 2024).

The 2024 Pacific cod TAC specified for catcher/processors using hook-and-line gear in the BSAI is 67,370 mt as established by the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024).

The Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that trawl catcher vessels will not be able to harvest 800 mt of the 2024 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(*9*) and catcher vessels greater than or equal to 60 feet (18.3 meters (m)) LOA using pot gear will not be able to harvest 600 mt of the 2024 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(*5*).

Therefore, in accordance with § 679.20(a)(7)(iii)(A), NMFS reallocates 500 mt from trawl catcher vessels and 600 mt from catcher vessels greater than or equal to 60 feet (18.3 meters (m)) LOA using pot gear to the annual amount specified for catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear, and hook-and-line catcher/processors. In accordance with § 679.20(a)(7)(iii)(B), NMFS reallocates 300 mt from trawl catcher vessels to Amendment 80 vessels.

The harvest specifications for 2024 Pacific cod included in the final 2024 and 2025 harvest specifications for groundfish in the BSAI (89 FR 17287, March 11, 2024) and reallocations (89 FR 24736, April 9, 2024; 89 FR 67327, August 20, 2024; 89 FR 75505, September 16, 2024; and 89 FR 79454 September 30, 2024) are revised as follows: 27,954 mt to trawl catcher vessels, 11,020 mt to catcher vessels greater than or equal to 60 feet (18.3 m) LOA using pot gear, 7,384 mt to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear, 20,447 mt to Amendment 80 vessels, and 67,970 mt to catcher/processors using hook-and-line gear.

Classification

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

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would allow for harvests that exceed the originally specified apportionment of the Pacific cod TAC. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of October 30, 2024.

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

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

Dated: October 30, 2024.

Karen H. Abrams,

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

[FR Doc. 2024–25648 Filed 10–31–24; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 240227–0061; RTID 0648–XE446]

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Western Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is reallocating the projected unused amount of Pacific cod from catcher vessels using trawl gear to catcher vessels using hook-and-line gear and catcher/processors using hook-and-line gear in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to allow the 2024 total allowable catch (TAC) of Pacific cod to be harvested.

DATES: Effective November 4, 2024, through 2400 hours, Alaska local time (A.l.t.), December 31, 2024.

FOR FURTHER INFORMATION CONTACT: Adam Zaleski, 907–586–7228.

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

The 2024 Pacific cod TAC specified for catcher vessels using trawl gear in the Western Regulatory Area of the GOA is 2,268 metric tons (mt), as established by the final 2024 and 2025 harvest specifications for groundfish in the GOA (89 FR 15484, March 4, 2024).

The 2024 Pacific cod TAC specified for catcher vessels using hook-and-line gear in the Western Regulatory Area of the GOA is 83 mt, as established by the final 2024 and 2025 harvest specifications for groundfish in the GOA (89 FR 15484, March 4, 2024).

The 2024 Pacific cod TAC specified for catcher/processors using hook-and-line gear in the Western Regulatory Area of the GOA is 1,170 mt, as established by the final 2024 and 2025 harvest specifications for groundfish in the GOA (89 FR 15484, March 4, 2024).

The Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that catcher vessels using trawl gear will not be able to harvest 440 mt of the 2024 Pacific cod TAC allocated to those vessels under § 679.20(a)(12)(i)(A)(*3*).

Therefore, in accordance with § 679.20(a)(12)(ii)(B), NMFS apportions 240 mt of Pacific cod from catcher vessels using trawl gear to the annual amount specified for catcher/processors using hook-and-line gear and 200 mt to catcher vessels using hook-and-line gear.

The harvest specifications for 2024 Pacific cod included in the final 2024 and 2025 harvest specifications for groundfish in the Western Regulatory

Area of the GOA (89 FR 15484, March 4, 2024) is revised as follows: 1,828 mt to catcher vessels using trawl gear, 283 mt to catcher vessels using hook-and-line gear, and 1,410 mt to catcher/processors using hook-and-line gear.

Classification

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

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would allow for harvests that exceed the originally specified apportionment of the Pacific cod TAC. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of October 30, 2024.

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

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

Dated: October 30, 2024.

Karen H. Abrams,

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

[FR Doc. 2024–25647 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 89, No. 214
Tuesday, November 5, 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.

DEPARTMENT OF AGRICULTURE

Rural Housing Service

7 CFR Part 3565

[Docket No. RHS–24–MFH–0016]

RIN 0575–AD34

Clarification on the Requirement To Record the Guaranteed Rural Rental Housing Program Deed Restriction

AGENCY: Rural Housing Service, Department of Agriculture (USDA).

ACTION: Proposed rule.

SUMMARY: The Rural Housing Service (RHS or the Agency), a Rural Development agency of the United States Department of Agriculture (USDA), proposes to amend the current regulation for the Multifamily Housing (MFH) Guaranteed Rural Rental Housing Program (GRRHP). The intent of this proposed rule is to codify the restrictive use language within the GRRHP regulation to clarify that a separate deed restriction must be recorded. This change will allow the Agency to maintain and preserve affordable housing for low- and moderate-income households.

DATES: Comments on the proposed rule must be received on or before January 6, 2025.

ADDRESSES: Comments may be submitted electronically by the Federal eRulemaking Portal: Go to *regulations.gov* and, in the ''Search Field'' box, labeled ''Search for dockets and documents on agency actions,'' enter the following docket number: RHS–24–MFH–0016) or RIN# 0575–AD34, then click search. To submit or view public comments, select the following document title: (MFH Rural Rental Housing Deed Restriction Proposed Rule) from the ''Search Results,'' and select the ''Comment'' button. Before inputting your comments, you may also review the ''Commenter's Checklist'' (optional). Insert your comments under the ''Comment'' title, click ''Browse'' to attach files (if available). Input your email address and select ''Submit Comment.'' Information on using *Regulations.gov*, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's ''FAQ'' link.

Other Information: Additional information about Rural Development and its programs is available on the internet at *rd.usda.gov.*

All comments will be available for public inspection online at the Federal eRulemaking Portal (*regulations.gov*).

FOR FURTHER INFORMATION CONTACT: Tammy Daniels, Finance and Loan Analyst, Multi-Family Housing Production and Preservation Division, Rural Housing Service, United States Department of Agriculture, STOP 0781, 1400 Independence Avenue SW, Washington, DC 20250–0781, Telephone: (202) 720–0021 (this is not a toll-free number); email: *tammy.daniels@usda.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The RHS offers a variety of programs to build or improve housing and essential community facilities in rural areas. RHS offers loans, grants, and loan guarantees for single- and multifamily housing, childcare centers, fire and police stations, hospitals, libraries, nursing homes, schools, first responder vehicles and equipment, and housing for farm laborers. RHS also provides technical assistance loans and grants in partnership with non-profit organizations, Indian tribes, state and Federal government agencies, and local communities.

RHS administers the Section 538 Guaranteed Rural Rental Housing Program (GRRHP) under the authority of the Housing Act of 1949, as amended (42 U.S.C. 1490p–2) and operates under 7 CFR part 3565. Under the GRRHP, RHS guarantees loans for the development of housing and related facilities in rural areas. To preserve affordable housing, the GRRHP regulation requires properties that are financed with a Section 538 GRRHP loan be used for occupancy by low- and moderate-income households and remain as affordable rental housing for the original term of the loan. The Agency is proposing to require a separate deed restriction containing restrictive use language, stating that the housing must remain available for occupancy by low- and moderate-income households for the original term of the guaranteed loan, and be recorded along with other legally recorded documents. For the restriction to remain in place upon prepayment of the mortgage, the deed restriction must be recorded. The current regulation does not specify that the deed restriction be recorded.

II. Purpose of the Proposed Rule

The purpose of this proposed rule is to clarify that the deed restriction must be recorded to ensure affordable rural rental housing is preserved after prepayment of the mortgage. The current regulation does not specify that a separate deed restriction is to be recorded. Restrictive use provisions contained in the mortgage or deed of trust may be released along with the mortgage or deed of trust upon prepayment of the loan. However, documents recorded separately from the mortgage or deed of trust will survive if the loan is prepaid. If the deed is not recorded, the Agency will be at risk of not being able to enforce the restrictive use requirement and fulfill the need for affordable housing in rural areas. The proposed rule will require that applicants record a separate deed restriction.

III. Summary of Changes

The proposed changes would amend 7 CFR 3565.352(b) by adding language requiring that a separate deed restriction (containing the restrictive use language) be recorded before other documentation related to the transaction. This change would allow the Agency to enforce the restrictive use requirement to maintain affordable housing if the loan guaranteed by the Section 538 GRRHP is prepaid.

IV. Regulatory Information

Statutory Authority

The RHS administers the Section 538 Guaranteed Rural Rental Housing Program (GRRHP) loans under the authority of the Housing Act of 1949, as amended (42 U.S.C. 1490p–2) and operates under 7 CFR part 3565.

Executive Order 12372, Intergovernmental Review of Federal Programs

These loans are subject to the provisions of Executive Order 12372, which require intergovernmental consultation with State and local officials. RHS conducts intergovernmental consultations for each loan in accordance with 2 CFR part 415, subpart C.

Executive Order 12866, Regulatory Planning and Review

This proposed rule has been determined to be non-significant and, therefore, was not reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

Executive Order 12988, Civil Justice Reform

This rule has been reviewed under Executive Order 12988. In accordance with this rule: (1) unless otherwise specifically provided, all State and local laws that conflict with this rule will be preempted; (2) no retroactive effect will be given to this rule except as specifically prescribed in the rule; and (3) administrative proceedings of the National Appeals Division of the Department of Agriculture (7 CFR part 11) must be exhausted before bringing suit in court that challenges action taken under this rule.

Executive Order 13132, Federalism

The policies contained in this rule do not have any substantial direct effect on 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. Nor does this rule impose substantial direct compliance costs on state and local governments. Therefore, consultation with the States is not required.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This proposed rule has been reviewed in accordance with the requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. Executive Order 13175 requires Federal agencies to consult and coordinate with tribes on a government-to-government basis on policies that have tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and Indian tribes or on the distribution of power and responsibilities between the Federal government and Indian tribes. Consultation is also required for any regulation that preempts tribal law or that imposes substantial direct compliance costs on Indian tribal governments and that is not required by statute.

The Agency has determined that this proposed rule does not, to our knowledge, have tribal implications that require formal tribal consultation under Executive Order 13175. If a Tribe requests consultation, the RHS will work with the Office of Tribal Relations and USDA Rural Development's Tribal Relations Team to ensure meaningful consultation is provided where changes, additions and modifications identified herein are not expressly mandated by Congress.

Regulatory Flexibility Act

The rule has been reviewed with regard to the requirements of the Regulatory Flexibility Act (5 U.S.C. 601–612). The undersigned has determined and certified by signature on this document that this rule will not have a significant economic impact on a substantial number of small entities since this rulemaking action does not involve a new or expanded program nor does it require any more action on the part of a small business than required of a large entity.

Administrative Pay-As-You-Go-Act of 2023

Section 270 of the Administrative Pay-As-You-Go-Act of 2023 (Pub. L. 118–5, div. B, title III, 137 Stat 31) amended 5 U.S.C. 801(a)(2)(A) to require U.S. Government Accountability Office (GAO) to assess agency compliance with the Act, which establishes requirements for administrative actions that affect direct spending, in GAO's major rule reports. The Act does not apply to this rule because it does not increase direct spending.

Unfunded Mandate Reform Act (UMRA)

Title II of the UMRA, Public Law 104–4, establishes requirements for Federal Agencies to assess the effects of their regulatory actions on State, local, and tribal Governments and on the private sector. Under section 202 of the UMRA, Federal Agencies generally must prepare a written statement, including cost-benefit analysis, for proposed and final Rules with ''Federal mandates'' that may result in expenditures to State, local, or tribal Governments, in the aggregate, or to the private sector, of $100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires a Federal Agency to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective, or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) for State, local, and tribal Governments or for the private sector. Therefore, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

National Environmental Policy Act

In accordance with the National Environmental Policy Act of 1969, Public Law 91–190, this proposed rule has been reviewed in accordance with 7 CFR part 1970 (''Environmental Policies and Procedures''). The Agency has determined that (i) this action meets the criteria established in 7 CFR 1970.53(f); (ii) no extraordinary circumstances exist; and (iii) the action is not ''connected'' to other actions with potentially significant impacts, is not considered a ''cumulative action'' and is not precluded by 40 CFR 1506.1. Therefore, the Agency has determined that the action does not have a significant effect on the human environment, and therefore neither an Environmental Assessment nor an Environmental Impact Statement is required.

Civil Rights Impact Analysis

Rural Development has reviewed this rule in accordance with USDA Regulation 4300–4, Civil Rights Impact Analysis, to identify any major civil rights impacts the rule might have on program participants on the basis of age, race, color, national origin, sex, disability, marital or familial status. Based on the review and analysis of the rule and all available data, issuance of this proposed rule is not likely to negatively impact low and moderate-income populations, minority populations, women, Indian tribes or persons with disability, by virtue of their age, race, color, national origin, sex, disability, or marital or familial status. No major civil rights impact is likely to result from this proposed rule.

Assistance Listing

The program affected by this regulation is listed in the Catalog of Federal Domestic Assistance under numbers 10.438—Rural Rental Housing Guaranteed Loans (Section 538).

Paperwork Reduction Act

The information collection requirements contained in this

regulation have been approved by OMB and have been assigned OMB control number 0575–0189. This proposed rule contains no new reporting and recordkeeping requirements that would require approval under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

E-Government Act Compliance

Rural Development is committed to the E-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible and 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.

USDA Non-Discrimination Statement

In accordance with Federal civil rights laws and USDA civil rights regulations and policies, the USDA, its Mission Areas, agencies, staff offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (*e.g.,* Braille, large print, audiotape, American Sign Language) should contact the responsible Mission Area, agency, or staff office; or the 711 Relay Service.

To file a program discrimination complaint, a complainant should complete a Form AD–3027, USDA Program Discrimination Complaint Form, which can be obtained online at *usda.gov/sites/default/files/documents/ad-3027.pdf* from any USDA office, by calling (866) 632–9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD–3027 form or letter must be submitted to USDA by:

a. *Mail:* U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250–9410; or

b. *Fax:* (833) 256–1665 or (202) 690–7442; or

c. *Email: program.intake@usda.gov.*

Severability

It is USDA's intention that the provisions of this rule shall operate independently of each other. If this rule or any portion of this rule is ultimately declared invalid or stayed as to a particular provision, it is USDA's intent that the rule nonetheless be severable and remain valid with respect to those provisions not affected by a declaration of invalidity or stayed. USDA concludes it would separately adopt all the provisions contained in this rule.

List of Subjects in 7 CFR Part 3565

Conflict of interest, Credit, Fair housing, Loan programs—housing and community development, Low and moderate-income housing, Manufactured homes, Mortgages, Rent subsidies, Reporting and recordkeeping requirements, Rural areas.

For the reasons discussed in the preamble, the Agency proposes to amend 7 CFR part 3565 as follows:

PART 3565—GUARANTEED RURAL RENTAL HOUSING PROGRAM

■ 1. The authority citation for part 3565 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

Subpart H—Project Management

■ 2. Amend § 3565.352 by revising paragraph (b) to read as follows:

§ 3565.352 Preservation of affordable housing.

* * * * *

(b) Use restriction. For the original term of the guaranteed loan, the housing must remain available for occupancy by low- and moderate-income households, in accordance with subpart E of this part. This requirement must be included in a deed restriction in a form acceptable to the Agency. The deed restriction must be recorded separately, before and with priority over other documents related to the transaction. The restriction will apply unless the housing is acquired by foreclosure or an instrument in lieu of foreclosure, or the Agency waives the applicability of this requirement after determining that each of the following three circumstances exist:

(1) There is no longer a need for low- and moderate-income housing in the market area in which the housing is located;

(2) Housing opportunities for low-income households and minorities will not be reduced as a result of the waiver; and

(3) Additional federal assistance will not be necessary as a result of the waiver.

* * * * *

Joaquin Altoro,

Administrator, Rural Housing Service.

[FR Doc. 2024–25713 Filed 11–4–24; 8:45 am]

BILLING CODE 3410–XV–P

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2024–BT–TP–0009]

RIN 1904–AF68

Energy Conservation Program: Test Procedures for Residential and Commercial Clothes Washers and Consumer Clothes Dryers

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

ACTION: Notice of proposed rulemaking and request for comment.

SUMMARY: The U.S. Department of Energy (''DOE'') proposes to amend the test procedures for residential and commercial clothes washers and consumer clothes dryers to update the test cloth specifications. DOE also proposes to reorganize the test procedures for improved readability. DOE is conducting this rulemaking to address specific issues and to make minor corrections to the current test procedures. However, this rulemaking does not satisfy the statutory requirement that, at least once every 7 years, DOE review the test procedures for clothes washers and consumer clothes dryers. DOE is seeking comment from interested parties on the proposal.

DATES:

Comments: DOE will accept comments, data, and information regarding this proposal no later than December 5, 2024.

Meeting: DOE will hold a public meeting on this NOPR if one is requested by November 12, 2024. If a public meeting is requested, DOE will announce its date and participation information on the DOE website and via email.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at *www.regulations.gov* under docket number EERE–2024–BT–TP–0009. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EERE–2024–BT–TP–0009, by any of the following methods:

(1) *Email: WashersDryers2024TP0009@ee.doe.gov.* Include the docket number EERE–2024–BT–TP–0009 in the subject line of the message.

(2) *Postal Mail:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, Mailstop EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1445. If possible, please submit all items on a compact disc (''CD''), in which case it is not necessary to include printed copies.

(3) *Hand Delivery/Courier:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–1445. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimiles (''faxes'') will be accepted. For detailed instructions on submitting comments and additional information on this process, *see* section V of this document.

Docket: The docket for this activity, which includes **Federal Register** notices, public meeting attendee lists and transcripts (if a public meeting is held), 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-2024-BT-TP-0009.* The docket web page contains instructions on how to access all documents, including public comments, in the docket. *See* section V of this document for information on how to submit comments through *www.regulations.gov.*

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. Uchechukwu ''Emeka'' Eze, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: *uchechukwu.eze@hq.doe.gov.*

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

SUPPLEMENTARY INFORMATION: DOE proposes to incorporate by reference the following industry standard into 10 CFR part 430:

AATCC LP1–2021, *Laboratory Procedure for Home Laundering: Machine Washing,* Revised 2023.

Copies of AATCC test methods can be obtained from the American Association of Textile Chemists and Colorists (''AATCC''), P.O. Box 12215, Research Triangle Park, NC 27709, (919) 549–3526, or *www.aatcc.org.*

See section IV.M of this document for a further discussion of this standard.

Table of Contents

I. Authority and Background
A. Authority
B. Background
C. Deviation From Process Rule
II. Synopsis of the Notice of Proposed Rulemaking
III. Discussion
A. Scope of Applicability
B. Relevant Historical Background
C. Test Cloth Specifications and Requirements
1. Cut Orientation
2. Fabric Weight and Thread Count
3. Granite Weave
4. Alternate Test Cloth
5. Uniformity Criteria
6. Variance P-Value Threshold and Root-Mean-Square Error
D. Other Clarifying and Restructuring Edits
1. Introductory Paragraph
2. Pre-Conditioning Instructions
3. Harmonizing Clothes Washer and Clothes Dryer Test Procedures
4. Restructuring Appendix J3
E. Test Procedure Costs and Impact
F. Compliance Date
IV. Procedural Issues and Regulatory Review
A. Review Under Executive Orders 12866, 13563, and 14094
B. Review Under the Regulatory Flexibility Act
C. Review Under the Paperwork Reduction Act of 1995
D. Review Under the National Environmental Policy Act of 1969
E. Review Under Executive Order 13132
F. Review Under Executive Order 12988
G. Review Under the Unfunded Mandates Reform Act of 1995
H. Review Under the Treasury and General Government Appropriations Act, 1999
I. Review Under Executive Order 12630
J. Review Under Treasury and General Government Appropriations Act, 2001
K. Review Under Executive Order 13211
L. Review Under Section 32 of the Federal Energy Administration Act of 1974
M. Description of Materials Incorporated by Reference
V. Public Participation
A. Submission of Comments
B. Issues on Which DOE Seeks Comment
VI. Approval of the Office of the Secretary

I. Authority and Background

Consumer (residential) clothes washers (''RCWs''), commercial clothes washers (''CCWs''), and consumer clothes dryers are included in the list of ''covered products/equipment'' for which DOE is authorized to establish and amend energy conservation standards and test procedures. (42 U.S.C. 6292(a)(7)–(8); 42 U.S.C. 6311(1)(H)) DOE's test procedures for RCWs are currently prescribed at 10 CFR part 430, subpart B, appendices J (''appendix J'') and J2 (''appendix J2''). The test procedures for CCWs must be the same as those established for RCWs. (42 U.S.C. 6314(a)(8)). DOE's test procedures for consumer clothes dryers are currently prescribed at 10 CFR part 430, subpart B, appendices D1 (''appendix D1'') and D2 (''appendix D2''). DOE also prescribes specifications for the test cloth to be used for testing clothes washers at appendix J3 to subpart B (''appendix J3''). The following sections discuss DOE's authority to establish and amend test procedures for RCWs, CCWs, and consumer clothes dryers and relevant background information regarding DOE's consideration of test procedures for these products.

A. Authority

The Energy Policy and Conservation Act, Public Law 94–163, as amended (''EPCA''),[1] authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. (42 U.S.C. 6291–6317, as codified) Title III, Part B of EPCA [2] established the Energy Conservation Program for Consumer Products Other Than Automobiles, which sets forth a variety of provisions

[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.

[2] For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.

designed to improve energy efficiency. These products include RCWs and consumer clothes dryers. (42 U.S.C. 6292(a)(7)–(8)) Title III, Part C of EPCA,[3] added by Public Law 95–619, Title IV, section 441(a), established the Energy Conservation Program for Certain Industrial Equipment which sets forth a variety of provisions designed to improve energy efficiency. This equipment includes CCWs. (42 U.S.C. 6311(1)(H)) RCWs, CCWs, and consumer clothes dryers are the subject of this document.

The energy conservation program under EPCA consists essentially of four parts: (1) testing, (2) labeling, (3) Federal energy conservation standards, and (4) certification and enforcement procedures. Relevant provisions of EPCA specifically include definitions (42 U.S.C. 6291; 42 U.S.C. 6311), test procedures (42 U.S.C. 6293; 42 U.S.C. 6314), labeling provisions (42 U.S.C. 6294; 42 U.S.C. 6315), energy conservation standards (42 U.S.C. 6295; 42 U.S.C. 6313), and the authority to require information and reports from manufacturers (42 U.S.C. 6296; 42 U.S.C. 6316).

The Federal testing requirements consist of test procedures that manufacturers of covered products/equipment must use as the basis for: (1) certifying to DOE that their products comply with the applicable energy conservation standards adopted pursuant to EPCA (42 U.S.C. 6295(s); 42 U.S.C. 6316(a)), and (2) making other representations about the efficiency of those consumer products/equipment (42 U.S.C. 6293(c); 42 U.S.C. 6314(d)). Similarly, DOE must use these test procedures to determine whether the products/equipment comply with relevant standards promulgated under EPCA. (42 U.S.C. 6295(s); 42 U.S.C. 6316(a))

Federal energy efficiency requirements for covered products and equipment established under EPCA generally supersede State laws and regulations concerning energy conservation testing, labeling, and standards. (42 U.S.C. 6297; 42 U.S.C. 6316(a) and (b)) DOE may, however, grant waivers of Federal preemption for particular State laws or regulations, in accordance with the procedures and other provisions of EPCA. (42 U.S.C. 6297(d); 42 U.S.C. 6316(a))

Under 42 U.S.C. 6293 and 42 U.S.C. 6314, EPCA sets forth the criteria and procedures DOE must follow when prescribing or amending test procedures for covered products/equipment. EPCA requires that any test procedures prescribed or amended under this section be reasonably designed to produce test results which measure energy efficiency, energy use, or estimated annual operating cost of a covered product/equipment during a representative average use cycle or period of use and not be unduly burdensome to conduct. (42 U.S.C. 6293(b)(3); 42 U.S.C. 6314(a)(2))

EPCA also requires that, at least once every 7 years, DOE evaluate test procedures for each type of covered product and equipment, including RCWs, CCWs and consumer clothes dryers, to determine whether amended test procedures would more accurately or fully comply with the requirements for the test procedures to not be unduly burdensome to conduct and be reasonably designed to produce test results that reflect energy efficiency, energy use, and estimated operating costs during a representative average use cycle or period of use. (42 U.S.C. 6293(b)(1)(A); 6314(a)(1))

If the Secretary determines, on her own behalf or in response to a petition by any interested person, that a test procedure should be prescribed or amended, the Secretary shall promptly publish in the **Federal Register** proposed test procedures and afford interested persons an opportunity to present oral and written data, views, and arguments with respect to such procedures. The comment period on a proposed rule to amend a test procedure shall be at least 60 days and may not exceed 270 days. In prescribing or amending a test procedure, the Secretary shall take into account such information as the Secretary determines relevant to such procedure, including technological developments relating to energy use or energy efficiency of the type (or class) of covered products involved. (42 U.S.C. 6293(b)(2); 42 U.S.C. 6316(a)). If DOE determines that test procedure revisions are not appropriate, DOE must publish its determination not to amend the test procedures. (42 U.S.C. 6293(b)(1)(A)(ii); 42 U.S.C. 6316(a))

In addition, EPCA requires that DOE amend its test procedures for all covered products to integrate measures of standby mode and off mode energy consumption into the overall energy efficiency, energy consumption, or other energy descriptor, unless the current test procedure already incorporates the standby mode and off mode energy consumption, or if such integration is technically infeasible. (42 U.S.C. 6295(gg)(2)(A)(i)–(ii))[4] If an integrated test procedure is technically infeasible, DOE must prescribe separate standby mode and off mode energy use test procedures for the covered product, if a separate test is technically feasible. (42 U.S.C. 6295(gg)(2)(A)(ii)) Any such amendment must consider the most current versions of the International Electrotechnical Commission (IEC) Standard 62301[5] and IEC Standard 62087[6] as applicable. (42 U.S.C. 6295(gg)(2)(A))

EPCA requires the test procedures for CCWs to be the same as the test procedures established for RCWs. (42 U.S.C. 6314(a)(8)) As with the test procedures for RCWs, EPCA requires that DOE evaluate, at least once every 7 years, the test procedures for CCWs to determine whether amended test procedures would more accurately or fully comply with the requirements for the test procedures to not be unduly burdensome to conduct and be reasonably designed to produce test results that reflect energy efficiency, energy use, and estimated operating costs during a representative average use cycle. (42 U.S.C. 6314(a)(1))

DOE is publishing this notice of proposed rulemaking (''NOPR'') to address specific issues and to make minor corrections to the current test procedures that are required for certification of compliance with applicable energy conservation standards. However, this rulemaking does not satisfy the EPCA requirement that, at least once every 7 years, DOE review the test procedures for RCWs, CCWs, and consumer clothes dryers. (42 U.S.C. 6293(b)(1)(A); 6314(a)(1)(A))

B. Background

As discussed, DOE's existing test procedures for clothes washers are prescribed at appendix J and appendix J2,[7] and DOE's existing test procedures for consumer clothes dryers are

[3] For editorial reasons, upon codification in the U.S. Code, Part C was redesignated Part A–1.

[4] EPCA does not contain an analogous provision for commercial equipment.

[5] IEC 62301, *Household electrical appliances—Measurement of standby power* (Edition 2.0, 2011–01).

[6] IEC 62087, *Audio, video and related equipment—Methods of measurement for power consumption* (Edition 1.0, Parts 1–6: 2015, Part 7: 2018).

[7] Manufacturers must use the results of testing under appendix J2 to determine compliance with the current relevant standards for RCWs at 10 CFR 430.32(g)(1) and for CCWs at 10 CFR 431.156(b). Manufacturers must use the results of testing under appendix J to determine compliance with the relevant standards for RCWs manufactured on or after March 1, 2028, specified at 10 CFR 430.32(g)(2) and with any amended standards for CCWs provided in 10 CFR 431.156 that are published after January 1, 2022.

prescribed at appendix D1 and appendix D2.[8]

Additionally, DOE's existing test procedure at appendix J3 provides specifications for the test cloth to be used for testing clothes washers; procedures for pre-conditioning new test cloth; procedures for verifying that new lots[9] of test cloth meet the defined material specifications; and procedures for developing a set of correction coefficients that correlate the measured remaining moisture content (''RMC'') values of each new test cloth lot with a set of standard RMC values established as a historical reference point. These correction coefficients are applied to the RMC measurements performed during testing according to appendix J or appendix J2, ensuring consistency in the final corrected RMC measurement across different test cloth lots used for testing.

Although the test cloth specifications and qualification procedures in appendix J3 are nominally applicable to clothes washer testing, DOE understands that manufacturers and test laboratories use the same test cloth for testing clothes dryers as well. As discussed further in section III.B of this document, the test cloth specifications for clothes washer testing and clothes dryer testing have historically been aligned. Furthermore, as discussed further in section III.D.3 of this document, test cloth that satisfies the requirements of appendix J3 for clothes washer testing also satisfies the requirements codified in appendices D1 and D2 for clothes dryer testing.

The Association of Home Appliance Manufacturers (''AHAM'') has established a Test Cloth Task Force (''AHAM task force'') that, among other responsibilities, reviews and recommends new lots of test cloth for industry use; identifies and secures suppliers for manufacturing test cloth; conducts research and investigations to recommend continuous improvements to the test cloth specifications and qualification procedures; and addresses any industry-wide concerns that may arise regarding the test cloth. DOE representatives participate in the AHAM task force.

On May 31, 2024, DOE received a letter from AHAM (''May 2024 AHAM Letter'') urging DOE to allow the use of alternate test cloth material for clothes washer and clothes dryer testing. (No. 1 at p. 4)[10] The May 2024 AHAM Letter also made further requests for DOE to amend certain test cloth specifications based on the results of recent investigations by the AHAM task force. (*Id.*) In this document, DOE proposes to implement changes to its test cloth specifications to address these concerns.

C. Deviation From Process Rule

In accordance with section 3(a) of 10 CFR part 430, subpart C, appendix A (''Process Rule''), DOE notes that it is deviating from certain provisions in the Process Rule as follows.

Section 8(a) of the Process Rule states that in determining whether to consider establishing or amending any test procedure, DOE will publish one or more preliminary documents in the **Federal Register** (*e.g.,* a request for information or notice of data availability) intended to gather information on key issues. As discussed, DOE is conducting this rulemaking to address specific issues rather than conducting a full review of the clothes washer and clothes dryer test procedures that would satisfy the 7-year lookback requirement prescribed by EPCA. This proposal seeks to address known issues regarding test cloth that have been brought to DOE's attention, as discussed in the previous section of this document. For these reasons, DOE finds it appropriate to deviate from this provision in the Process Rule by forgoing publication of a preliminary document as part of a pre-NOPR stage for this rulemaking.

Section 8(b)(2) of the Process Rule states that there will be not less than 60 days for public comment on the NOPR, with at least one public hearing or workshop. As stated, DOE will hold a public meeting on this NOPR if one is requested; otherwise, DOE finds it appropriate to forgo a public hearing given the limited scope of issues addressed in this NOPR. DOE has also determined that 30 days is an appropriate period for providing comments.

II. Synopsis of the Notice of Proposed Rulemaking

In this NOPR, DOE proposes amendments to its test cloth specifications as follows:

(1) Specify that fabric weight and thread count must be measured on finished goods prior to pre-conditioning,

(2) Clarify that the test cloth be made with a ''granite,'' ''momie,'' or ''crepe'' weave,

(3) Allow the use of an alternate test cloth,

(4) Amend the statistical criteria for a new test cloth lot to be considered acceptable for use,

(5) Restructure and renumber certain sections of appendix J3 for clarity, and

(6) Harmonize the test cloth specifications for clothes washers and clothes dryers.

DOE's proposed actions are summarized in Table II.1 compared to the current test procedures as well as the reason for the proposed change.

TABLE II.1—SUMMARY OF CHANGES IN PROPOSED TEST PROCEDURES RELATIVE TO CURRENT TEST PROCEDURES

Current DOE test procedures	Proposed test procedures	Attribution
Does not specify at which stage of the process the fabric weight and thread count of test cloth are applicable.	Specifies that fabric weight and thread count must be measured on finished goods prior to pre-conditioning.	Industry request; improve reproducibility of test results.
Specifies the use of ''granite or momie'' weave	Specifies the use of ''granite, momie, or crepe'' weave.	Industry request; clarification of existing requirement.
Specifies one type of allowable test cloth	Specifies two types of allowable test cloth	Industry request; reduce test burden while maintaining reproducibility and representativeness.

[8] The test procedures in appendix D1 or appendix D2 must be used to determine compliance with the current relevant standards for consumer clothes dryers at 10 CFR 430.32(h)(3). Manufacturers must use the test procedure in appendix D2 to determine compliance with the relevant standards for consumer clothes dryers manufactured on or after March 1, 2028, specified at 10 CFR 430.32(h)(4).

[9] The term ''lot'' refers to a quantity of cloth that has been manufactured with the same batches of cotton and polyester during one continuous process. Section 2 of appendix J3.

[10] A parenthetical reference at the end of a quotation or paraphrase of an AHAM letter provides reference for information located in the docket of this rulemaking. (Docket No. EERE–2024–BT–TP–0009, which is maintained at *www.regulations.gov*). The references are arranged as follows: (docket ID number at the page of that document).

TABLE II.1—SUMMARY OF CHANGES IN PROPOSED TEST PROCEDURES RELATIVE TO CURRENT TEST PROCEDURES—Continued

Current DOE test procedures	Proposed test procedures	Attribution
Specifies that the coefficient of variation across nine RMC values must be less than or equal to 1 percent.	Specifies that the coefficient of variation across nine RMC values must be less than or equal to 2.0 percent.	Reduce test burden while maintaining reproducibility and representativeness.
Specifies that the P-value of the RMC correction curve must be greater than or equal to 0.1.	Specifies that the root-mean-square error of the RMC correction curve must be less than or equal to 0.015.	Reduce test burden while maintaining reproducibility and representativeness.
Appendix J3 test cloth specifications currently apply only to clothes washers.	Harmonizes test cloth requirements across both clothes washers and clothes dryers and extends applicability of appendix J3 test cloth specifications to both clothes washers and clothes dryers.	Industry request; clarify existing requirements consistent with industry practice.

DOE has tentatively determined that the proposed amendments described in section III of this document would not alter the measured efficiency of RCWs, CCWs, or consumer clothes dryers, or require retesting or recertification solely as a result of DOE's adoption of the proposed amendments to the test procedures, if finalized. (42 U.S.C. 6293(e)) Discussion of DOE's proposed actions are addressed in detail in section III of this document.

III. Discussion

In the following sections, DOE proposes certain amendments to its test procedures for RCWs, CCWs, and consumer clothes dryers. For each proposed amendment, DOE provides relevant background information, explains why the amendment merits consideration, discusses relevant public comments, and proposes a potential approach.

A. Scope of Applicability

This rulemaking applies to clothes washers (both RCWs and CCWs, which use the same test procedures) [11] and consumer clothes dryers.

DOE has defined a clothes washer as a consumer product designed to clean clothes, utilizing a water solution of soap and/or detergent and mechanical agitation or other movement, that must be one of the following classes: automatic clothes washers,[12] semi-automatic clothes washers,[13] and other clothes washers.[14] 10 CFR 430.2.

DOE regulations also define ''electric clothes dryer'' and ''gas clothes dryer'' similarly as a cabinet-like appliance designed to dry fabrics in a tumble-type drum with forced air circulation, with blower(s) driven by an electric motor(s) and either electricity or gas, respectively, as the heat source. *See,* 10 CFR 430.2. DOE's clothes dryer test procedures are applicable to both electric and gas clothes dryers.

A commercial clothes washer is defined as a soft-mount front-loading or soft-mount top-loading clothes washer that—

(A) Has a clothes container compartment that—

(i) For horizontal-axis clothes washers, is not more than 3.5 cubic feet; and

(ii) For vertical-axis clothes washers, is not more than 4.0 cubic feet; and

(B) Is designed for use in—

(i) Applications in which the occupants of more than one household will be using the clothes washer, such as multi-family housing common areas and coin laundries; or

(ii) Other commercial applications.

(42 U.S.C. 6311(21); 10 CFR 431.452)

DOE is not proposing changes to the scope of the RCW, CCW, or consumer clothes dryer test procedures, or the relevant definitions, in this NOPR.

B. Relevant Historical Background

This section summarizes the historical background of test cloth specifications in DOE's clothes washer and clothes dryer test procedures that is relevant to topics discussed in this NOPR.

DOE first introduced the use of test cloth into the original clothes dryer test procedure established by the final rule published September 14, 1977 (''September 1977 Clothes Dryer Final Rule''). 42 FR 46145. The test cloth specifications were a 50-percent cotton and 50-percent polyester blended material, representative of the range of fabrics comprising consumer wash loads. *Id.* at 42 FR 46146. The September 1977 Clothes Dryer Final Rule also established a maximum use of 25 clothes dryer test cycles for each piece of test cloth to reduce potential variability in the test results that may occur from any change in the composition of the test cloth due to continued drying of the same test cloth. *Id.*

DOE introduced the use of test cloth into the original clothes washer test procedure established by the final rule published September 28, 1977 (''September 1977 Clothes Washer Final Rule''). 42 FR 49802. As discussed in the September 1977 Clothes Washer Final Rule, the size and composition of the test load was chosen to be identical to the test load that had been specified for clothes dryers in the September 1977 Clothes Dryer Final Rule. *Id.* at 49 FR 49805. The number of test runs for each piece of test cloth was limited to no more than 25 clothes washer test cycles. *Id.* at 49 FR 49808.

Since introducing the use of test cloth into the originally established clothes dryer and clothes washer test procedures, DOE has periodically updated the test cloth specifications and requirements. The following paragraphs summarize some of these changes to test cloth specifications and requirements that are relevant to the amendments proposed in this document.

In a final rule published May 19, 1981 (''May 1981 Final Rule''), DOE amended the clothes dryer test procedure to, among other changes, establish test cloth pre-conditioning requirements to improve test repeatability by ensuring that the test cloth not contain any water-soluble sizing or finishing agents that could affect the moisture performance of

[11] The test procedures for CCWs must be the same as those established for RCWs. (42 U.S.C. 6314(a)(8)).

[12] An ''automatic clothes washer'' is a class of clothes washer that has a control system that is capable of scheduling a preselected combination of operations, such as regulation of water temperature, regulation of the water fill level, and performance of wash, rinse, drain, and spin functions without the need for user intervention subsequent to the initiation of machine operation. Some models may require user intervention to initiate these different segments of the cycle after the machine has begun operation, but they do not require the user to intervene to regulate the water temperature by adjusting the external water faucet valves. 10 CFR 430.2.

[13] A ''semi-automatic clothes washer'' is a class of clothes washer that is the same as an automatic clothes washer except that user intervention is required to regulate the water temperature by adjusting the external water faucet valves. *Id.*

[14] ''Other clothes washer'' means a class of clothes washer that is not an automatic or semi-automatic clothes washer. *Id.*

test cloth. 46 FR 27324. The May 1981 Final Rule also established a weight tolerance on the test cloth. *Id.*

In a final rule published August 27, 1997, DOE amended its test cloth requirements in the clothes washer test procedure by adding a new requirement to prewash (*i.e.,* pre-condition) new test cloth prior to first use for energy consumption testing. 62 FR 45484.

DOE published a final rule on January 12, 2001 (''January 2001 Final Rule'') that, among other changes to the clothes washer test procedure, introduced the modified energy factor descriptor, which incorporated an estimate of clothes drying energy into the clothes washer efficiency descriptor through consideration of the RMC of the clothes leaving the clothes washer. 66 FR 3314. As discussed in the January 2001 Final Rule, it had been discovered that the test cloth to be used for determining the RMC was giving inconsistent results. *Id.* at 66 FR 3317. DOE investigated possible causes for the inconsistent test results and summarized the results in a report published in May 2000 titled *Development of a Standardized Energy Test Cloth for Measuring Remaining Moisture Content in a Residential Clothes Washer* (''May 2000 Test Cloth Report'').[15]

In particular, relevant to topics discussed in this NOPR, the May 2000 Test Cloth Report documented the difficulty of relating specifiable test cloth characteristics—fiber content, weight, *etc.*—to RMC measurements. (*See* section 4 of May 2000 Test Cloth Report). On this basis, DOE concluded that tighter test cloth specifications alone would not necessarily lead to comparably consistent RMC measurements. To provide more consistent RMC measurements from lot to lot, the May 2000 Test Cloth Report proposed a new method for developing a ''correction factor'' for each new lot of test cloth. The correction factor would be applied to the RMC measurement to normalize the RMC results to match the RMC performance of a designated ''standard lot.''

The May 2000 Test Cloth Report also concluded that a viable approach to minimize the effects of test cloth variation on RMC would be to consistently specify a single type of fabric that is produced frequently by one mill to a consistent set of specifications. The report recommended the use of a 50-percent cotton/50-percent polyester momie weave fabric from one particular mill as a suitable choice, noting that this cloth (at the time) was produced in high volume, had been produced to a consistent specification for many years, and was likely to continue to be produced on this basis for the foreseeable future. (*See* section 6 of May 2000 Test Cloth Report)

The May 2000 Test Cloth Report recommended a set of test cloth specifications and an RMC correction factor approach that could be adopted into the DOE test procedure. The January 2001 Final Rule incorporated into the clothes washer test procedures many of the recommendations of the May 2000 Test Cloth Report, including the recommended updates to the test cloth specifications and the RMC correction factor procedure. The January 2001 Final Rule also increased the number of allowable test runs for each piece of test cloth to no more than 60 clothes washer test cycles (from 25 previously). 66 FR 3314, 3320.

DOE published a direct final rule on October 31, 2003 (''October 2003 Final Rule'') that, among other changes to the clothes washer test procedure, added as a testing requirement the use of a statistical analysis approach to qualify any interactive effect between different lots of test cloth and spin speeds to further improve consistency of the RMC measurement. 68 FR 62198.

On March 7, 2012, DOE published a final rule (''March 2012 Final Rule'') that, among other changes, updated certain test cloth specifications for clothes washer testing based on recommendations provided by AHAM. 77 FR 13888, 13920–13921. Specifically, the March 2012 Final Rule adopted definitions for cloth ''lot'' and ''roll'' and established test cloth weight tolerances. *Id.* at 77 FR 13921–13922. The March 2012 Final Rule also updated pre-conditioning wash requirements and incorporated American Association of Textile Chemists and Colorists (''AATCC'') test methods for verifying the absence of water-repellent finishes on the test cloth. *Id.* at 77 FR 13922.

In a final rule published on August 5, 2015 (''August 2015 Final Rule''), DOE moved the standard extractor RMC procedure for developing the correction factors for each new test cloth lot from appendix J2 to the newly created appendix J3. 80 FR 46730.

In a final rule published on June 1, 2022 (''June 2022 Final Rule''), among other changes, DOE further consolidated clothes washer test cloth-related provisions into appendix J3 (from appendix J2) to improve the overall logical flow of both test procedures. *Id.* at 87 FR 33367. DOE additionally codified in appendix J3 a test cloth material verification procedure that had historically been used by the AHAM task force when evaluating new lots of test cloth. *Id.* at 87 FR 33368.

C. Test Cloth Specifications and Requirements

In this NOPR, DOE is proposing to update its test cloth specifications and requirements to (1) further improve consistency in test results across different lots of test cloth, (2) clarify certain requirements consistent with textile industry nomenclature, (3) allow the use of an alternate type of test cloth that has been shown to exhibit consistent performance with the current test cloth, and (4) reevaluate appropriate thresholds for certain statistical requirements specified for new lots of test cloth.

Each of the proposed changes are in line with DOE's historical practice of regularly updating its test cloth specifications to improve the consistency of test results and adapt to changes in material specifications and availability of commercially available textiles.

In this section, DOE addresses clothes washer specifications in appendix J3 specifically. In section III.D.3 of this document, DOE proposes harmonizing the clothes washer and clothes dryer test cloth specifications such that the edits proposed in this section would apply to both product types.

1. Cut Orientation

Section 3.1 of appendix J3 specifies that the test cloth material should come from a roll of material with a width of approximately 63 inches, although other sizes may be used if the test cloth material meets the specifications listed in sections 3.2 through 3.6 of appendix J3. Section 3.7.1 of appendix J3 specifies the dimensions of the individual energy test cloths—nominally 24 inches by 36 inches prior to hemming.[16] Furthermore, section 5 of appendix J3 specifies that the maximum shrinkage requirements for the energy test cloth after pre-conditioning[17] must not be more than 5 percent of the length and width.

Appendix J3 does not specify the orientation of the rectangular

[15] The May 2000 Test Cloth Report is available at *www.regulations.gov/document/EERE-2006-STD-0064-0277.*

[16] Section 3.7.2 of appendix J3 specifies dimensions of smaller energy ''stuffer'' cloths, which are nominally 12 inches by 12 inches prior to hemming. Since the energy stuffer cloths are square, the consideration of cut orientation in this section of the document pertains only to the rectangular energy test cloths.

[17] The pre-conditioning process is specified in section 5 of appendix J3 and consists of five wash-rinse-spin cycles, with the load bone-dried between each of the five cycles.

dimensions (*i.e.,* lengthwise versus widthwise) for cutting individual energy test cloths from the roll of fabric. As such, the cut orientation of the rectangular energy test cloths can be optimized to minimize wasted fabric (*e.g.,* a lengthwise cut of 36 inches adjacent to a widthwise cut of 24 inches could be patterned on a 63-inch width roll of material with minimal waste).

The May 2024 AHAM Letter recommended that appendix J3 specify that the energy test cloth be cut in a specific orientation relative to the fabric roll. (No. 1 at p. 4) Specifically, the May 2024 AHAM Letter suggested that the 24-inch dimension be cut from the lengthwise (*i.e.,* ''warp'') direction of the roll and the 36-inch dimension be cut from the widthwise (*i.e.,* ''weft'') direction of the roll, as depicted in Figure III.1. (*Id.* at p. 23)

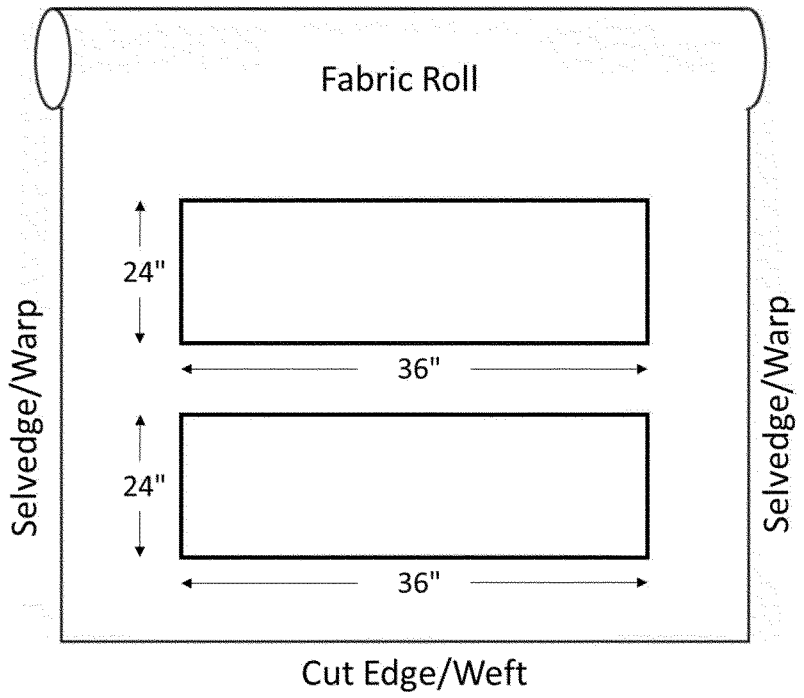


Figure III.1 Energy Test Cloth Cut Orientation Diagram Adapted from the May 2024 AHAM Letter

DOE understands through discussions of the AHAM task force that differences in cut orientation can impact the relative shrinking of cloth in each direction after repeated wash and dry cycles, which could potentially affect its water absorption and retention properties—characteristics that are particularly relevant to the RMC measurement.[18] The May 2024 AHAM Letter did not, however, provide any data or quantitative evaluation of whether, or to what extent, the direction of cut orientation could affect the shrinkage of the energy test cloth, or the RMC measurement in the clothes washer test procedure. DOE notes that even if the cut orientation could impact the relative shrinkage of the length and width of the energy test cloth, section 5 of appendix J3 already specifies a maximum allowable shrinkage of 5 percent in each direction. DOE has no information to suggest that any variation in shrinkage within this 5 percent tolerance would have a substantive impact on the resulting RMC measurement in the clothes washer test procedure.

Furthermore, DOE is concerned about potential unintended consequences of requiring a specific cut orientation for each energy test cloth. Depending on the width of the fabric roll, specifying a cut orientation as suggested by AHAM could prevent the optimization of cut patterns as described previously (*i.e.,* a 36-inch lengthwise cut adjacent to a 24-inch widthwise cut on a 63-inch width roll of material), resulting in increased fabric waste and a corresponding increase in material cost. For instance, a 63-inch-wide roll as specified by section 3.1 of appendix J3 would only be able to accommodate a single 36-inch wide cut as suggested by AHAM, resulting in nearly 40 percent of the roll material being wasted. And although section 3.1 of appendix J3 permits the use of other size rolls, DOE understands that textiles are typically woven in standardized widths and is concerned that fabricating rolls with a custom width for DOE test cloth could increase the material cost.

In summary, DOE is uncertain as to whether, or to what extent, the energy test cloth cut orientation could impact the RMC measurement in the clothes washer test procedure, and whether specifying a particular cut orientation could result in fabric waste that would lead to an increase in material cost. As such, DOE requests comment to clarify these uncertainties, as provided at the end of this section. If DOE were to be provided with additional information that alleviates these uncertainties and concerns, DOE would consider establishing a cut orientation requirement in a final rule.

Irrespective of its determination regarding the specification of a cut orientation requirement, DOE has tentatively determined that section 3.1

[18] As discussed, RMC is a measure of the remaining water content of the clothes washer load at the end of the wash cycle and is used to incorporate an estimate of clothes drying energy into the clothes washer efficiency descriptor.

of appendix J3 is superfluous, given that the suggested parameters regarding the width and length dimensions of the roll (*i.e.,* a roll width of approximately 63 inches and approximately 500 yards per roll) are rendered moot by the accompanying provision allowing for rolls of other sizes to be used. As such, DOE proposes to remove section 3.1 of appendix J3 and renumber the subsequent sections accordingly.

DOE requests comment on the roll dimensions and cut orientations that are currently used to fabricate DOE test cloth.

DOE requests comment as to whether, or to what extent, the energy test cloth cut orientation could impact the RMC measurement in the clothes washer test procedure.

DOE requests comment on its concern that establishing a cut orientation requirement could lead to fabric waste, depending on the dimensions of the fabric roll.

DOE requests comment on its tentative determination not to specify a cut orientation requirement. DOE further seeks comment on whether it should adopt the cut orientation requirement specified by AHAM or any other cut orientation requirement.

DOE requests comment on its tentative determination that section 3.1 of appendix J3 is superfluous and its proposal to remove the requirements in section 3.1 of appendix J3.

2. Fabric Weight and Thread Count

Section 3.3 of appendix J3 specifies that the fabric weight of the test cloth must be 5.60 ± 0.25 ounces per square yard, but it does not specify at what point in the fabrication process this specification applies. Similarly, section 3.4 of appendix J3 specifies that the thread count of the test cloth must be 65 × 57 threads per inch ± 2 percent, but it does not specify at what point in the fabrication process this specification applies. The May 2024 AHAM Letter requested that DOE amend these specifications to clarify that fabric weight and thread count specifications apply to ''finished goods'' test cloth prior to pre-conditioning. (No. 1 at pp. 4, 22) Through its participation in the AHAM task force, DOE understands the term ''finished goods'' to mean after the cloth has been hemmed into energy test cloth and energy stuffer cloths, but prior to any pre-conditioning.

DOE further understands through its participation in the AHAM task force that specifying that these requirements apply to finished goods (as opposed to prior to the cloth having been processed, de-starched, and hemmed), but prior to any pre-conditioning, is the most appropriate point in the cloth fabrication process because these dimensional properties can change during certain stages of the cloth fabrication process. Applying these specifications to finished goods therefore ensures the consistency of each test cloth lot at the state in which the test cloth is purchased by a manufacturer or test laboratory.

Consistent with AHAM's recommendation, DOE proposes to specify within section 3 of appendix J3 that fabric weight and thread count specifications apply to finished goods prior to pre-conditioning.

DOE requests feedback on its proposal to specify in appendix J3 that fabric weight and thread count specifications apply to finished goods prior to pre-conditioning.

3. Granite Weave

Section 3.2 of appendix J3 states that the test cloth used for clothes washer testing must be a pure finished bleached cloth, made with a momie or granite weave. As discussed in the May 2024 AHAM Letter, recent lots 25A and 25B [19] were woven with a different type of granite weave—a ''crepe'' weave—than the ''momie'' type of granite weave that has historically been used for DOE test cloth. (No. 1 at p. 3)

To evaluate whether using a crepe weave would impact test results compared to the historical momie weave, DOE conducted comparative testing of RCWs and consumer clothes dryers using lot 25A (made with a crepe weave) and previous test cloth lot 23 (made with a momie weave). The results of DOE's testing are presented in a Technical Appendix published in the docket for this rulemaking.[20] This testing shows no substantive variation in RMC, integrated modified energy factor (''IMEF''), or integrated water factor—the reported metrics for RCWs—or in combined energy factor—the reported metric for consumer clothes dryers—between the different granite weave types (*i.e.,* traditional momie versus crepe weave). Although DOE's test sample did not include any CCWs, DOE expects that the trends in RMC values, energy use, and water use that it observed in RCWs would apply to CCWs, given that RCWs and CCWs are designed and operate similarly and are tested using the same test procedure.

Through its participation in discussions with the AHAM task force, DOE understands that very few textile mills maintain the capability to fabricate cloth using the type of momie weave that has traditionally been used to produce DOE test cloth. Instead, the type of crepe weave used for lot 25A is expected to be more readily available going forward. In recognition of this, DOE is proposing to add the term ''crepe'' to the list of allowable weaves—specifically, to revise newly renumbered section 3.1.1.1 of appendix J3 to specify that the test cloth be made with a momie, granite, or crepe weave.

DOE requests feedback on its proposal to add the term ''crepe'' to the list of allowable weaves in appendix J3.

Appendix J3 currently does not define the terms momie or granite weave. In the May 2024 AHAM Letter, AHAM suggested that DOE establish definitions for these terms in appendix J3.[21] (No. 1 at pp. 21–22) Through its participation in the AHAM task force, DOE understands that momie, granite, and crepe weave types are generally understood terms of art within the textile industry, but there is not a definitive source for definitions of these terms. DOE is concerned that creating its own definitions for these terms could inadvertently conflict with the range of weave styles that are generally understood by the textile industry to be granite weaves. Therefore, DOE has tentatively determined not to establish a definition for these terms within the appendix J3 test procedure. DOE would consider establishing definitions for one or more of these terms—including the definitions suggested by AHAM—if interested parties were to demonstrate sufficient justification that would alleviate the concerns expressed herein.

DOE requests feedback on its tentative determination not to establish definitions for ''crepe,'' ''granite,'' or ''momie'' weave in appendix J3.

4. Alternate Test Cloth

DOE is required to ensure that the test procedure is reasonably designed to produce test results that measure energy efficiency, energy use, water use, or estimated annual operating cost of a covered product/equipment during a

[19] The AHAM task force designated the two most recent lots of test cloth ''25A'' and ''25B'' to reflect that these two lots were manufactured at the same time using the same continuous weaving process, although they were finished in separate batch processes.

[20] The docket web page can be found at *www.regulations.gov/docket/EERE-2024-BT-TP-0009.*

[21] AHAM suggested defining ''granite weave'' as a broad classification of weave producing a small, irregular, pebbled surface similar to crepe fabrics; fabrics made with a granite weave are generally interlaced tightly, and warp and filling yarns appear on the face. AHAM suggested defining ''momie/granite weave fabric'' as test cloth made with granite weave fabric as specified in the suggested definition of granite weave.

representative average use cycle or period of use and is not unduly burdensome to conduct. (42 U.S.C. 6293(b)(3); 42 U.S.C. 6314(a)(2)) In establishing the current test cloth specifications, DOE considered the representativeness of the range of fabrics comprising consumer wash loads, the manufacturability of the fabric, the consistency in test cloth production, and the consistency in test results from the fabric. 66 FR 3314, 3318 (Jan. 12, 2001).

As discussed, the current test cloth specifications were recommended by the May 2000 Test Cloth Report, which noted that this cloth (at the time) was produced in high volume, had been produced to a consistent specification for many years, and was likely to continue to be produced on this basis for the foreseeable future. (*See* section 6 of May 2000 Test Cloth Report.) The May 2000 Test Cloth Report also highlighted the benefits of specifying a single type of fabric that is produced frequently by one mill to a consistent set of specifications.

However, while the test cloth specified in appendix J3 continues to be produced by a single supplier, DOE understands through its participation in the AHAM task force that this cloth is produced exclusively for use in conducting the DOE test procedure (*i.e.,* this specific cloth is not used to any significant extent by any other industry bodies or for any other regulatory or research and development purposes). As such, it is no longer the case that this cloth is produced in high volume (beyond the volume needed for DOE testing purposes), leading to uncertainty as to whether this cloth is likely to remain readily available on a consistent basis for the foreseeable future.

During the COVID–19 pandemic, the laundry industry experienced shortages in DOE test cloth supply.[22] The specialized nature of the DOE test cloth (*i.e.,* the fact the cloth is unique to DOE testing needs and produced in relatively low volumes) inhibited the ability to identify alternate sources of supply for the test cloth. To mitigate this shortage, AHAM requested that DOE use its enforcement discretion to allow extended use of test cloth beyond the currently defined cycle limits.[23] On September 28, 2023, DOE issued a statement [24] stating that DOE would exercise its enforcement discretion and not impose civil penalties on a clothes washer, commercial clothes washer, or clothes dryer manufacturer for certifying compliance with DOE's energy conservation standards based on testing that exceeds the maximum test cloth run provision set forth in the DOE test procedures. Instead, DOE allowed for usage of test cloth for twice the number of runs allowed in the relevant test procedures.

In an effort to further alleviate any test cloth supply constraints that could limit energy testing activities for clothes washers and clothes dryers, the AHAM task force evaluated the potential merits of specifying an alternate test cloth that could be used for DOE testing, as discussed in the May 2024 AHAM Letter. (No. 1 at p. 3)

The AHAM task force identified a commercially available standardized fabric as a possible alternative to the current test cloth specification. This fabric is used as ''ballast'' for testing specific material attributes (such as colorfastness) of textiles and, according to the May 2024 AHAM Letter, has been used by the textile industry for over 80 years. (No. 1 at p. 3) Specifically, the fabric meets the specifications of Laundering Ballast Type 3 cloth specified by industry standard AATCC LP1–2021, *Laboratory Procedure for Home Laundering: Machine Washing.*[25] The specifications for Laundering Ballast Type 3 cloth are provided in Table III.1.

TABLE III.1—SPECIFICATIONS FOR LAUNDERING BALLAST TYPE 3 CLOTH FROM AATCC LP1–2021

Characteristic	Specification
Fiber Content	50% cotton/50% polyester ±3%.
Greige Fabric Yarns	16/1 or 30/2 ring spun.
Greige Fabric Construction	52 × 48 ± 5 yarns per inch, plain weave.
Finished Fabric Weight	155 ± 10 grams per square meter (4.57 ± 0.29 ounces per square yard).
Edges	All edges hemmed or over-edged.
Finished Piece Size	920 × 920 ± 30 millimeters (36.0 × 36.0 ± 1 inch).
Finished Piece Weight	130 ± 10 grams (4.59 ± 0.35 ounces).

As part of an AHAM task force investigation, DOE and AHAM members conducted comparative testing of Laundering Ballast Type 3 cloth [26] to evaluate whether this cloth could be used to conduct the DOE test procedures and whether doing so would produce test results comparable to the currently specified test cloth. The results of DOE's testing are presented in the Technical Appendix published in the docket for this rulemaking.

Specifically, DOE tested six RCWs and eight consumer clothes dryers, representing eight manufacturers and all major product classes; AHAM members additionally conducted testing of eight RCWs and six consumer clothes dryers, representing all major product classes. These products were tested to their rated appendix (D1, D2, or J2) using both the current DOE test cloth and the Laundering Ballast Type 3 cloth.

DOE's testing demonstrated no substantive difference in measured efficiency compared with historical lots used for RCW and consumer clothes dryer testing. In particular for clothes washers, the Laundering Ballast Type 3 produced RMC results comparable to existing DOE test cloth using the currently specified correction factor approach. Although DOE's test sample did not include any CCWs, DOE expects that the trends in RMC values, energy use, and water use that it observed in RCWs would apply to CCWs, given that RCWs and CCWs are designed and

[22] AHAM informed DOE on March 3, 2022 that there were significant issues with the quality and availability of the required test cloth material for the applicable energy tests for clothes washers and clothes dryers.

[23] On August 7, 2023, AHAM informed DOE that test cloth shortages were persisting and that this supply shortage could also eventually impact DOE's ability to conduct assessment, enforcement, or other testing.

[24] Available at *www.energy.gov/sites/default/files/2023-09/Test%20Cloth%20Policy%20for%20Clothes%20Washers%20and%20Clothes%20Dryers%20Enforcement%20Policy.pdf.*

[25] Table VII of AATCC LP1–2021 provides specifications for various types of cloth, one of which is designated as Laundering Ballast Type 3.

[26] The tested cloth used 16/1 fabric yarns and was sized to match the DOE energy test cloth and energy stuffer cloth dimensions and hemming instructions (as currently specified in section 3.7.1 and 3.7.2 of appendix J3, respectively) instead of the finished piece dimensions specified in Table VII of AATCC LP1–2021.

operate similarly and are tested using the same test procedure.

In addition, AHAM presented the results of its members' testing in appendix A to the May 2024 AHAM Letter. (No. 1 at pp. 6–9) This testing also demonstrated no substantive difference in measured efficiency compared with historical lots used for RCW and consumer clothes dryer testing.

Based on this data, DOE has tentatively determined that the AATCC Laundering Ballast Type 3 cloth provides results that are equally as representative as results obtained using the currently specified test cloth. On this basis, DOE is proposing, consistent with recommendations from the May 2024 AHAM Letter, to amend appendix J3 to allow for the use of AATCC Laundering Ballast Type 3 cloth, with a specific yarn size, and cut and hemmed to the DOE energy test cloth dimensions. (No. 1 at p. 22) As discussed in section III.D.3 of this document, the specifications in appendix J3 would apply to both clothes washers and clothes dryers.

Specifically, DOE is proposing to incorporate by reference AATCC LP1–2021 into appendix J3 and to allow the use of test cloth meeting the specifications of Laundering Ballast Type 3, as specified in Table VII of AATCC LP1–2021, with the following additional specifications and substitutions:

- *Greige Fabric Yarns:* Type 16/1 only [27]
- *Edges:* All edges hemmed only [28]
- *Finished Piece Size:* Dimensions in accordance with sections 3.7.1 and 3.7.2 of appendix J3 for energy test cloths and energy stuffer cloths, respectively.[29]
- *Finished Piece Weight:* Disregard [30]

DOE requests comment on its proposal to allow the use of Laundering Ballast Type 3 cloth specified in AATCC LP1–2021 (with certain additional specifications) as an alternate test cloth for conducting clothes washer and clothes dryer testing.

Consistent with the discussion in section III.C.3 of this document, DOE considered whether to propose a definition for ''plain weave'' as specified in Table VII of AATCC LP1–2021. DOE understands the term ''plain weave'' to be a well-understood term of art and therefore tentatively determines that adding a definition of ''plain weave'' to appendix J3 would not be warranted.

DOE requests feedback on its tentative determination not to establish a definition for ''plain weave'' in appendix J3.

5. Uniformity Criteria

In the June 2022 Final Rule, DOE codified a prequalification procedure to be performed on each new lot of test cloth to verify the uniformity of the test cloth throughout the beginning, middle, and end of the lot. 87 FR 33316. As discussed in the June 2022 Final Rule, DOE had received a request from members of the AHAM task force to add to appendix J3 additional steps to the qualification procedure that have historically been performed on each new lot of test cloth to ensure uniformity of RMC test results on test cloths from the beginning, middle, and end of each new lot. *Id.* at 87 FR 33368. Industry practice has been to perform this ''uniformity check'' before conducting the procedure to develop the RMC correction factors currently specified in appendix J3. *Id.* Specifically, the uniformity check involves performing an RMC measurement on nine bundles of sample test cloth representing the beginning, middle, and end locations of the first, middle, and last rolls of test cloth in a new lot. *Id.* In the historical procedure provided by the AHAM task force, the coefficient of variation (''CV'') across the nine RMC values must be less than or equal to 1 percent for the test cloth lot to be considered acceptable for use. *Id.* The amendments codified by the June 2022 Final Rule included the suggested requirement for the CV of the ''uniformity check'' procedure to be less than or equal to 1 percent. *Id.* at 87 FR 33369.

Shortly after the publication of the June 2022 Final Rule establishing the requirement for the CV to be less than or equal to 1 percent—but prior to its effective date—lot 24D was produced by the test cloth supplier and was measured to have a CV of 1.6 percent. AHAM developed correction factors for this lot of test cloth despite its CV over 1 percent, on the basis that the new CV requirement had not yet become effective, and that the industry was facing a test cloth shortage.

Since the effective date of the CV requirement, the AHAM task force has developed correction factors for test cloth lots 25A and 25B [31]—both with CV values of 1.1 percent. AHAM stated in letters to DOE that it based its recommendations to proceed with these test cloth lots on the ongoing test cloth shortages, DOE's historical acceptance of lots with CVs exceeding 1 percent, and the extensive testing that DOE performed of lot 25A, as described in section III.C.3 of this document.

DOE notes that the 1-percent threshold was originally recommended by AHAM during a previous test procedure rulemaking. 87 FR 33316, 33368 (Jun. 1, 2022). DOE further notes that prior to the codification of the pre-qualification procedure, the AHAM task force used its discretion to evaluate the uniformity of each new test cloth lot. DOE understands the repeatable performance of test cloth lots with a CV slightly higher than 1 percent—as shown by the testing of lot 25A described in section III.C.3 of this document—to be an indication that the 1-percent threshold may be unnecessarily stringent (*i.e.,* too low). In this NOPR, DOE proposes to amend appendix J3 by increasing the allowable CV threshold to 2 percent.

DOE requests comment on its proposal to amend the CV threshold requirement in appendix J3 from 1 percent to 2 percent. Specifically, DOE requests comment on whether another threshold would be more appropriate.

6. Variance P-Value Threshold and Root-Mean-Square Error

In the October 2003 Final Rule, DOE adopted a statistical procedure, called ''analysis of variance'' (or ''ANOVA''), as the lot-to-lot interactive-effect statistical test for screening out lots of test cloth whose RMC behavior is inconsistent with the baseline lot. 68 FR 62198, 62201. The ANOVA statistical test measures the extent of the deviation of the shape of the RMC compared to the g-curve for a given lot of the test cloth from the shape of the RMC compared to the g-curve for the baseline

[27] As discussed previously, comparative testing was conducted only on fabric with 16/1 yarn type, which is a single-string yarn similar in thickness to the 15/1 yarn type currently specified in section 3.5 of appendix J3. No testing was conducted on fabric with 30/2 yarn type—the other fabric yarn option specified in Table VII of AATCC LP1–2021—which is a two-string version of yarn with each string roughly half the diameter of the single-string version.

[28] As discussed previously, comparative testing was conducted only on fabric matching the hemming instructions currently specified in sections 3.7.1 and 3.7.2 of appendix J3. No testing was conducted on over-edged pieces of test cloth (*i.e.,* the other edging option specified in Table VII of AATCC LP1–2021).

[29] As discussed previously, comparative testing was conducted only on fabric matching the dimensions currently specified in sections 3.7.1 and 3.7.2 of appendix J3. No testing was conducted on fabric pieces matching the dimensions as specified in Table VII of AATCC LP1–2021.

[30] The Finished Piece Weight specified in Table VII of AATCC LP1–2021 corresponds to the Finished Piece Size specified in the same table; as such, this specification does not apply to fabric pieces matching the proposed finished piece dimensions.

[31] *See* letters received by DOE on December 13, 2023 and May 24, 2024.

lot. *Id.* In the October 2003 Final Rule, DOE explained that it believed that the test would catch any unanticipated deviation in RMC in future lots. *Id.*

Section 8.8 of appendix J3 specifies performing the analysis of variance with replication test using two factors, spin speed and lot, to determine whether the interaction of speed and lot is significant. If the interaction is not significant (as calculated by the ''P-value'' of the F-statistic being greater than 0.1), then the lot is considered acceptable. If the P-value is less than 0.1, the test cloth is deemed unacceptable. The P-value provides an indication of any interactive effect between lots and spin speeds. The lower the P-value, the stronger the evidence of such an interaction.

On March 29, 2010, AHAM sent DOE a letter (''March 2010 AHAM Letter'') noting that the lot 17 was measured to have a P-value that was less than 0.1. (No. 2 at p. 1) AHAM requested that DOE approve lot 17 for use on the basis that the root-mean-square error (''RMSE'') was less than 2 percent, the P-value of the test cloth excluding the 100g test condition was greater than 0.1, and test cloth supply shortage issues. (*Id.* at pp. 1–4)

The more recent lot of AATCC test cloth evaluated by DOE and AHAM, as described in section III.C.4 of this document, had a P-value of 0.072, which would not meet the requirements of section 8.8 of appendix J3. However, the testing conducted by DOE and AHAM [32] suggests that, despite the low P-value, the application of the test cloth correction factors produces corrected RMC values that are comparable (*i.e.,* less than 1 RMC percentage point difference on average) to the standard RMC values for each tested extractor condition. For this reason, DOE has tentatively determined that a low P-value is not necessarily indicative of a test cloth lot not being acceptable for use in the clothes washer test procedures. DOE has further tentatively determined that a different statistical measure can provide a better measure of the acceptability of a new test cloth lot.

Specifically, DOE has evaluated the usefulness of the RMSE between the corrected RMC values and the standard RMC values for the same test conditions as a potentially more relevant statistical measure to evaluate a new test cloth lot. Conceptually, this RMSE value represents the closeness of fit of the corrected RMC values to the standard RMC values. A smaller RMSE value indicates a better closeness of fit. Recognizing that the *corrected* RMC value is used to calculate IMEF, DOE tentatively determines that RMSE—which evaluates corrected RMC values—would provide a better measure of acceptability than P-value, which evaluates uncorrected RMC values.

As shown in Table III.2, the RMSE values of the historical test cloth lots posted to DOE's website [33] fall within a range of 0.004 to 0.014. Additionally, the AATCC lot of test cloth evaluated by DOE and AHAM, as described in section III.C.4 of this document, has an RMSE of 0.0091.

TABLE III.2—HISTORICAL TEST CLOTH LOT RMSE VALUES

Lot	RMSE
5	0.004
6	0.014
7	0.007
8	0.005
9	0.006
10	0.007
11	0.008
12	0.009
13	0.009
14	0.007
15	0.005
16	0.009
17	0.011
18	0.009
19	0.010
20	0.008
21	0.010
22	0.010
23	0.009
24A	0.010
24B	0.008
24D	0.011
25A	0.008
25B	0.009

Based on the historical record and its testing, in this NOPR, DOE tentatively determines that an RMSE-based threshold for new test cloth lots would provide a better measure of the acceptability of a new test cloth lot. Therefore, DOE is proposing to replace the P-value evaluation in section 8.8 of appendix J3 with a calculation of RMSE and a requirement that the RMSE be below 0.015, which represents a threshold slightly higher than the maximum RMSE value of 0.014 observed among historical test cloth lots.

DOE requests feedback on its proposal to replace the P-value test in appendix J3 with a root-mean-square error test.

DOE requests feedback on specifying 0.015 as an acceptability threshold for the RMSE value.

D. Other Clarifying and Restructuring Edits

1. Introductory Paragraph

Appendix J3 includes test cloth specifications, procedures for pre-conditioning test cloth, procedures for verifying that new lots of test cloth meet the defined material specifications, and procedures for developing RMC correction factors. Appendix J3 contains an introductory section titled ''Objective'' that summarizes the key objectives of the procedure. This paragraph currently does not reference the pre-conditioning of test cloth as one of the key objectives.

In this NOPR, DOE is proposing to update the heading to appendix J3 and its objective paragraph to explicitly include pre-conditioning of test cloth as one of its objectives.

DOE requests feedback on its proposal to update appendix J3 to explicitly mention pre-conditioning of test cloth.

2. Pre-Conditioning Instructions

Section 5 of appendix J3 provides the test cloth pre-conditioning instructions. Currently, this section is organized as a single paragraph detailing the entire procedure, whereas other sections of appendix J3 are organized with sections that provide a clearer step-by-step sequence of instructions. DOE proposes to restructure section 5 of appendix J3 to read as a sequence of instructions rather than a single paragraph, for greater clarity and ease of use.

3. Harmonizing Clothes Washer and Clothes Dryer Test Procedures

As previously discussed, in the August 2015 Final Rule, DOE moved the test cloth qualification procedures from appendix J2 to a newly created appendix J3. Appendix J3 is currently only referenced by the clothes washer test procedure. Section 2.7 of appendices J and J2 reference appendix J3 generally for test cloth specifications and section 5 of appendix J3 for test cloth pre-conditioning instructions. Whereas, for clothes dryers, section 2.6 of appendices D1 and D2 list each of the test cloth specifications and detail the test cloth pre-conditioning requirements.

Historically, manufacturers and test laboratories have used the same test cloth for both clothes washers and clothes dryers. The May 2024 AHAM Letter requested that DOE harmonize specifically the pre-conditioning procedure for clothes washers and

[32] See the Technical Appendix available at *www.regulations.gov/docket/EERE-2024-BT-TP-0009.*

[33] DOE maintains a historical record of the standard extractor test data and final correction curve coefficients for each approved lot of energy test cloth at *www.energy.gov/eere/buildings/articles/clothes-washer-test-cloth-correction-factor-information.*

clothes dryers. (No. 1 at p. 4) In line with this recommendation, DOE has tentatively determined that all aspects of the test cloth specifications can be harmonized between clothes washers and clothes dryers (*i.e.,* not just the pre-conditioning requirements).

DOE proposes to harmonize test cloth specifications between appendices J, J2, D1, and D2 by replacing existing test cloth specifications in appendices D1 and D2 with references to the analogous specifications in appendix J3.

Specifically, DOE is proposing to replace the entirety of section 2.6 in both appendices D1 and D2 with a paragraph specifically referencing sections 3 (Test Cloth Specifications) and 7 (Test Cloth Material Verification Procedure) of appendix J3. DOE is also proposing to update section 2.7 of appendices J and J2 to specifically reference sections 3 (Test Cloth Specifications), 7 (Test Cloth Material Verification Procedure), and 8 (RMC Correction Curve Procedure) of appendix J3.

DOE is further proposing to remove section 3.8 of appendix J3, which currently specifies that the test cloth must be clean, may not be used for more than 60 clothes washer runs, must be permanently marked, and may not be used in mixed lots. These specifications—which are specific to clothes washers and do not apply to clothes dryers—would instead be included in section 2.7 of appendices J and J2. Appendices D1 and D2 would retain the existing requirement that for clothes dryers the test cloth must not be used for more than 25 runs, although this requirement would be relocated to section 2.6 (from 2.6.1(c) currently).

Finally, DOE is proposing to update the objective statement and section 5 of appendix J3 to explicitly reference clothes dryers alongside clothes washers.

DOE requests feedback on its proposal to harmonize test cloth specifications for clothes washers and clothes dryers.

4. Restructuring Appendix J3

Section 3.2 of appendix J3 specifies the ''nominal fabric type'' for the test cloth as pure finished bleached cloth made with a momie or granite weave, which is nominally 50 percent cotton and 50 percent polyester. Section 3.5 of appendix J3 contains a duplicative (although more specific) requirement specifying a fiber content of 50 percent ± 4 percent cotton, with the balance being polyester. DOE proposes to remove the less specific nominal fiber content specification from section 3.2 of appendix J3. Accordingly, DOE is further proposing to update the name of section 3.2 of appendix J3 from ''nominal fabric type'' to ''fabric type.''

Within section 3 of appendix J3, which lists the specifications for the test cloth, sections 3.2 through 3.5 are currently organized as follows: section 3.2 specifies the nominal fabric type, section 3.3 specifies the fabric weight, section 3.4 specifies the thread count, and section 3.5 specifies the fiber content of the yarn. This order does not match the order in which these material properties are considered throughout the test cloth fabrication process. Specifically, the weaving process starts with spinning yarn of a specific fiber content, then a specific number of yarn strands (corresponding to thread count) are woven into a roll of fabric, resulting in a specific material density (*i.e.,* fabric weight). To better match the order in which these material properties are considered throughout the test cloth fabrication process, DOE proposes to reorder these sections to provide the fiber content specification first, followed by thread count specification, followed by the fabric weight specification.

Section 3.7 of appendix J3 currently includes dimensions for the energy test cloth and energy stuffer cloth [34] and specifies that the dimensions apply ''before washing.'' DOE is aware that this terminology may lead to confusion, as it is inconsistent with other parts of the test procedure that use the term ''pre-conditioning'' rather than ''washing'' to refer to the process by which test cloth is washed before its first use. Consistent with the recommendations in the May 2024 AHAM Letter, DOE is proposing to clarify this wording and to specify that the dimensions listed in section 3.7 apply before pre-conditioning of the test cloth. (No. 1 at p. 24)

Appendices D1, D2, J, J2, and J3 currently use inconsistent hyphenation of the word pre-conditioning, using ''pre-conditioning'' in some cases and ''preconditioning'' in others. The May 2024 AHAM Letter requested that DOE standardize the hyphenation of ''pre-conditioning'' throughout the appendix. (No. 1 at p. 4) In this NOPR, DOE is proposing to standardize the hyphenation of ''pre-conditioning'' across all five appendices.

The June 2022 Final Rule re-numbered certain sections of appendix J3 and implemented in section 8.5 of appendix J3 references to ''sections 8.3.3 and 8.3.4 of this appendix.'' 87 FR 33316, 33405. These cross-references should instead reference sections 8.3 and 8.4 of appendix J3. DOE is therefore proposing to correct this typographical error by updating section 8.5 of appendix J3 to correctly reference sections 8.3 and 8.4, in place of sections 8.3.3 and 8.3.4.

Finally, DOE is proposing to add a section 0 to appendix J3 to specify the industry standards incorporated by reference in this test procedure. Specifically, these include AATCC Test Method 118–2007, AATCC Test Method 79–2010, AATCC Test Method 135–2010, and, newly, AATCC LP1–2021. DOE also proposes conforming edits at each instance where these test methods are referenced within appendix J3.

DOE requests feedback on its proposals to clarify and restructure appendix J3, including the addition of a new section to specify the industry standards incorporated by reference.

E. Test Procedure Costs and Impact

EPCA requires that test procedures proposed by DOE not be unduly burdensome to conduct. (42 U.S.C. 6293(b)(3); 6314(a)(2)) DOE does not anticipate that the amendments proposed in this NOPR would impact testing costs or the burden of conducting the test procedure.

DOE's market research indicates that the alternate test cloth proposed for use in this document has approximately the same cost per pound as the current test cloth—approximately $40–50 per pound of unconditioned test cloth.[35] Therefore, using the alternate proposed test cloth would not impact clothes washer or clothes dryer testing costs.

Based on an analysis of the test results presented in the Technical Appendix, DOE has tentatively determined that manufacturers would be able to rely on data generated under the current test procedures should any of these additional proposed amendments be finalized.

DOE requests comments on its tentative determination that that the amendments proposed in this NOPR would not impact testing costs or the burden of conducting the test procedure.

F. Compliance Date

As discussed, on September 28, 2023, DOE issued a statement stating that DOE would exercise its enforcement discretion and not impose civil penalties on a clothes washer, commercial clothes washer, or clothes

[34] An energy stuffer cloth is made from the same material as an energy test cloth but is cut to a smaller size. Test loads must consist of energy test cloths and no more than five energy stuffer cloths per load to achieve the specified weight.

[35] These cost estimates are based on DOE's most recent purchases of test cloth in relatively small quantities.

dryer manufacturer for certifying compliance with DOE's energy conservation standards based on testing that exceeds the maximum test cloth run provision set forth in the DOE test procedures. Instead, DOE allowed for usage of test cloth for twice the number of runs allowed in the relevant test procedures.

In the May 2024 AHAM Letter, AHAM requested that DOE maintain its enforcement discretion policy to allow twice the number of test runs than is currently specified for test cloth meeting the current specifications, but not for any of the alternate test cloth proposed for use in this NOPR, noting that it does not have any test data to support an extended number of cycles on the new test cloth at this time. (No. 1 at p. 4)

EPCA prescribes that, if DOE amends a test procedure, all representations of energy efficiency and energy use, including those made on marketing materials and product labels, must be made in accordance with that amended test procedure, beginning 180 days after publication of such a test procedure final rule in the **Federal Register**. (42 U.S.C. 6293(c)(2))

If DOE were to publish an amended test procedure EPCA provides an allowance for individual manufacturers to petition DOE for an extension of the 180-day period if the manufacturer may experience undue hardship in meeting the deadline. (42 U.S.C. 6293(c)(3)) To receive such an extension, petitions must be filed with DOE no later than 60 days before the end of the 180-day period and must detail how the manufacturer will experience undue hardship. (*Id.*)

DOE has tentatively determined that the updated test cloth provisions as proposed in this NOPR would alleviate any test cloth shortages that were the impetus for the enforcement discretion policy, and that at the time of compliance of any amended test procedure, should DOE decide to issue such an amendment, no need for such a policy would remain. Therefore, DOE has tentatively determined that upon the compliance date of test procedure provisions of an amended test procedure (*i.e.,* 180 days after publication of a test procedure final rule), should DOE issue such an amendment, the enforcement discretion policy would be withdrawn.

DOE requests comments on its tentative determination that the enforcement discretion policy allowing twice the number of test cloth runs would be withdrawn 180 days after publication of a test procedure final rule.

In the May 2024 AHAM Letter, AHAM further requested that DOE consider allowing immediate use of the alternate test cloth as a relief to manufacturers facing test cloth shortages, rather than waiting for the completion of the rulemaking. (No. 1 at p. 5)

DOE recognizes the concern of test cloth availability. As noted, DOE would maintain the current enforcement policy allowing for the extended lifetime of the current test cloth until 180 days after publication of a test procedure final rule. The proposed amendments, if adopted, could be used as early as their effective date (*i.e.,* 30 days after publication of any final rule DOE may publish regarding these amendments).

IV. Procedural Issues and Regulatory Review

A. Review Under Executive Orders 12866, 13563, and 14094

Executive Order (''E.O.'') 12866, ''Regulatory Planning and Review,'' as supplemented and reaffirmed by E.O. 13563, ''Improving Regulation and Regulatory Review,'' 76 FR 3821 (Jan. 21, 2011) and E.O. 14094, ''Modernizing Regulatory Review,'' 88 FR 21879 (April 11, 2023), requires agencies, to the extent permitted by law, to (1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs (recognizing that some benefits and costs are difficult to quantify); (2) tailor regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations; (3) 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); (4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt; and (5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public. DOE emphasizes as well that E.O. 13563 requires agencies to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible. In its guidance, the Office of Information and Regulatory Affairs (''OIRA'') in the Office of Management and Budget (''OMB'') has emphasized that such techniques may include identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes. For the reasons stated in the preamble, this proposed regulatory action is consistent with these principles.

Section 6(a) of E.O. 12866 also requires agencies to submit ''significant regulatory actions'' to OIRA for review. OIRA has determined that this proposed regulatory action does not constitute a ''significant regulatory action'' under section 3(f) of E.O. 12866. Accordingly, this action was not submitted to OIRA for review under E.O. 12866.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of an initial regulatory flexibility analysis (''IRFA'') for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by Executive Order 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' 67 FR 53461 (August 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the DOE rulemaking process. 68 FR 7990. DOE has made its procedures and policies available on the Office of the General Counsel's website: *www.energy.gov/gc/office-general-counsel.* DOE reviewed this proposed rule under the provisions of the Regulatory Flexibility Act and the procedures and policies published on February 19, 2003.

DOE has recently conducted a focused inquiry into small business manufacturers of the RCWs, CCWs, and consumer clothes dryers covered by this proposed rulemaking. DOE used available public information to identify potential small manufacturers. DOE accessed the Compliance Certification Database [36] to create a list of companies that import or otherwise manufacture the RCWs, CCWs, and consumer clothes dryers covered by this proposal.

As detailed in section III.C.4 of this document, DOE is proposing that an additional type of test cloth be permitted for testing. This alternate test

[36] U.S. Department of Energy Compliance Certification Database, available at: *www.regulations.doe.gov/certification-data/products.html.*

cloth is approximately the same cost as the existing test cloth. As a result, DOE does not expect any increased cost or burdens to manufacturers from this proposal.

Therefore, DOE initially concludes that the impacts of the proposed test procedure amendments proposed in this NOPR would not have a ''significant economic impact on a substantial number of small entities,'' and that the preparation of an IRFA is not warranted. DOE will transmit the certification and supporting statement of factual basis to the Chief Counsel for Advocacy of the Small Business Administration for review under 5 U.S.C. 605(b).

C. Review Under the Paperwork Reduction Act of 1995

Manufacturers of RCWs, CCWs, and consumer clothes dryers must certify to DOE that their products comply with any applicable energy conservation standards. To certify compliance, manufacturers must first obtain test data for their products according to the DOE test procedures, including any amendments adopted for those test procedures. DOE has established regulations for the certification and recordkeeping requirements for all covered consumer products and commercial equipment, including RCWs, CCWs, and consumer clothes dryers. (*See generally* 10 CFR part 429.) The collection-of-information requirement for the certification and recordkeeping is subject to review and approval by OMB under the Paperwork Reduction Act (''PRA''). This requirement has been approved by OMB under OMB control number 1910–1400. Public reporting burden for the certification is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

DOE is not proposing to amend the certification or reporting requirements for RCWs, CCWs, and consumer clothes dryers in this NOPR.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

D. Review Under the National Environmental Policy Act of 1969

In this NOPR, DOE proposes amendments to test procedures that are used to demonstrate compliance with energy conservation standards for RCWs, CCWs, and consumer clothes dryers. DOE has determined that this rulemaking falls into a class of actions that are categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and DOE's implementing regulations at 10 CFR part 1021. Specifically, DOE has determined that adopting test procedures for measuring energy efficiency of consumer products and industrial equipment is consistent with activities identified in 10 CFR part 1021, appendix A to subpart D, A5 and A6. Accordingly, neither an environmental assessment nor an environmental impact statement is required.

E. Review Under Executive Order 13132

Executive Order 13132, ''Federalism,'' 64 FR 43255 (Aug. 4, 1999) imposes certain requirements on agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Executive order also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications. On March 14, 2000, DOE published a statement of policy describing the intergovernmental consultation process it will follow in the development of such regulations. 65 FR 13735. DOE has examined this proposed rule and has determined that it would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. EPCA governs and prescribes Federal preemption of State regulations as to energy conservation for the products that are the subject of this proposed rule. States can petition DOE for exemption from such preemption to the extent, and based on criteria, set forth in EPCA. (42 U.S.C. 6297(d)) No further action is required by Executive Order 13132.

F. Review Under Executive Order 12988

Regarding the review of existing regulations and the promulgation of new regulations, section 3(a) of Executive Order 12988, ''Civil Justice Reform,'' 61 FR 4729 (Feb. 7, 1996), imposes on Federal agencies the general duty to adhere to the following requirements: (1) eliminate drafting errors and ambiguity, (2) write regulations to minimize litigation, (3) provide a clear legal standard for affected conduct rather than a general standard, and (4) promote simplification and burden reduction. Section 3(b) of Executive Order 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation (1) clearly specifies the preemptive effect, if any, (2) clearly specifies any effect on existing Federal law or regulation, (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction, (4) specifies the retroactive effect, if any, (5) adequately defines key terms, and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of Executive Order 12988 requires Executive agencies to review regulations in light of applicable standards in sections 3(a) and 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, the proposed rule meets the relevant standards of Executive Order 12988.

G. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (''UMRA'') requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a proposed regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. (2 U.S.C. 1532(a), (b)) The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a proposed ''significant intergovernmental mandate,'' and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect small governments. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under

UMRA. 62 FR 12820; also available at *www.energy.gov/gc/office-general-counsel.* DOE examined this proposed rule according to UMRA and its statement of policy and determined that the rulemaking contains neither an intergovernmental mandate, nor a mandate that may result in the expenditure of $100 million or more in any year, so these requirements do not apply.

H. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277) requires Federal agencies to issue a Family Policymaking Assessment for any proposed rule or policy that may affect family well-being. When developing a Family Policymaking Assessment, agencies must assess whether: (1) the action strengthens or erodes the stability or safety of the family and, particularly, the marital commitment; (2) the action strengthens or erodes the authority and rights of parents in the education, nurture, and supervision of their children; (3) the action helps the family perform its functions, or substitutes governmental activity for the function; (4) the action increases or decreases disposable income or poverty of families and children; (5) the proposed benefits of the action justify the financial impact on the family; (6) the action may be carried out by State or local government or by the family; and whether (7) the action establishes an implicit or explicit policy concerning the relationship between the behavior and personal responsibility of youth, and the norms of society. In evaluating the above factors, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment as none of the above factors are implicated. Further, this proposed determination would not have any financial impact on families nor any impact on the autonomy or integrity of the family as an institution.

I. Review Under Executive Order 12630

DOE has determined, under Executive Order 12630, ''Governmental Actions and Interference with Constitutionally Protected Property Rights,'' 53 FR 8859 (March 18, 1988), that this proposed regulation would not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

J. Review Under Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note) provides for agencies to review most disseminations of information to the public under guidelines established by each agency pursuant to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). Pursuant to OMB Memorandum M–19–15, Improving Implementation of the Information Quality Act (April 24, 2019), DOE published updated guidelines which are available at *www.energy.gov/sites/prod/files/2019/12/f70/DOE%20Final%20Updated%20IQA%20Guidelines%20Dec%202019.pdf.* DOE has reviewed this proposed rule under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

K. Review Under Executive Order 13211

Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OMB, a Statement of Energy Effects for any proposed significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgates or is expected to lead to promulgation of a final rule, and that: (1) is a significant regulatory action under Executive Order 12866, or any successor order, and is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (2) is designated by the Administrator of OIRA as a significant energy action. For any proposed significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use should the proposal be implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

The proposed regulatory action to amend the test procedures for measuring the energy efficiency of RCWs, CCWs, and consumer clothes dryers is not a significant regulatory action under Executive Order 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as a significant energy action by the Administrator of OIRA. Therefore, it is not a significant energy action, and, accordingly, DOE has not prepared a Statement of Energy Effects.

L. Review Under Section 32 of the Federal Energy Administration Act of 1974

Under section 301 of the Department of Energy Organization Act (Pub. L. 95–91; 42 U.S.C. 7101), DOE must comply with section 32 of the Federal Energy Administration Act of 1974, as amended by the Federal Energy Administration Authorization Act of 1977. (15 U.S.C. 788; ''FEAA'') Section 32 essentially provides in relevant part that, where a proposed rule authorizes or requires use of commercial standards, the notice of proposed rulemaking must inform the public of the use and background of such standards. In addition, section 32(c) requires DOE to consult with the Attorney General and the Chairman of the Federal Trade Commission (''FTC'') concerning the impact of the commercial or industry standards on competition.

The proposed modifications to the test procedures for RCWs, CCWs, and consumer clothes dryers would incorporate fabric specifications from the following commercial standard: AATCC LP1–2021. DOE has evaluated this standard and is unable to conclude whether it fully complies with the requirements of section 32(b) of the FEAA (*i.e.,* whether it was developed in a manner that fully provides for public participation, comment, and review). DOE will consult with both the Attorney General and the Chairman of the FTC concerning the impact of these test procedures on competition, prior to prescribing a final rule.

M. Description of Materials Incorporated by Reference

The test procedure proposed in this NOPR references AATCC LP1–2021, ''Laboratory Procedure for Home Laundering: Machine Washing.'' AATCC LP1–2021 is an industry-developed test standard that specifies standard home laundering conditions. Specifically, the test procedure proposed in this NOPR references AATCC LP1–2021 for specifying standardized fabric materials. AATCC LP1–2021 is reasonably available from AATCC (*See, members.aatcc.org/store/lp001/2212/*).

V. Public Participation

A. Submission of Comments

DOE will accept comments, data, and information regarding this proposed rule no later than the date provided in the **DATES** section at the beginning of this proposed rule.[37] Interested parties

[37] DOE has historically provided a 75-day comment period for test procedure NOPRs pursuant

Continued

may submit comments, data, and other information using any of the methods described in the **ADDRESSES** section at the beginning of this document.

Submitting comments via www.regulations.gov. The *www.regulations.gov* web page will require you to provide your name and contact information. Your contact information will be viewable to DOE Building Technologies staff only. Your contact information will not be publicly viewable except for your first and last names, organization name (if any), and submitter representative name (if any). If your comment is not processed properly because of technical difficulties, DOE will use this information to contact you. If DOE cannot read your comment due to technical difficulties and cannot contact you for clarification, DOE may not be able to consider your comment.

However, your contact information will be publicly viewable if you include it in the comment itself or in any documents attached to your comment. Any information that you do not want to be publicly viewable should not be included in your comment, nor in any document attached to your comment. Otherwise, persons viewing comments will see only first and last names, organization names, correspondence containing comments, and any documents submitted with the comments.

Do not submit to *www.regulations.gov* information for which disclosure is restricted by statute, such as trade secrets and commercial or financial information (hereinafter referred to as Confidential Business Information (''CBI'')). Comments submitted through *www.regulations.gov* cannot be claimed as CBI. Comments received through the website will waive any CBI claims for the information submitted. For information on submitting CBI, see the Confidential Business Information section.

DOE processes submissions made through *www.regulations.gov* before posting. Normally, comments will be posted within a few days of being submitted. However, if large volumes of comments are being processed simultaneously, your comment may not be viewable for up to several weeks. Please keep the comment tracking number that *www.regulations.gov* provides after you have successfully uploaded your comment.

Submitting comments via email, hand delivery/courier, or postal mail. Comments and documents submitted via email, hand delivery/courier, or postal mail also will be posted to *www.regulations.gov.* If you do not want your personal contact information to be publicly viewable, do not include it in your comment or any accompanying documents. Instead, provide your contact information in a cover letter. Include your first and last names, email address, telephone number, and optional mailing address. The cover letter will not be publicly viewable as long as it does not include any comments.

Include contact information each time you submit comments, data, documents, and other information to DOE. If you submit via postal mail or hand delivery/courier, please provide all items on a CD, if feasible, in which case it is not necessary to submit printed copies. No telefacsimiles (''faxes'') will be accepted.

Comments, data, and other information submitted to DOE electronically should be provided in PDF (preferred), Microsoft Word or Excel, WordPerfect, or text (ASCII) file format. Provide documents that are not secured, written in English, and that are free of any defects or viruses. Documents should not contain special characters or any form of encryption and, if possible, they should carry the electronic signature of the author.

Campaign form letters. Please submit campaign form letters by the originating organization in batches of between 50 to 500 form letters per PDF or as one form letter with a list of supporters' names compiled into one or more PDFs. This reduces comment processing and posting time.

Confidential Business Information. Pursuant to 10 CFR 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit via email two well-marked copies: one copy of the document marked ''confidential'' including all the information believed to be confidential, and one copy of the document marked ''non-confidential'' with the information believed to be confidential deleted. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

It is DOE's policy that all comments may be included in the public docket, without change and as received, including any personal information provided in the comments (except information deemed to be exempt from public disclosure).

B. Issues on Which DOE Seeks Comment

Although DOE welcomes comments on any aspect of this proposal, DOE is particularly interested in receiving comments and views of interested parties concerning the following issues:

(1) DOE requests comment on the roll dimensions and cut orientations that are currently used to fabricate DOE test cloth.

(2) DOE requests comment as to whether, or to what extent, the energy test cloth cut orientation could impact the RMC measurement in the clothes washer test procedure.

(3) DOE requests comment on its concern that establishing a cut orientation requirement could lead to fabric waste, depending on the dimensions of the fabric roll.

(4) DOE requests comment on its tentative determination not to specify a cut orientation requirement. DOE further seeks comment on whether it should adopt the cut orientation requirement specified by AHAM or any other cut orientation requirement.

(5) DOE requests comment on its tentative determination that section 3.1 of appendix J3 is superfluous and its proposal to remove the requirements in section 3.1 of appendix J3.

(6) DOE requests feedback on its proposal to specify in appendix J3 that fabric weight and thread count specifications apply to finished goods prior to pre-conditioning.

(7) DOE requests feedback on its proposal to add the term ''crepe'' to the list of allowable weaves in appendix J3.

(8) DOE requests feedback on its tentative determination not to establish definitions for ''crepe,'' ''granite,'' or ''momie'' weave in appendix J3.

(9) DOE requests comment on its proposal to allow the use of Laundering Ballast Type 3 cloth specified in AATCC LP1–2021 (with certain additional specifications) as an alternate test cloth for conducting clothes washer and clothes dryer testing.

(10) DOE requests feedback on its tentative determination not to establish

---

to the North American Free Trade Agreement, U.S.-Canada-Mexico (''NAFTA''), Dec. 17, 1992, 32 I.L.M. 289 (1993); the North American Free Trade Agreement Implementation Act, Public Law 103–182, 107 Stat. 2057 (1993) (codified as amended at 10 U.S.C.A. § 2576) (1993) (''NAFTA Implementation Act''); and Executive Order 12889, ''Implementation of the North American Free Trade Agreement,'' 58 FR 69681 (Dec. 30, 1993). However, on July 1, 2020, the Agreement between the United States of America, the United Mexican States, and the United Canadian States (''USMCA''), Nov. 30, 2018, 134 Stat. 11 (*i.e.,* the successor to NAFTA), went into effect, and Congress's action in replacing NAFTA through the USMCA Implementation Act, 19 U.S.C. 4501 *et seq.* (2020), implies the repeal of E.O. 12889 and its 75-day comment period requirement for technical regulations. Thus, the controlling laws are EPCA and the USMCA Implementation Act. Consistent with EPCA's public comment period requirements for consumer products, the USMCA only requires a minimum comment period of 60 days. Consequently, DOE now provides a 60-day public comment period for test procedure NOPRs.

a definition for ''plain weave'' in appendix J3.

(11) DOE requests comment on its proposal to amend the CV threshold requirement in appendix J3 from 1 percent to 2 percent. Specifically, DOE requests comment on whether another threshold would be more appropriate.

(12) DOE requests feedback on its proposal to replace the P-value test in appendix J3 with a root-mean-square error test.

(13) DOE requests feedback on specifying 0.015 as an acceptability threshold for the RMSE value.

(14) DOE requests feedback on its proposal to update appendix J3 to explicitly mention pre-conditioning of test cloth.

(15) DOE requests feedback on its proposal to harmonize test cloth specifications for clothes washers and clothes dryers.

(16) DOE requests feedback on its proposals to clarify and restructure appendix J3, including the addition of a new section to specify the industry standards incorporated by reference.

(17) DOE requests comments on its tentative determination that that the amendments proposed in this NOPR would not impact testing costs or the burden of conducting the test procedure.

(18) DOE requests comments on its tentative determination that the enforcement discretion policy allowing twice the number of test cloth runs would be withdrawn 180 days after publication of a test procedure final rule.

Additionally, DOE welcomes comments on other issues relevant to the conduct of this rulemaking that may not specifically be identified in this document.

VI. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this notice of proposed rulemaking and request for comment.

List of Subjects in 10 CFR Part 430

Administrative practice and procedure, Confidential business information, Energy conservation, Household appliances, Imports, Incorporation by reference, Intergovernmental relations, Small businesses.

Signing Authority

This document of the Department of Energy was signed on October 25, 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 29, 2024.

Treena V. Garrett,

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

For the reasons stated in the preamble, DOE is proposing to amend part 430 of chapter II of title 10, 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 § 430.3 by:
■ a. Redesignating paragraphs (d)(1) through (3) as paragraphs (d)(2) through (4); and
■ b. Adding new paragraph (d)(1).

The addition reads as follows:

§ 430.3 Materials incorporated by reference.

* * * * *

(d) * * *

(1) AATCC LP1–2021, *Laboratory Procedure for Home Laundering: Machine Washing,* Revised 2023, IBR approved for Appendix J3 to Subpart B.

* * * * *

■ 3. Amend appendix D1 to subpart B by:
■ a. Revising sections 2.6, 2.6.1, 2.6.2, and 2.6.3;
■ b. Adding sections 2.6.4 and 2.6.5; and
■ c. Revising the heading to section 2.8.

The revisions and additions read as follows:

Appendix D1 to Subpart B of Part 430—Uniform Test Method for Measuring the Energy Consumption of Clothes Dryers

* * * * *

2. * * *

2.6 *Test cloths.*

2.6.1 *Material Specifications.* The energy test cloth and energy stuffer cloth material and dimensions must conform to the specifications in section 3 of appendix J3 to this subpart.

2.6.2 *Material Verification.* The test cloth lot used to fabricate each piece of test cloth must conform with the material verification procedures specified in section 7 of appendix J3 to this subpart.

2.6.3 *Lot Identification.* Each piece of test cloth must be clean and permanently marked identifying the lot number of the material. Mixed lots of material must not be used for testing a clothes dryer.

2.6.4 *Pre-Conditioning.* The test cloth must be pre-conditioned prior to first use as specified in section 5 of appendix J3 to this subpart.

2.6.5 *Lifetime.* Each piece of test cloth must not be used for more than 25 test runs (after pre-conditioning).

* * * * *

2.8 *Clothes dryer pre-conditioning.*

* * * * *

■ 4. Amend appendix D2 to subpart B by:
■ a. Revising sections 2.6, 2.6.1, 2.6.2, and 2.6.3;
■ b. Adding sections 2.6.4 and 2.6.5; and
■ c. Revising the heading for section 2.8.

The revisions and additions read as follows:

Appendix D2 to Subpart B of Part 430—Uniform Test Method for Measuring the Energy Consumption of Clothes Dryers

* * * * *

2. * * *

2.6 *Test cloths.*

2.6.1 *Material Specifications.* The energy test cloth and energy stuffer cloth material and dimensions must conform to the specifications in section 3 of appendix J3 to this subpart.

2.6.2 *Material Verification.* The test cloth lot used to fabricate each piece of test cloth must conform with the material verification procedures specified in section 7 of appendix J3 to this subpart.

2.6.3 *Lot Identification.* Each piece of test cloth must be clean and permanently marked identifying the lot number of the material. Mixed lots of material must not be used for testing a clothes dryer.

2.6.4 *Pre-Conditioning.* The test cloth must be pre-conditioned prior to first use as specified in section 5 of appendix J3 to this subpart.

2.6.5 *Lifetime.* Each piece of test cloth must not be used for more than 25 test runs (after pre-conditioning).

* * * * *

2.8 *Clothes dryer pre-conditioning.*

* * * * *

■ 5. Amend appendix J to subpart B by revising section 2.7 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

* * * * *

2. * * *

2.7 *Test cloths.*

2.7.1 *Material Specifications.* The energy test cloth and energy stuffer cloth material and dimensions must conform to the specifications in section 3 of appendix J3 to this subpart.

2.7.2 *Material Verification.* The test cloth lot used to fabricate each piece of test cloth must conform with the material verification procedures specified in section 7 of appendix J3 to this subpart.

2.7.3 *RMC Correction Curve.* The test cloth lot used for testing must have a remaining moisture content (RMC) correction curve determined, according to section 8 of appendix J3 to this subpart.

2.7.4 *Lot Identification.* Each piece of test cloth must be clean and permanently marked identifying the lot number of the material. Mixed lots of material must not be used for testing a clothes washer.

2.7.5 *Pre-Conditioning.* The test cloth must be pre-conditioned prior to first use as specified in section 5 of appendix J3 to this subpart.

2.7.6 *Lifetime.* Each piece of test cloth must not be used for more than 60 test runs (after pre-conditioning).

* * * * *

■ 6. Amend appendix J2 to subpart B by revising section 2.7 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

* * * * *

2. * * *

2.7 *Test cloths.*

2.7.1 *Material Specifications.* The energy test cloth and energy stuffer cloth material and dimensions must conform to the specifications in section 3 of appendix J3 to this subpart.

2.7.2 *Material Verification.* The test cloth lot used to fabricate each piece of test cloth must conform with the material verification procedures specified in section 7 of appendix J3 to this subpart.

2.7.3 *RMC Correction Curve.* The test cloth lot used for testing must have a remaining moisture content (RMC) correction curve determined, according to section 8 of appendix J3 to this subpart.

2.7.4 *Lot Identification.* Each piece of test cloth must be clean and permanently marked identifying the lot number of the material. Mixed lots of material must not be used for testing a clothes washer.

2.7.5 *Pre-Conditioning.* The test cloth must be pre-conditioned prior to first use as specified in section 5 of appendix J3 to this subpart.

2.7.6 *Lifetime.* Each piece of test cloth must not be used for more than 60 test runs (after pre-conditioning).

* * * * *

■ 7. Amend appendix J3 to subpart B by:
■ a. Revising the heading for appendix J3;
■ b. Adding section 0;
■ c. Revising section 1;
■ d. Revising the heading to section 3;
■ e. Revising sections 3.1, 3.2, and 3.3;
■ f. Removing sections 3.4 through 3.8;
■ g. Revising section 5;
■ h. Revising sections 7.1.1, 7.1.2, 7.1.3, and 7.2.5;
■ i. Revising sections 8.5 through 8.8; and
■ j. Adding section 8.9.

The revisions and additions read as follows:

Appendix J3 to Subpart B of Part 430—Test Cloth Specifications and Procedures for Pre-Conditioning and Determining Correction Coefficients of New Test Cloth Lots

* * * * *

0. Incorporation by Reference.

In § 430.3, DOE incorporated by reference the entire standard for AATCC Test Method 118–2007, AATCC Test Method 79–2010, AATCC Test Method 135–2010, and AATCC LP1–2021; however, only enumerated provisions of AATCC LP1–2021 are applicable as follows:

0.1 AATCC LP1–2021

(a) Table VII as referenced in section 3.1.2 of this appendix.

0.2 [Reserved]

1. Objective

This appendix includes the following:

1.1 Specifications for the test cloth to be used for testing clothes washers and clothes dryers;

1.2 Procedures for pre-conditioning the test cloth for use in testing clothes washers and clothes dryers;

1.3 Procedures for verifying that new lots of test cloth meet the defined material specifications; and

1.4 Procedures for developing a set of correction coefficients that correlate the measured remaining moisture content (RMC) values of each new test cloth lot with a set of standard RMC values established as an historical reference point. These correction coefficients are applied to the RMC measurements performed during testing according to appendix J or J2 to this subpart, ensuring that the final corrected RMC measurement for a clothes washer remains independent of the test cloth lot used for testing.

* * * * *

3. Test Cloth Specifications

* * * * *

3.1 The test cloth material must be one of the following two types:

3.1.1 Test cloth meeting all of the specifications in sections 3.1.1.1 through 3.1.1.4 of this appendix.

3.1.1.1 *Fabric type.* Pure finished bleached cloth made with a momie, granite, or crepe weave.

3.1.1.2 *Fiber content of warp and filling yarn.* 50 percent ±4 percent cotton, with the balance being polyester, open end spun, 15/1 ±5 percent cotton count blended yarn.

3.1.1.3 *Thread count.* Thread count is measured on the finished good, prior to pre-conditioning. 65 × 57 per inch (warp × fill), ±2 percent.

3.1.1.4 *Fabric weight.* Fabric weight is measured on the finished good, prior to pre-conditioning. 5.60 ± 0.25 ounces per square yard (190.0 ± 8.4 g/m^2).

3.1.2 Test cloth meeting the specifications of Laundering Ballast Type 3, as specified in Table VII of AATCC LP1–2021, with the following additional specifications and substitutions:

3.1.2.1 *Greige fabric yarns.* Type 16/1 only.

3.1.2.2 *Edges.* All edges hemmed only.

3.1.2.3 *Finished piece size.* Dimensions in accordance with sections 3.7.1 and 3.7.2 of this appendix for energy test cloths and energy stuffer cloths, respectively.

3.1.2.4. *Finished piece weight.* Disregard.

3.2 Water repellent finishes, such as fluoropolymer stain resistant finishes, must not be applied to the test cloth.

3.3. *Test cloth dimensions.*

3.3.1 *Energy test cloth.* The energy test cloth must be made from test cloth material that is cut to 24 ± ½ inches by 36 ± ½ inches (61.0 ± 1.3 cm by 91.4 ± 1.3 cm), and hemmed to 22 ± ½ inches by 34 ± ½ inches (55.9 ± 1.3 cm by 86.4 ± 1.3 cm) before pre-conditioning.

3.3.2 *Energy stuffer cloth.* The energy stuffer cloth must be made from the same test cloth material as the energy test cloth, cut to 12 ± ¼ inches by 12 ± ¼ inches (30.5 ± 0.6 cm by 30.5 ± 0.6 cm), and hemmed to 10 ± ¼ inches by 10 ± ¼ inches (25.4 ± 0.6 cm by 25.4 ± 0.6 cm) before pre-conditioning.

* * * * *

5. *Test Cloth Pre-Conditioning Instructions*

Use the following instructions for performing pre-conditioning of new energy test cloths and energy stuffer cloths as specified throughout section 7 and section 8 of this appendix, before any clothes washer testing using appendix J or appendix J2 to this subpart, and before any clothes dryer testing using appendix D1 or D2 to this subpart.

5.1 Perform five complete wash-rinse-spin cycles, the first two with current AHAM Standard detergent Formula 3 and the last three without detergent. Place the test cloth in a clothes washer set at the maximum water level. Wash the load for ten minutes in soft water (17 ppm hardness or less) using 27.0 grams + 4.0 grams per pound of cloth load of AHAM Standard detergent Formula 3. The wash temperature is to be controlled to 135 °F ± 5 °F (57.2 °C ± 2.8 °C) and the rinse temperature is to be controlled to 60 °F ± 5 °F (15.6 °C ± 2.8 °C).

5.2 Dry the load to bone-dry between each of the five wash-rinse-spin cycles.

5.3 The maximum shrinkage after pre-conditioning must not be more than 5 percent of the length and width. Measure per AATCC Test Method 135–2010.

* * * * *

7. * * *

7.1 * * *

7.1.1 *Dimensions.* Each hemmed energy test cloth must meet the size specifications in section 3.3.1 of this appendix. Each hemmed energy stuffer cloth must meet the size specifications in section 3.3.2 of this appendix.

7.1.2 *Oil repellency.* Perform AATCC Test Method 118–2007, to confirm the absence of Scotchguard™ or other water-repellent finish. An Oil Repellency Grade of 0 (Fails Kaydol) is required.

7.1.3 *Absorbency.* Perform AATCC Test Method 79–2010, to confirm the absence of Scotchguard™ or other water-repellent finish. The time to absorb one drop must be on the order of 1 second.

7.2 * * *

7.2.5 Calculate the coefficient of variation (CV) of the nine average RMC values from each sample load. The CV must be less than or equal to 2.0% for the test cloth lot to be considered acceptable and to perform the standard extractor RMC testing.

8. * * *

8.5 Repeat sections 8.3 and 8.4 of this appendix an additional two times, so that three replications at each extractor condition are performed. When this procedure is performed in its entirety, a total of 60 extractor RMC test runs are required.

8.6 Calculate $RMC_{cloth\text{-}avg}$ for each extractor test condition by averaging the values of the 3 replications performed specified in sections 8.3 and 8.4 of this appendix.

8.7 Perform a linear least-squares fit to determine coefficients A and B such that the standard RMC values shown in table 8.7 of this appendix ($RMC_{standard}$) are linearly related to the $RMC_{cloth\text{-}avg}$ values calculated in section 8.6 of this appendix:

$RMC_{standard} \sim A \times RMC_{cloth\text{-}avg} + B$

where A and B are coefficients of the linear least-squares fit.

TABLE 8.7—STANDARD RMC VALUES

"g Force"	RMC percentage			
	Warm soak		Cold soak	
	15 min. spin (percent)	4 min. spin (percent)	15 min. spin (percent)	4 min. spin (percent)
100	45.9	49.9	49.7	52.8
200	35.7	40.4	37.9	43.1
350	29.6	33.1	30.7	35.8
500	24.2	28.7	25.5	30.0
650	23.0	26.4	24.1	28.0

8.8 Calculate the corrected RMC value for each extractor test condition, $RMC_{cloth\text{-}corr}$ as follows:

$RMC_{cloth\text{-}corr} = A \times RMC_{cloth\text{-}avg} + B$

Where:

$RMC_{cloth\text{-}avg}$ = the average RMC value, as calculated in section 8.6 of this appendix for each extractor test condition, expressed as a decimal, and

A and B are the coefficients of the linear least squares fit as determined in section 8.7 of this appendix.

8.9 Calculate the root mean square error of the linear fit, RMSE. The RMSE must be less than or equal to 0.015 for the test cloth lot to be considered acceptable. The RMSE is calculated as follows:

$$RMSE = \sqrt{\sum_{i=1}^{20} \frac{\left(RMC_{standard_i} - RMC_{cloth-corr_i}\right)^2}{20}}$$

Where:

$RMC_{standard_i}$ = the $RMC_{standard}$ value in table 8.7 of this appendix for the ith extractor test condition, expressed as a decimal,

$RMC_{cloth\text{-}corr_i}$ = the corrected RMC value, as calculated in section 8.8 of this appendix for the ith extractor test condition, expressed as a decimal, and

i = the 20 extractor test conditions listed in table 8.7 of this appendix.

* * * * *

[FR Doc. 2024–25480 Filed 11–4–24; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2024–2419; Project Identifier MCAI–2023–00366–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Airbus Helicopters (Airbus) Model AS350B, AS350B1, AS350B2, AS350B3, AS350BA, AS350D, AS355E, AS355F, AS355F1, AS355F2, AS355N, AS355NP, EC130B4, and EC130T2 helicopters. This proposed AD was prompted by a manufacturer assessment that determined additional actions are necessary to improve particle detection for main gearboxes (MGBs) with certain planet gear bearings installed. This proposed AD would require repetitively inspecting the MGB bevel wheel for the presence of particles, repetitively inspecting the MGB magnetic plug for particles, and prohibit installing an affected MGB unless certain requirements are met. These actions are specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by December 20, 2024.

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

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.

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

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

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2024–2419; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the EASA AD, any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

• For EASA material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find the EASA material on the EASA website at *ad.easa.europa.eu.*

• You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. The EASA material is also available at *regulations.gov* under Docket No. FAA–2024–2419.

Other Related Material: For Airbus material identified in this proposed AD, contact Airbus Helicopters, 2701 North Forum Drive, Grand Prairie, TX 75052; phone: (972) 641–0000 or (800) 232–0323; fax: (972) 641–3775; or at *airbus.com/en/products-services/helicopters/hcare-services/airbusworld.*

FOR FURTHER INFORMATION CONTACT: Dan McCully, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (404) 474–5548; email: *william.mccully@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2024–2419; Project Identifier MCAI–2023–00366–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Dan McCully, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (404) 474–5548; email: *william.mccully@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2023–0044, dated February 28, 2023, (EASA AD 2023–0044) to correct an unsafe condition on Airbus Model AS 350 B, AS 350 D, AS 350 B1, AS 350 B2, AS 350 BA, AS 350 BB, AS 350 B3, EC 130 B4, EC 130 T2, AS 355 E, AS 355 F, AS 355 F1, AS 355 F2, AS355 N, and AS355 NP helicopters. EASA advises that after a fleet design review for detection of particles in the MGB, it was determined that additional maintenance actions are necessary to improve detection of particles in the MGB. The FAA is proposing this AD to detect and correct the presence of particles in the MGB, which if not addressed, could result in reduced or loss of control of the helicopter.

You may examine EASA AD 2023–0044 in the AD docket at *regulations.gov* under Docket No. FAA–2024–2419.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2023–0044 requires repetitive borescope visual inspections of the bevel wheel of the affected MGB for particles, collecting and analyzing any found particles, and depending on the results, further actions, accomplishing corrective action in accordance with the ASB defined within, or contacting AH [Airbus Helicopters] for further corrective action. EASA AD 2023–0044 also requires accomplishing a borescope visual inspection of the bevel wheel of the affected MGB for particles following the detection of any particles at the MGB magnetic plug during accomplishment of certain maintenance tasks and depending on the results, taking corrective action. Lastly, EASA AD 2023–0044 prohibits installing an affected MGB on any helicopter unless it is a serviceable part as defined within and certain requirements are met.

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.

Other Related Material

The FAA reviewed Airbus Alert Service Bulletin No. AS350–05.01.04, No. AS355–05.00.87, and No. EC130–05A040, each Revision 0, and each dated January 25, 2023. This material specifies procedures for borescope inspecting the MGB bevel wheel for particles and, depending on the results, replacing a damaged epicyclic module or bevel reduction module with an airworthy part, and collecting the particles using a vacuum pump and analyzing the particles.

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2023–0044, described previously, as incorporated by reference, except for any differences identified as exceptions in the

regulatory text of this proposed AD and except as discussed under ''Differences Between this Proposed AD and EASA AD 2023–0044.''

This proposed AD would require certain actions within compliance times specified in certain material referenced for compliance in EASA AD 2023–0044, particularly for corrective actions for scales, flakes, or splinters. Depending on the measurements of the scales, flakes, or splinters, corrective actions include close monitoring, metallurgical analysis within 50 hours time-in-serivce, or removing each affected module and additional actions when certain criteria are exceeded.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2023–0044 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2023–0044 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2023–0044 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2023–0044. Material referenced in EASA AD 2023–0044 for compliance will be available at *www.regulations.gov* by searching for and locating Docket No. FAA–2024–2419 after the FAA final rule is published.

Differences Between This Proposed AD and EASA AD 2023–0044

EASA AD 2023–0044 applies to Model AS350BB helicopters, whereas this proposed AD would not because that model is not FAA-type certificated.

Where Note 1 in the material referenced in EASA AD 2023–0044 specifies the option of 1 mechanical technician and 1 crew member, for this proposed AD, the pilot is only permitted to turn the tail rotor (b) because the other actions specified in the note must be accomplished by persons authorized under 14 CFR 43.3. Therefore, for the purposes of this proposed AD, the owner/operator (pilot) may turn the tail rotor (b) and must enter compliance with the applicable paragraph of this proposed AD in the helicopter maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The pilot may perform this action because it only involves turning the tail rotor (b). This action can be performed equally well by a pilot or a mechanic. This action is an exception to the FAA's standard maintenance regulations.

This proposed AD would not require complying with paragraph (2) of EASA AD 2023–0044. Instead, this proposed AD would require repetitively inspecting the MGB magnetic plug for particles and, if there is any particle, accomplishing a borescope visual inspection, as specified in paragraphs (h)(6)(i) and (ii) of this proposed AD.

Where the material referenced in EASA AD 2023–0044 specifies contacting Airbus Helicopters for a certain action, this proposed AD would require accomplishing action in accordance with a method approved the FAA, EASA, or Airbus Helicopters' EASA Design Organization Approval.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 522 helicopters of U.S. Registry. Labor rates are estimated at $85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this proposed AD.

A repetitive visual borescope inspection of the MGB bevel wheel would take 1 work-hour for an estimated cost of $85 per helicopter and $44,370 for the U.S. fleet, per inspection cycle.

If necessary, collecting and performing a metallurgical analysis of the detected particles would take 6 work-hours for an estimated cost of $510 per helicopter, per analysis.

Repetitively inspecting the magnetic plugs of the MGB would take 1 work-hour for an estimated cost of $85 per helicopter and $44,370 for the U.S. fleet, per inspection cycle.

If required, close monitoring would take 2 work-hours for an estimated cost of $170 per helicopter, per close monitoring cycle.

Accomplishing a visual borescope inspection of the MGB bevel wheel as a result of an MGB magnetic plug inspection would take 1 work-hour for an estimated cost of $85 per helicopter.

If necessary, replacing an epicyclic module would take 56 work-hours and parts would cost $50,524 (overhauled) for an estimated cost of $55,284 per module.

If necessary, replacing a bevel reduction module would take 56 work-hours and parts would cost $18,500 (overhaled) for an estimated cost of $23,260 per module.

Certain corrective action could vary significantly from helicopter to helicopter. The FAA has no data to determine the costs to accomplish the corrective action.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator,

the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus Helicopters: Docket No. FAA–2024–2419; Project Identifier MCAI–2023–00366–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 20, 2024.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Airbus Helicopters Model AS350B, AS350B1, AS350B2, AS350B3, AS350BA, AS350D, AS355E, AS355F, AS355F1, AS355F2, AS355N, AS355NP, EC130B4, and EC130T2 helicopters, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code: 6320, Main Rotor Gearbox.

(e) Unsafe Condition

This AD was prompted by an assessment performed by the manufacturer which determined that additional actions are necessary to improve particle detection for main gearboxes (MGBs) with certain part-numbered planet gear bearings installed. The FAA is issuing this AD to detect and correct particles in the MGB. The unsafe condition, if not addressed, could result in reduced or loss of control of the helicopter.

(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, European Union Aviation Safety Agency AD 2023–0044, dated February 28, 2023 (EASA AD 2023–0044).

(h) Exceptions to EASA AD 2023–0044

(1) Where EASA AD 2023–0044 defines ''serviceable MGB'' as ''An affected MGB which has accumulated less than 330 flight hours (FH) since new (first installation on a helicopter), or since an overhaul, or since an inspection in accordance with the instructions of the ASB;'' for this AD, replace that text with ''An affected MGB which has accumulated less than 330 total hours time-in-service since new (zero total hours time-in-service), since last overhaul if an overhaul has been accomplished, or since last inspection and any specified corrective action in accordance with the instructions of the ASB if an inspection and any specified corrective action by following the instructions of the ASB have been accomplished.''

(2) Where EASA AD 2023–0044 requires compliance in terms of flight hours, this AD requires using hours time-in-service (TIS).

(3) Where EASA AD 2023–0044 refers to its effective date, this AD requires using the effective date of this AD.

(4) Where Note 1 in the material referenced in paragraph (1) of EASA AD 2023–0044 specifies the option of 1 mechanical technician and 1 crew member, for this AD, the pilot is only permitted to turn the tail rotor (b). The owner/operator (pilot) holding at least a private pilot certificate may turn the tail rotor (b) and must enter compliance with paragraph (g) of this AD in the helicopter maintenance records in accordance with 14 CFR 43.9(a) and 91.417(a)(2)(v). The record must be maintained as required by 14 CFR 91.417, 121.380, or 135.43. All other actions specified in Note 1 in the material referenced in paragraph (1) of EASA AD 2023–0044 must be accomplished by persons authorized under 14 CFR 43.3.

(5) Where Note 2 in the material referenced in paragraph (1) of EASA AD 2023–0044 specifies contacting Airbus Helicopters for further instructions if the bottom of the radius (a6) of the bevel wheel (a3) or head screws (a4) (see Figure 2) are not clearly visible, this AD requires, before further flight, accomplishing action in accordance with a method approved by the FAA, EASA, or Airbus Helicopters' EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(6) Instead of complying with paragraph (2) of EASA AD 2023–0044, comply with the actions required by paragraphs (h)(6)(i) and (ii) of this AD.

(i) After the effective date of this AD, and within the compliance time intervals specified table 1 to paragraph (h)(6)(i) of this AD, visually inspect the MGB magnetic plug for particles.

Note 1 to paragraph (h)(6)(i): Aircraft Maintenance Manual (AMM) task 60–00–00, 6–2A, or AMM task 60–00–00, 6–2, or work card 60–00–00–602, as applicable, provides information regarding inspecting the MGB magnetic plug.

TABLE 1 TO PARAGRAPH (h)(6)(i)—MGB MAGNETIC PLUG INSPECTIONS

Helicopter model(s)	Initial compliance times (after the effective date of this AD) (hours TIS)	Interval compliance times (thereafter) (hours TIS)
AS350B, AS350B1, AS350BA, and AS350D	5	30
AS355E, AS355F, AS355F1, AS355F2, AS355N, and AS355NP	5	30
AS350B2 and AS350B3	10	100
EC130B4	5	150
EC130T2	5	150

(ii) If there is any particle as a result of any MGB magnetic plug inspection required by paragraph (h)(6)(i) of this AD, before further flight, borescope inspect the bevel wheel of the affected MGB for particles as required by paragraph (1) of EASA AD 2023–0044. If there is any particle as a result of the borescope inspection of the bevel wheel, before further flight, collect and analyze the particles as required by paragraph (3) of EASA AD 2023–0044.

(7) Where paragraph (3) of EASA AD 2023–0044 specifies ''If, during any inspection as required by paragraph (1) or (2) of this AD;'' for this AD, replace that text with ''If, during any inspection as required by paragraph (1) of this AD.''

(8) Where the material referenced in paragraph (3) of EASA AD 2023–0044 specifies performing a metallurgical analysis and contacting Airbus Helicopters if collected particles cannot be characterized with Work Card 20–08–01–601, this AD does not require contacting Airbus Helicopter but does require performing the metallurgical analysis.

(9) This AD does not allow the ferry flight provision specified in the material referenced in paragraph (3) of EASA AD 2023–0044; for this AD, refer to paragraph (j) of this AD.

(10) Where the material referenced in paragraph (3) of EASA AD 2023–0044 specifies contacting Airbus Helicopters if the damaged module cannot be identified, this AD requires, before further flight, accomplishing action in accordance with a method approved by the FAA, EASA, or Airbus Helicopters' EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(11) Where paragraph (5) of EASA AD 2023–0044 states ''to contact AH for corrective action(s) instructions, and within the compliance time specified therein, to accomplish those instructions accordingly'' for this AD, replace that text with

''accomplishing corrective actions in accordance with a method approved by the FAA, EASA, or Airbus Helicopters' EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.''

(12) Where paragraph (7) of EASA AD 2023–0044 states ''since new (first installation a helicopter), or since an overhaul, or since an inspection in accordance with the instructions of the ASB, as applicable, and, thereafter, as required by this AD;'' for this AD, replace that text with ''since new (zero total hours time-in-service), or since last overhaul if an overhaul has been accomplished, or since last inspection and any specified corrective action in accordance with the instructions of the ASB if an inspection and any specified corrective action by following the instructions of the ASB have been accomplished, and thereafter as required by this AD.''.''

(13) This AD does not adopt the ''Remarks'' section of EASA AD 2023–0044.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2023–0044 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Special Flight Permit

A special flight permit may be issued in accordance with 14 CFR 21.197 and 21.199 to permit a one-time, non-revenue flight to a location where the actions required by this AD can be accomplished. This flight must be performed with only essential flight crew.

(k) Alternative Methods of Compliance (AMOCs)

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

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

(l) Related Information

For more information about this AD, contact Dan McCully, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (404) 474–5548; email: *william.mccully@faa.gov.*

(m) 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 the AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2023–0044, dated February 28, 2023.

(ii) [Reserved]

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

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

(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 29, 2024.

Victor Wicklund,

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

[FR Doc. 2024–25615 Filed 11–4–24; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 734, 740, 742, 744, 746, and 774

[Docket No. 241030–0286]

RIN 0694–XC109

Public Briefing on Revisions to Space-Related Export Controls Under Export Administration Regulations and International Traffic in Arms Regulations

AGENCY: Bureau of Industry and Security, U.S. Department of Commerce.

ACTION: Notification of public briefing on regulatory actions.

SUMMARY: On October 23, 2024, the Bureau of Industry and Security (BIS) published in the **Federal Register** a proposed rule, ''Export Administration Regulations: Revisions to Space-Related Export Controls, including Addition of License Exception Commercial Space Activities (CSA).'' On the same day, the State Department's Directorate of Defense Trade Controls (DDTC) published in the **Federal Register** a proposed rule, ''International Traffic in Arms Regulations (ITAR): U.S. Munitions List Categories IV and XV.'' This document announces that, on November 6, 2024, BIS will host a public briefing on these proposed rules. This document also provides details on the procedures for participating in the public briefing. Elsewhere in this issue of the **Federal Register**, BIS is publishing notification of the public briefing on related final rules.

DATES:

Public briefing: The public briefing will be held on November 6, 2024. The public briefing will begin at 1 p.m. Eastern Standard Time (EST) and conclude at 3 p.m. EST.

Deadline to register: Register no later than November 1, 2024, to attend in person. Register by November 5, 2024, for virtual participation.

Deadline for submitting questions for the public briefing: Questions for the briefing must be received no later than 5 p.m. EST, November 4, 2024.

ADDRESSES:

In-Person: The public briefing will be held at the Commerce Research Library at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. Register at: *space.commerce.gov/export24.* In-person attendance is limited to the capacity of the room.

Virtual: To attend this event virtually, register at *space.commerce.gov/export24.*

Submitting questions: Submit questions in writing through the registration links at *space.commerce.gov/export24.*

Recordkeeping: A summary of the briefing and Q&A will be posted for the record at *space.commerce.gov/export24* and at *regulations.gov.*

FOR FURTHER INFORMATION CONTACT: For questions, contact Joseph A. Cristofaro, Director, Sensors, Aerospace and Marine Division, Office of National Security Controls, Bureau of Industry and Security, U.S. Department of Commerce, at (202) 482–2440 or by email: *Joseph.Cristofaro@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

On October 23, 2024, BIS published the proposed rule ''Export Administration Regulations: Revisions to Space-Related Export Controls, including Addition of License Exception Commercial Space Activities (CSA)'' (89 FR 84784), which proposed changes to controls for spacecraft and related items under the EAR that would conform to proposed changes to the International Traffic in Arms Regulations related to U.S. Munitions List Categories IV and XV. This rule also proposed the addition of a new license exception for certain Commercial Space Activities (CSA). These proposed rules are intended to better enable a globally competitive U.S. space industrial base while continuing to protect U.S. national security and foreign policy interests.

On the same day, the State Department published the proposed rule ''International Traffic in Arms Regulations (ITAR): U.S. Munitions List Categories IV and XV'' (89 FR 84482). The rule proposes to amend the International Traffic in Arms Regulations (ITAR) to revise U.S. Munitions List (USML) Categories IV and XV and related sections of the ITAR to clarify and standardize the regulatory text, add items that warrant designation on the USML, and remove those items that no longer warrant designation on the USML. The rule further proposes to add three new license exemptions to the ITAR.

Public Briefing

On November 6, 2024, the Bureau of Industry and Security will host a public briefing to address the details of and answer questions on these related proposed rules and the final rules discussed elsewhere in this issue of the **Federal Register**. The Department of Commerce, the State Department, and other U.S. Government agencies, as appropriate, will participate in the public briefing. The public briefing will be held on November 6, 2024, at the Commerce Research Library of the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. The public briefing will begin at 1 p.m. EST and conclude at 3 p.m. EST.

Procedure for Requesting Participation

To participate in the public meeting virtually or in-person, register at: *space.commerce.gov/export24* no later than November 1, 2024, to attend in person, or by November 5, 2024, for virtual participation. for virtual participation. Note that due to space limitations, the capacity for in-person participation is limited. Once in-person capacity is reached, additional registrants will be directed to participate virtually. This web page will also display the agenda of the public meeting and any other necessary information. This web page will also display the agenda of the public meeting and any other necessary information.

Procedure for Submitting Questions

In-person and virtual attendees are encouraged to submit written questions in advance of the briefing through the registration links at *space.commerce.gov/export24.* Questions must be received by 5 p.m. EST on Monday, November 4, 2024. Note that while public questions will also be accepted during the public briefing if there is available time, written questions will be prioritized.

All questions and answers from the public meeting will be posted at *space.commerce.gov/export24* and at the Federal eRulemaking Portal at *http://www.regulations.gov* under the docket numbers BIS–2018–0029 or BIS 2024–0031. Related records are made accessible in accordance with the regulations published in 15 CFR part 4.

Special Accommodations

For any special accommodation needs, please send an email to: *space.commerce@noaa.gov.*

Matthew S. Borman,

Principal Deputy Assistant Secretary for Strategic Trade and Technology Security.

[FR Doc. 2024–25715 Filed 11–1–24; 8:45 am]

BILLING CODE 3510–33–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2023–0206; FRL–11037.1–02–R3]

Air Plan Disapproval; Delaware; Removal of Excess Emissions Provisions; Proposed Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed action.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to determine that a portion of an October 23, 2023, final disapproval action of a State implementation plan (SIP) revision submitted by the State of Delaware was in error and to make a correction pursuant to section 110(k)(6) of the Clean Air Act (CAA).

DATES: Comments must be received on or before December 5, 2024.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2023–0206 at *www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: General questions concerning this publication should be addressed to Sean Silverman, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103; by telephone (215) 814–5511 or by email at *silverman.sean@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. How is the preamble organized?

The information presented in this preamble is organized as follows:

Table of Contents

I. General Information
A. How is the preamble organized?
II. Background
III. What is the EPA's authority to correct errors in SIP rulemakings?
IV. What is the EPA proposing to correct?
V. What action is the EPA taking?
VI. Statutory and Executive Order Reviews

II. Background

This proposed action is to correct an error in an earlier EPA action, using the authority of section 110(k)(6) of the CAA. Section 110(k)(6) provides the EPA with explicit authority to correct errors in prior rulemaking actions:

> Whenever the Administrator determines that the Administrator's action approving, disapproving, or promulgating any plan or plan revision (or part thereof), area designation, redesignation, classification, or reclassification was in error, the Administrator may in the same manner as the approval, disapproval, or promulgation revise such action as appropriate without requiring any further submission from the State. Such determination and the basis thereof shall be provided to the State and the public.

Section 110(k)(6) of the CAA has been interpreted by courts as a ''broad provision [that] was enacted to provide the EPA with an avenue to correct its own erroneous actions and grant the EPA the discretion to decide when to act pursuant to the provision.'' *Ass'n of Irritated Residents* v. *EPA,* 790 F.3d 934, 948 (9th Cir. 2015).

The EPA notes that this statutory provision provides the EPA with authority to make corrections to actions

on SIP submissions that are subsequently found to be in error. While CAA section 110(k)(6) provides the EPA with the authority to correct its own ''error,'' nowhere does this provision or any other provision in the CAA define what qualifies as ''error,'' and the EPA has used this explicit statutory authority on multiple occasions to correct various types of errors.[1]

The error at issue here occurred in an October 23, 2023, EPA action [2] disapproving revisions to the State of Delaware's SIP which were submitted in response to the 2015 Startup, Shutdown, and Malfunction (SSM) SIP Action.[3] On June 12, 2015, the EPA finalized the 2015 SSM SIP Action, which clarified, restated, and updated the EPA's national policy regarding SIP provisions applying to excess emissions during periods of startup, shutdown, and malfunction. As part of the 2015 SSM SIP Action, the EPA issued a finding that certain SIP provisions for 36 states that were applicable in 45 statewide and local jurisdictions were substantially inadequate to meet CAA requirements due to how those SIP provisions treated excess emissions during SSM periods. Further, the EPA issued a ''SIP call'' to each of those 45 air agencies, including the State of Delaware, on the basis that Delaware's SIP contained impermissible director's discretion provisions that were substantially inadequate to meet CAA requirements.[4] To respond to the EPA's SIP call in the 2015 SSM SIP Action, each affected State was required to submit its corrective SIP revision by November 22, 2016. The State of Delaware submitted a SIP revision purporting to address the seven issues identified in EPA's 2015 SSM SIP Action on November 22, 2016. On October 23, 2023, the EPA took final action [5] disapproving certain portions of Delaware's November 22, 2016, SIP revision based on EPA's finding that the SIP revision did not correct the remaining deficiencies in Delaware's SIP identified by the 2015 SSM SIP Action.[6]

On March 1, 2024, the United States Court of Appeals for the District of Columbia Circuit issued a decision in *Environ. Comm. Fl. Elec. Power* v. *EPA,* 94 F.4th 77 (D.C. Cir. 2024). The case was a consolidated set of petitions for review of the EPA's 2015 SSM SIP Action. The Court granted the petitions in part, vacating the SIP calls that were based on SIP provisions that included automatic exemptions, director's discretion provisions, and ''complete affirmative defenses'' (*i.e.,* affirmative defenses that are functionally exemptions); and denied the petitions in part, affirming the SIP calls based on SIP provisions that included overbroad enforcement discretion provisions and affirmative defenses against specific relief. As a result of the D.C. Circuit's decision in *Environ. Comm. Fl. Elec. Power* v. *EPA,* certain portions of the EPA's SIP call in the 2015 SSM SIP Action were vacated by the D.C. Circuit and therefore have no legal effect. Thus, certain states subject to the 2015 SSM SIP Action no longer have a legal obligation to submit the revisions that the EPA had originally determined were required to correct the deficiency identified in the SIP call.[7] In other words, by partially vacating the EPA's 2015 SSM SIP Action, the D.C. Circuit's decision rendered Delaware's SIP submission in response to the 2015 SSM SIP Action voluntary rather than mandatory. As a result, the EPA is proposing to correct the EPA's October 23, 2023, disapproval action with respect to the consequences of that disapproval.

III. What is the EPA's authority to correct errors in SIP rulemakings?

Section 110(k)(6) of the CAA provides the EPA with the authority to make corrections to actions on CAA implementation plans that are subsequently found to be in error. *Ass'n of Irritated Residents* v. *EPA,* 790 F.3d at 948 (110(k)(6) is a ''broad provision [that] was enacted to provide the EPA with an avenue to correct its own erroneous actions''). The key provisions of section 110(k)(6) are that the Administrator has the authority to ''determine'' that an action approving, disapproving, or promulgating a plan was ''in error,'' and when the Administrator does so, may then revise the action ''as appropriate,'' in the same manner as the prior action.[8] Moreover, CAA section 110(k)(6) ''confers discretion on the EPA to decide if and when it will invoke the statute to revise a prior action.'' *Ass'n of Irritated Residents* v. *EPA,* F.3d at 948 (section 110(k)(6) grants the ''EPA the discretion to decide when to act pursuant to the provision''). While CAA section 110(k)(6) provides the EPA with the authority to correct its own ''error,'' nowhere does this provision or any other provision in the CAA define what qualifies as ''error.'' Thus, the EPA believes that the term should be given its plain language, everyday meaning, which includes all unintentional, incorrect, or wrong actions or mistakes.[9] Under CAA section 110(k)(6), the EPA must make an error determination and provide ''the basis thereof.'' There is no indication that this is a substantial burden for the EPA to meet. To the contrary, the requirement is met if the EPA clearly articulates the error and basis thereof. 790 F.3d at 948; *see also* 85 FR 73636, 73638 (November 19, 2020). The EPA's error in the prior action disapproving Delaware's SIP revision is discussed below.

IV. What is the EPA proposing to correct?

In this action, the EPA is proposing to correct the erroneous triggering of mandatory sanctions under CAA section 179 and 40 CFR 52.31 for the State of Delaware following its October 23, 2023 (88 FR 72688), disapproval of Delaware's SIP revision submitted in response to the 2015 SSM SIP call. The EPA is also proposing to correct the erroneous triggering of the EPA's obligation to issue a Federal Implementation Plan (FIP) under CAA section 110(c)(1)(B). As discussed in section II of this document, the D.C. Circuit's decision in *Environ. Comm. Fl. Elec. Power* v. *EPA* vacated several portions of the 2015 SSM SIP call, rendering those portions as no longer having a legal effect. As a result, the states with provisions to which those vacated portions of the SIP call previously applied, including Delaware, no longer have a legal obligation to submit the revisions that the EPA had originally determined were required to correct the identified deficiency. As such, the SIP revision submitted by Delaware on November 22, 2016, is no

[1] *See, e.g.,* 89 FR 76737 (September 19, 2024); 85 FR 57733 (September 16, 2020); 82 FR 14461 (March 21, 2017).

[2] 88 FR 72688 (October 23, 2023).

[3] State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction, 80 FR 33840 (June 12, 2015).

[4] *See* 78 FR 12460, 12495–12496 (February 22, 2013) and 80 FR 33840 at 33960 (June 12, 2015).

[5] *See* 88 FR 72688 (October 23, 2023).

[6] EPA Region 3 issued two final actions that corrected three of Delaware's seven deficient SIP provisions originally identified in EPA's 2015 SSM SIP call. *See* 87 FR 41074 (July 11, 2022) and 88 FR 9399 (February 14, 2023). On October 23, 2023 (88 FR 72688), the EPA Region 3 finalized disapproval of Delaware's SIP revision that sought to correct the remaining four deficient provisions.

[7] In vacating certain portions of the 2015 SSM SIP Action, the D.C. Circuit's decision did not determine whether the SIP-called provisions were otherwise lawful under the CAA. *See e.g.* 94 F.4th at 110 (''We thus do not reach the question whether the called SIPs' relevant emission restrictions in fact amount to (or must amount to) ''emission limitations'' per the statutory definition.'').

[8] *See* 85 FR 73636, 73637 (November 19, 2020).

[9] *See* 85 FR 73637–38 (November 19, 2020).

longer considered a mandatory submission; EPA is therefore proposing to find that the EPA's October 23, 2023 (88 FR 72688), disapproval action should not trigger imposition of mandatory sanctions under CAA section 179 and 40 CFR 52.31 or a FIP obligation under CAA 110(c)(1)(B). The EPA notes that it is not proposing to correct the merits of the October 23, 2023 disapproval nor is it withdrawing that disapproval action—the EPA does not believe that the substantive basis for the disapproval as explained in that final action was erroneous; rather, the EPA is proposing to find that because the SIP submittal itself is no longer mandatory following the D.C. Circuit's partial vacatur, the triggering of sanctions under section 179 and 40 CFR 52.31, and the triggering of the EPA's FIP obligation under 110(c)(1)(B), was in error. Therefore, if the EPA finalizes this error correction action as proposed, the imposition of sanctions for the State of Delaware and the FIP obligation for the EPA that were triggered as result of the October 23, 2023 (88 FR 72688), final disapproval action would no longer be in effect.

IV. What action is the EPA taking?

As a result of the D.C. Circuit's decision in *Environ. Comm. Fl. Elec. Power* v. *EPA,* the EPA is proposing to determine that, pursuant to section 110(k)(6) of the CAA, a portion of the EPA's October 23, 2023 (88 FR 72688), final disapproval action of Delaware's SIP revision was in error with respect to the consequences of that disapproval. By partially vacating the EPA's 2015 SSM SIP Action, the D.C. Circuit's decision rendered Delaware's SIP submission in response to the 2015 SSM SIP action voluntary rather than mandatory. Thus, the EPA is proposing to find that the triggering of mandatory sanctions and FIP obligation following the October 23, 2023 (88 FR 72688), final disapproval was erroneous and, through this action, is proposing to terminate the imposition of sanctions for the State and the FIP obligation for the EPA triggered by that disapproval as they are no longer legally valid.

V. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders (E.O.) can be found at *www.epa.gov/laws-regulations/laws-and-executive-orders.*

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the CAA. This action merely corrects an error in EPA's prior action 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 is an error correction taken under section 110(k)(6) of the CAA and does not directly or disproportionately affect children.
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.
- In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the action 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

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. EPA defines environmental justice (EJ) as ''the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.'' EPA further defines the term fair treatment to mean that ''no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.''

The air agency did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. EPA did not perform an EJ analysis and did not consider EJ in this action as the EPA views this action as a necessary procedural step following the D.C. Circuit decision and vacatur of portions of the 2015 SIP call. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

List of Subjects in 40 CFR Part 52

Environmental protection, Administrative practice and procedures, Air pollution control, Approval and promulgation of implementation plans, Incorporation by reference, Intergovernmental relations, and Reporting and recordkeeping requirements.

Adam Ortiz,

Regional Administrator, EPA Region III.

[FR Doc. 2024–25457 Filed 11–4–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R09–OAR–2024–0339; FRL–12125–01–R9]

Air Plan Approval; Arizona; Yuma 2015 8-Hour Ozone Nonattainment Area; Redesignation Request and Maintenance Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve the State of Arizona's request to redesignate the Yuma nonattainment area from nonattainment to attainment for the 8-hour national ambient air quality standards (NAAQS or ''standard'') for ozone promulgated in 2015 (''2015 ozone NAAQS''). The EPA is also proposing to approve the ''SIP Revision: 2015 Ozone NAAQS, Yuma Redesignation Request and Maintenance Plan'' (''Yuma Maintenance Plan'' or ''Plan'') as a revision to the State Implementation Plan (SIP) for the State of Arizona. The Yuma Maintenance Plan includes, among other elements, an emissions inventory consistent with attainment, a maintenance demonstration, contingency provisions, and a motor vehicle emissions budget for the first ten-year maintenance period. With this proposed rulemaking, the EPA is beginning the adequacy process for the 2020, 2030, and 2037 motor vehicle emissions budgets. The EPA is proposing these actions because this SIP revision meets the applicable Clean Air Act (CAA or ''the Act'') requirements for maintenance plans and because the State has met the requirements under the Act for redesignation of a nonattainment area to attainment with respect to the Yuma 2015 ozone NAAQS nonattainment area (''Yuma area'').

DATES: Written comments must arrive on or before December 5, 2024.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2024–0339 at *https://www.regulations.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.* 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: Andrew Ledezma, Planning and Analysis Branch (AIR–2), Air and Radiation Division, EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105, (415) 972–3985, or by email at *Ledezma.Andrew@epa.gov.*

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

Table of Contents

I. Background
A. The 2015 Ozone National Ambient Air Quality Standards
B. The Yuma Area and Regulatory Actions
C. CAA and Regulatory Requirements for Redesignations and Maintenance Plans
II. Submissions From the State of Arizona To Redesignate the Yuma Area to Attainment for the 2015 Ozone NAAQS
A. Summary of State Submissions
B. CAA Procedural Requirements for Adoption and Submission of SIP Revisions
III. Evaluation of Arizona's Redesignation Request for the Yuma Area
A. Evaluation of Whether the Yuma Area Has Attained the 2015 Ozone NAAQS
B. The Area Must Have a Fully Approved SIP Meeting the Requirements Applicable for the Purposes of Redesignation Under Section 110 and Part D of the CAA
C. The Area Must Show That the Improvement in Air Quality Is Due to Permanent and Enforceable Emissions Reductions
D. The Area Must Have a Fully Approved Maintenance Plan Under CAA Section 175A
IV. Proposed Action and Request for Public Comment
V. Statutory and Executive Order Review

I. Background

A. The 2015 Ozone National Ambient Air Quality Standards

Ground-level ozone pollution is formed from the reaction of volatile organic compounds (VOC) and oxides of nitrogen (NO_X) in the presence of sunlight. These two pollutants, referred to as ozone precursors, are emitted by many types of sources, including on- and nonroad motor vehicles and engines, power plants and industrial facilities, and smaller area sources such as lawn and garden equipment and paints.

Scientific evidence indicates that adverse public health effects occur following exposure to ozone, particularly in children and adults with lung disease. Breathing air containing ozone can reduce lung function and inflame airways, which can increase respiratory symptoms and aggravate asthma or other lung diseases.[1]

Under section 109 of the Act, the EPA promulgates NAAQS for pervasive air pollutants, such as ozone. The NAAQS are concentration levels the EPA has determined to be requisite to protect public health and welfare. On February 8, 1979, the EPA established primary and secondary NAAQS for ozone at 0.12 parts per million (ppm) averaged over a 1-hour period.[2] On July 18, 1997, the EPA revised the primary and secondary standards for ozone to set the acceptable level of ozone in the ambient air at 0.080 ppm averaged over an 8-hour period (''1997 ozone NAAQS'').[3]

In 2008, the EPA lowered the 8-hour ozone NAAQS to 0.075 ppm (''2008 ozone NAAQS'') to revise the 1997 ozone NAAQS.[4] Then, in 2015, the EPA lowered the primary and secondary 8-hour ozone NAAQS to 0.070 ppm (''2015 ozone NAAQS'' or ''standard'' [5]).[6] Most recently, in December 2020, the EPA finalized review of the ozone NAAQS, retaining the form and level of the standards.[7] As a result, no new ozone area designations were triggered under the CAA, and therefore, no new nonattainment area requirements will apply. This action pertains to only the 2015 ozone NAAQS.

B. The Yuma Area and Regulatory Actions

Following promulgation of a new or revised NAAQS, the EPA is required by the CAA to promulgate designations for areas throughout the U.S. in accordance with section 107(a)(1) of the CAA. Effective August 3, 2018, the EPA

[1] ''Fact Sheet—2008 Final Revisions to the National Ambient Air Quality Standards for Ozone,'' dated March 2008.

[2] See 44 FR 8202 (February 8, 1979).

[3] See 62 FR 38856. On April 30, 2004, the EPA designated and classified areas of the country with respect to the 1997 ozone NAAQS. See 69 FR 23858.

[4] 73 FR 16436 (March 27, 2008).

[5] Since the primary and secondary 2015 ozone standards are the same, we hereafter refer to them herein using the singular ''2015 ozone NAAQS'' or ''standard.''

[6] 80 FR 65292 (October 26, 2015).

[7] 85 FR 87256 (December 31, 2020). This proposed action relates to the requirements for the 2015 ozone NAAQS. Information regarding the December 31, 2020 retention of the prior 2015 ozone NAAQS is provided for reference only.

established the initial air quality designations for most areas in the United States for the 2015 ozone NAAQS.[8] The EPA designated the Yuma area as ''Marginal'' nonattainment for the 2015 ozone NAAQS based on monitoring data from 2014–2016. Areas classified as Marginal must attain the NAAQS within three years of the effective date of the nonattainment designation.[9] The Yuma area covers 52 square miles in the Sonoran Desert region of southwestern Arizona and is adjacent to California and the international border with Mexico.[10] In response to the designation and classification of the Yuma area as a Marginal area, Arizona submitted to the EPA revisions to its nonattainment new source review (NNSR) program. The EPA approved the revisions and determined that the NNSR program meets the applicable NNSR program requirements for areas classified as Marginal nonattainment for the 2015 ozone NAAQS.[11] Arizona also submitted a plan titled ''Marginal Ozone Plan for the Yuma Nonattainment Area'' and a technical supplement which address the emissions inventory requirement in CAA section 182(a)(1) and the emissions statement requirement in CAA section 182(a)(3). The EPA approved the emissions inventory for the Yuma area on April 5, 2022,[12] and the emissions statement on July 29, 2022.[13]

On October 7, 2022, the EPA determined that the Yuma area attained the 2015 ozone NAAQS by August 3, 2021, the attainment deadline specified by the Act, with a design value of 0.068 ppm.[14] The EPA relied on 2018–2020 quality-assured, certified ambient ozone data in making the determination that the Yuma area had attained the NAAQS by the applicable date.

C. CAA and Regulatory Requirements for Redesignations and Maintenance Plans

The CAA establishes the criteria that must be met for the EPA to redesignate a nonattainment area to attainment for a given NAAQS. Specifically, section 107(d)(3)(E) sets forth the following criteria: (1) the EPA must determine that the area has attained the applicable NAAQS; (2) the EPA must have a fully approved SIP for the area under CAA section 110(k); (3) the EPA must determine that the improvement in air quality is due to permanent and enforceable reductions in emissions; (4) the EPA must have fully approved a maintenance plan for the area as meeting the requirements of CAA section 175A; and, (5) the State must have met all requirements applicable to the area under section 110 and title I, part D (''part D'') of the CAA. Section 110 identifies a comprehensive list of elements that must be included in SIPs, and part D establishes the SIP requirements for nonattainment areas. Part D is divided into six subparts. The generally applicable SIP requirements for nonattainment areas are found in subpart 1 of part D, and the ozone-specific SIP requirements are found in subpart 2 of part D. The EPA provided guidance on redesignations in a document titled ''State Implementation Plans; General Preamble for the Implementation of title I of the Clean Air Act Amendments of 1990,'' published in the **Federal Register** on April 16, 1992,[15] and supplemented on April 28, 1992 [16] (collectively referred to herein as the ''General Preamble''). The EPA issued additional guidance in two memoranda: a September 4, 1992 memorandum from John Calcagni, titled ''Procedures for Processing Requests to Redesignate Areas to Attainment'' (''Calcagni memo'');[17] and a 1995 memorandum from Mary D. Nichols, titled ''Part D New Source Review (part D NSR) Requirements for Areas Requesting Redesignation to Attainment'' (''Nichols memo'').[18]

The EPA's approval of a State's maintenance plan is one of the CAA prerequisites for redesignation of a nonattainment area to attainment. Section 175A of the CAA provides the general framework for a State's maintenance plans. A State's initial 10-year maintenance plan must provide for maintenance of the NAAQS for at least 10 years after redesignation and include any additional control measures necessary to ensure such maintenance. In addition, maintenance plans must contain contingency provisions necessary to assure the prompt correction of a violation of the NAAQS during the maintenance period. At a minimum, these contingency provisions must include a requirement that a State will implement all control measures contained in the nonattainment SIP prior to redesignation. Because a State's maintenance plan submittals are SIP revisions, the EPA is obligated under CAA section 110(k) to approve them or disapprove them depending upon whether they meet the applicable CAA requirements for such plans outlined above.

For the reasons described in section III of this proposal, the EPA is proposing to approve the Yuma Maintenance Plan and approve Arizona's request for redesignation of the Yuma area to attainment for the 2015 ozone NAAQS. The EPA's proposed approvals are based on our conclusion that Arizona has satisfied all the criteria under CAA section 107(d)(3)(E).

II. Submissions From the State of Arizona To Redesignate the Yuma Area to Attainment for the 2015 Ozone NAAQS

A. Summary of State Submissions

On December 27, 2023, the Arizona Department of Environmental Quality (ADEQ) submitted to the EPA its redesignation request and the Yuma Maintenance Plan as a revision to the Arizona SIP.[19] This document addresses all of the CAA section 107(d)(3)(E) requirements for redesignating a nonattainment area to attainment for the NAAQS and includes the required maintenance plan elements. The Yuma Maintenance Plan is organized into eight chapters and two appendices. Appendix A of the Plan provides technical support for the emissions inventory, and appendix B of the Plan contains the procedural requirements and authority to implement the Yuma Maintenance Plan.

[8] 83 FR 25776 (June 4, 2018).

[9] CAA section 181(a)(1), 40 CFR 51.1102 and 51.1103(a).

[10] The Yuma nonattainment area is bounded on the north and west by the Arizona state line, bounded on the south by the line of latitude at 32°39′20″ N, bounded on the east by the line of longitude 114°33′50″ W, and excluding the section 10, 11, and 12 of township T9S, R23W and any portion in Indian Country. See 40 CFR 81.303.

[11] 89 FR 22963 (April 3, 2024).

[12] 87 FR 19629 (April 5, 2022).

[13] 87 FR 45657 (July 29, 2022).

[14] 87 FR 60897 (October 7, 2022). The design value for the 2015 ozone NAAQS is the fourth-highest daily maximum 8-hour average concentration of ozone averaged over a three-year period. 40 CFR part 50, appendix U.

[15] 57 FR 13498 (April 16, 1992).

[16] 57 FR 18070 (April 28, 1992).

[17] Memorandum dated September 4, 1992, from John Calcagni, Air Quality Management Division, U.S. EPA, to Regional Air Directors, Regions I–X, Subject: ''Procedures for Processing Requests to Redesignate Areas to Attainment,'' available at *https://www.epa.gov/sites/default/files/2016-03/documents/calcagni_memo_-_procedures_for_processing_requests_to_redesignate_areas_to_attainment_090492.pdf.*

[18] Memorandum dated October 14, 1994, from Mary D. Nichols, Assistant Administrator, U.S. EPA, to EPA Regional Air Directors, Region I–X, Subject: ''Part D New Source Review (part D NSR) Requirements for Areas Requesting Redesignation to Attainment,'' available at *https://www.epa.gov/sites/default/files/2015-07/documents/101494m.pdf.*

[19] Letter dated December 27, 2023, from Hether Krause, Deputy Assistant Director, ADEQ, to Martha Guzman, Regional Administrator, EPA Region IX.

B. CAA Procedural Requirements for Adoption and Submission of SIP Revisions

CAA sections 110(a) and 110(l) require a State to provide reasonable public notice and opportunity for public hearing prior to the adoption and submission of a SIP revision to the EPA. To meet this procedural requirement, a State must include evidence that it provided adequate public notice and an opportunity for a public hearing, consistent with the EPA's implementing regulations in 40 CFR 51.102.

ADEQ's December 27, 2023 SIP submittal includes documentation of the public process conducted by ADEQ in its adoption the Yuma Maintenance Plan.[20] On November 15, 2023, ADEQ released a draft version of the plan for public review and published a notice of public meeting to be held on December 15, 2023, to consider the adoption of the Yuma Maintenance Plan. ADEQ adopted the Yuma Maintenance Plan on December 15, 2023, following a public hearing, as documented in the public hearing presiding officer certification [21] and public hearing transcript.[22] Based on the documentation in the December 27, 2023 SIP submittal, ADEQ has satisfied the applicable statutory and regulatory requirements for reasonable public notice and hearing prior to adoption and submission of the Plan. Therefore, the submission of the Yuma Maintenance Plan meets the procedural requirements for public notice and hearing in CAA sections 110(a) and 110(l) and in 40 CFR 51.102.

On June 23, 2024, the Yuma Maintenance Plan became complete by operation of law pursuant to CAA section 110(k)(1)(B).[23]

III. Evaluation of Arizona's Redesignation Request for the Yuma Area

A. Evaluation of Whether the Yuma Area Has Attained the 2015 Ozone NAAQS

1. Statutory and Regulatory Requirements

Pursuant to section 107(d)(3)(E)(i) of the CAA, for a nonattainment area to be redesignated to attainment, the EPA must determine that the area has attained the relevant NAAQS. The EPA interprets this requirement to mean that the area must have an attaining design value based on the most recently available and quality-assured air quality monitoring data, collected in accordance with the requirements of 40 CFR part 58.[24] These requirements include quality assurance procedures for monitor operation and data handling, siting parameters for instruments or instrument probes, and minimum ambient air quality monitoring network requirements.[25] State, local, or Tribal agencies that operate air monitoring sites in accordance with 40 CFR part 58 must enter the ambient air quality data from these sites in the EPA Air Quality System (AQS) database.[26] These monitoring agencies certify annually that these data are accurate to the best of their knowledge, taking into consideration the quality assurance findings.[27] Accordingly, the EPA relies primarily on AQS data when determining the attainment status of an area.

In accordance with 40 CFR part 50, appendix U, the EPA's finding of attainment of the 2015 ozone NAAQS must be based upon complete, certified data gathered at monitoring sites in the nonattainment area in accordance with 40 CFR part 58 and entered into AQS.[28] Under 40 CFR 50.19 and in accordance with part 50, appendix U, an area meets the 2015 ozone NAAQS when the design value at each eligible monitoring site within the area is less than or equal to 0.070 ppm, based on the calculations set forth in 40 CFR part 50, appendix U.[29]

To have a valid design value showing attainment of the ozone standard at a given monitoring site, the ambient air quality data must meet data completeness or substitution requirements for each year under consideration. The completeness requirements are met when at least 90 percent of the days in the ozone season are complete,[30] on average, for the three-year period, with a minimum of at least 75 percent of the complete days within the ozone monitoring period in any one year.[31] When computing whether the minimum data completeness requirements have been met, meteorological or ambient data may be sufficient to demonstrate that meteorological conditions on missing days were not conducive to concentrations above the level of the 2015 ozone NAAQS. Missing days assumed less than the level of the 2015 ozone NAAQS are counted for the purpose of meeting the minimum data completeness requirements, subject to the approval of the Regional Administrator.[32]

2. Monitoring Network Review, Quality Assurance, and Data Completeness

ADEQ is the governmental agency with the authority and responsibilities under the State's laws for collecting ambient air quality data in the Yuma area. As a result, ADEQ submits annual monitoring network plans to the EPA.[33] These plans document the status of ADEQ's air monitoring network, as required under 40 CFR 58.10. The EPA reviews these annual network plans for compliance with the specific requirements in 40 CFR part 58. With respect to ozone, we have found that the annual network plans submitted by ADEQ met these requirements under 40 CFR part 58, including the minimum monitoring requirements.[34] Yuma Supersite (AQS ID No. 04–027–8011) is the only ozone monitor in the Yuma area.

In accordance with 40 CFR 58.15, ADEQ certifies annually that the previous years' ambient concentration and quality assurance data are completely submitted to AQS and that

[20] ADEQ submitted a signed version of its ''Notice of Public Hearing'' published online, and in print in The Arizona Republic on November 14 and 15, 2023 and in the Yuma Sun on November 14, 2023.

[21] ADEQ submitted a signed version of the ''Public hearing presiding officer certification,'' which certifies that ADEQ conducted public hearing on December 15, 2023.

[22] ADEQ submitted a written transcript of the public hearing conducted on December 15, 2023, in which the Yuma Maintenance Plan was adopted.

[23] For more information regarding the completeness criteria as per CAA section 110(k)(1)(A) and 40 CFR part 51, appendix V, see the completeness checklist in the Yuma Maintenance Plan, v–viii.

[24] 57 FR 13948 at 13563 (April 12, 1992).

[25] 40 CFR 58.2(a).

[26] 40 CFR 58.16. AQS is the EPA's national repository of ambient air quality data.

[27] 40 CFR 58.15(a).

[28] 40 CFR part 50, appendix U, section 3.

[29] The 2015 ozone NAAQS design value is the annual fourth-highest daily maximum 8-hour average ozone concentration, averaged over three years.

[30] Ozone season refers to seasons of the year that are conducive to ozone formation, identified on a state-by-state basis per 40 CFR part 58, appendix D 4.1(i), table D–3. The Yuma Maintenance Plan identifies their high ozone season as April to September. Yuma Maintenance Plan, 9.

[31] 40 CFR part 50, appendix U, section 4.b.

[32] 40 CFR part 50, appendix U, section 4.c.

[33] We have included in the docket for this rulemaking, EPA reviews of ADEQ annual network plans and the correspondence transmitting this review, *e.g.,* from Dena Vallano, Manager, Monitoring and Analysis Section, EPA Region IX, to Daniel Czecholinski, Air Division Director, ADEQ.

[34] See *e.g.,* ''Arizona Air Monitoring Network Plan for the Year 2023,'' Tables 2.1–10 and 2.1–11, ''Minimum Monitoring Requirements for O3.''

the ambient concentration data are accurate, taking into consideration the quality assurance findings.[35] Along with the certification letters, ADEQ submits a summary of the precision and accuracy data for all ambient air quality data.[36] The EPA's evaluations of the relevant quality assurance data are reflected in the associated AQS design value reports.[37] These reports include a certification evaluation and concurrence (''Cert&Eval'') flag indicating the overall quality of the corresponding monitoring data. Over the period of 2021–2023, the associated Cert&Eval flag in the design value report was ''Y'' for the monitoring site in the Yuma area,[38] meaning that ''[t]he certifying agency has submitted a certification letter, and EPA has no unresolved reservations about data quality (after reviewing the letter, the attached summary reports, the amount of quality assurance data submitted to AQS, the quality statistics, and the highest reported concentrations).'' [39]

The Yuma area Design Value Report also included a validity indicator (''Y'') that reflects whether the design value is valid (*i.e.,* calculated using data that meet the applicable completeness criteria). For the purposes of this proposal, we reviewed the data for the 2021–2023 period for completeness and determined that the ozone data collected by ADEQ met the completeness criterion at the ozone monitoring site in the Yuma area.[40]

Finally, the EPA conducts regular technical system audits (TSAs) where we review and inspect State and local ambient air monitoring programs to assess compliance with applicable regulations concerning the collection, analysis, validation, and reporting of ambient air quality data. For the purposes of this proposal, we reviewed the findings from the EPA's 2021 TSA of ADEQ's ambient air monitoring program.[41] In Finding 4 of the 2021 TSA, the EPA noted that ADEQ did not report all valid measurement quality checks to AQS as required by the CFR. ADEQ conducted nightly zero/precision/span checks on its ozone analyzers with certified transfer standards but did not report these to AQS. In the past, the rationale for not reporting these checks was that the stability was not tracked or was questionable given the limited time for the zero/precision/span to occur, (*i.e.,* 11:45 p.m.–12:15 a.m.). To address this finding, as of October 2023, ADEQ has begun to submit nightly ozone precision checks to AQS. The EPA did not recommend invalidating any data from the monitoring site in the Yuma area based on this TSA.

In summary, based on the EPA's reviews of the relevant monitoring network plans, certifications, quality assurance data, and the 2021 TSA, we propose to find that the ozone data collected in the Yuma area are suitable for determining whether the area has attained the 2015 8-hour ozone NAAQS based on the most recent certified data available in AQS.

3. Evaluation of Attainment

Table 1 shows the calculated 2015 ozone design values at the Yuma Supersite monitor (AQS ID No. 04–027–8011). The data show that the monitor in the Yuma area met the 2015 ozone NAAQS in the 2020–2022 period. In addition, preliminary data for 2024 shows that the Yuma Supersite monitor is attaining the 2015 ozone NAAQS.[42]

TABLE 1—YUMA SUPERSITE MONITOR (AQS ID NO. 04–027–8011) DESIGN VALUE FOR THE 2015 OZONE NAAQS FROM 2008–2022

[Parts per million (ppm)] [a]

Year	Design value
2010	0.073
2011	0.073
2012	0.077
2013	0.076
2014	0.077
2015	0.076
2016	0.074
2017	0.072
2018	0.071
2019	0.071
2020	0.068
2021	0.067
2022	0.068
2023	0.070

[a] Source: AQS, Design Value Report, dated May 1, 2024.

Consequently, based upon three complete, quality assured and certified data from 2021–2023, the EPA proposes to determine that the Yuma area has attained and continues to attain the 2015 ozone NAAQS.

B. The Area Must Have a Fully Approved SIP Meeting the Requirements Applicable for the Purposes of Redesignation Under Section 110 and Part D of the CAA

Sections 107(d)(3)(E)(ii) and (v) of the CAA require the EPA to determine that the area has a fully approved applicable SIP under CAA section 110(k) that meets all applicable requirements under section 110 and part D for the purposes of redesignation. We interpret the references to the ''applicable implementation plan'' and ''applicable requirements'' in section 107(d)(3)(E)(ii) and in 107(d)(3)(E)(v), respectively, to mean that a SIP must be fully approved only with respect to requirements that are applicable for purposes of redesignation. The CAA section 110 and part D requirements that are linked to a particular nonattainment area's designation and classification (except those directly related to attainment) are the relevant measures to evaluate in reviewing a redesignation request. Requirements that apply regardless of the designation of an area of a State are not applicable requirements for the purpose of redesignation, and the State will remain subject to these requirements after the nonattainment area is redesignated to attainment.[43] The EPA may rely on prior SIP approvals in

[35] We have included in our docket ADEQ's annual data certifications for 2020–2022. Annual data certification requirements can be found at 40 CFR 58.15.

[36] 40 CFR 58.15(c).

[37] AQS, Design Value Report (AMP480), dated February 21, 2024.

[38] In 2021, the one-point quality control check requirement was not met. ADEQ did not complete the required number of checks throughout the year. However, according to 40 CFR part 58, appendix A, section 1.2.3, failure to conduct or pass a required check or procedure, or a series of required checks or procedures, does not by itself invalidate data for regulatory decision making.

[39] AQS, Design Value Report (AMP480), dated February 21, 2024.

[40] Id.

[41] Technical Systems Audit of the Ambient Air Monitoring Program: Arizona Department of Environmental Quality, February 8–12, 2021; Final Report dated April 2022 (''2021 TSA''). The 2021 TSA is attached to its transmittal letter dated April 7, 2022, from Elizabeth J. Adams, EPA Region IX, to Bradley Busby, Manager, ADEQ.

[42] See ''AQS Quicklook Report,'' dated October 1, 2024, available in the docket for this proposed rule. At the Yuma Supersite, available data for 2024 on includes the first and second quarter of the year (January through June). Based on that first and second quarter, the fourth-highest 8-hour ozone concentration so far in 2014 is 0.068 ppm.

[43] See the Calcagni memo; memorandum dated September 17, 1993, from Michael Shapiro, Acting Assistant Administrator for Air and Radiation, Subject: ''State Implementation Plan (SIP) Requirements for Areas Submitting Requests for Redesignation to Attainment of the Ozone and Carbon Monoxide (CO) National Ambient Air Quality Standards (NAAQS) on or after November 15, 1992,''; 60 FR 12459, 12465–66 (March 7, 1995) (redesignation of Detroit-Ann Arbor, Michigan); 68 FR 25418, 25424–25427 (May 12, 2003) (redesignation of St. Louis, Missouri); and Sierra Club v. EPA, 375 F.3d 537, 541 (7th Cir. 2004) (upholding EPA's redesignation rulemaking applying this interpretation).

approving a redesignation request [44] as well as any additional measure or element it may approve in conjunction with a redesignation action.[45]

1. State Implementation Plan Requirements Under Section 110

The general SIP elements and requirements set forth in CAA section 110(a)(2) include, but are not limited to, the following: (1) submittal of a SIP that has been adopted by the State after reasonable public notice and hearing; (2) provisions for establishment and operation of appropriate procedures needed to monitor ambient air quality; (3) implementation of a source permitting program; (4) provisions for the implementation of part C requirements for prevention of significant deterioration (PSD); (5) provisions for the implementation of part D requirements for nonattainment new source review permit programs; (6) provisions for air pollution modeling; and (7) provisions for public and local agency participation in planning and emission control rule development.

On numerous occasions, Arizona has submitted, and the EPA has approved provisions addressing the basic CAA section 110 provisions. The Arizona SIP contains enforceable emissions limitations, requires monitoring, compiling, and analyzing of ambient air quality data; requires preconstruction review of new or modified stationary sources; provides for adequate funding, staff, and associated resources necessary to implement its requirements; and provides the necessary assurances that the State maintains responsibility for ensuring that the CAA requirements are satisfied in the event that local or regional agencies are unable to meet their CAA obligations. Most recently, on September 4, 2024, the EPA finalized a partial approval and partial disapproval of SIP revisions submitted by the State of Arizona with respect to the requirements of CAA section 110(a)(2) for the 2015 ozone NAAQS.[46] Specifically, the EPA partially disapproved the SIP revisions for CAA requirements in sections 110(a)(2)(C) (program for enforcement of control measures and regulation of new stationary sources), 110(a)(2)(D)(i)(II) (interference with maintenance of the NAAQS in any other State, or ''prong 3''), 110(a)(2)(D)(ii) (interstate pollution abatement, CAA section 126), and 110(a)(2)(J) (PSD and visibility protection). The deficiencies are adequately addressed by existing Federal implementation plans.

In conclusion, we find that there are no outstanding or disapproved applicable SIP submittals that prevent redesignation of the Yuma area for the 2015 ozone NAAQS. Therefore, we propose to conclude that the State has met all SIP requirements for the Yuma area that are applicable for purposes of redesignation under section 110 of the CAA.

2. State Implementation Plan Requirements Under Part D

Part D of the CAA establishes the plan requirements for nonattainment areas. Section 172(c) in subpart 1 of part D sets forth the basic requirements of air quality plans for States with nonattainment areas that are required to submit plans on a schedule pursuant to CAA section 172(b). Subpart 2 of part D, which includes section 182 of the CAA, establishes specific requirements for ozone nonattainment areas depending on the areas' nonattainment classifications. The Yuma area is classified as Marginal nonattainment for the 2015 ozone NAAQS, and thus, the area is subject to the subpart 1 requirements contained in CAA sections 172(c) and 176, as well as CAA section 182(c). A thorough discussion of the requirements contained in sections 172(c) and 182(c) can be found in the ''General Preamble for Implementation of Title I of the Clean Air Act Amendments of 1990.'' [47]

CAA requirements for ozone nonattainment areas are cumulative in that ''Extreme'' areas must also meet the applicable requirements for the four lesser classifications: Marginal, ''Moderate,'' ''Serious,'' and ''Severe.'' Because the Yuma area was classified as Marginal nonattainment for ozone, the area is only required to meet the applicable Marginal ozone requirements.[48] Since its classification as a Marginal nonattainment area, the State has adopted and the EPA has approved into the Arizona SIP the following Marginal area requirements for the Yuma area with respect to the 2015 ozone NAAQS: emissions inventories,[49] emissions statements,[50] and nonattainment new source review programs.[51]

In conclusion, we find that the Yuma area has a fully approved SIP under CAA section 110(k) that satisfies the criterion for redesignation under sections 107(d)(3)(E)(ii) and (v) of the CAA.

C. The Area Must Show That the Improvement in Air Quality Is Due to Permanent and Enforceable Emissions Reductions

To approve a redesignation to attainment, section 107(d)(3)(E)(iii) of the CAA requires the EPA to determine that the improvement in air quality is due to emissions reductions that are permanent and enforceable, and that the improvement results from the implementation of the applicable SIP, applicable Federal air pollution control regulations, and other permanent and enforceable regulations. Under this criterion, a State must be able to reasonably attribute the improvement in air quality to permanent and enforceable emissions reductions. Attainment resulting from temporary reductions in emissions (*e.g.,* reduced production or shutdown due to temporary adverse economic conditions) or unusually favorable meteorology would not qualify as an air quality improvement due to permanent and enforceable emissions reductions.[52]

ADEQ found that the Yuma area has demonstrated that the observed air quality improvements with respect to the 2015 ozone NAAQS are due to enforceable emissions reductions through the implementation of Federal vehicle standards, engine standards, and rules for boilers, reciprocating internal combustion engines, and electrical utility generation units. ADEQ found that, within the Yuma area, Federal regulations have been the primary measures contributing to permanent and enforceable emissions reductions, leading to attainment of the NAAQS.[53]

The Federal motor vehicle program and Federal fuel standards for sulfur content in diesel have contributed to attainment of the 2015 ozone NAAQS in the Yuma area by reducing VOC and NO_X.[54] Federal tier 2 and 3 motor vehicle standards implemented from 2004 to 2014 helped to reduce on-road mobile source VOC and NO_X emissions in the Yuma area through increasingly stringent emissions standards. Federal sulfur content standards for diesel fuel were implemented in conjunction with the Federal motor vehicle program standards. Sulfur occurs naturally in gasoline and interferes with the operation of catalytic converters on vehicles, which results in higher NO_X

[44] Calcagni memo, 3; Wall v. EPA, 265 F.3d 426, 438 (6th Cir. 2001).

[45] Calcangi memo, 3; 68 FR 25418, 25426 (May 12, 2003).

[46] 89 FR 71830 (September 4, 2024).

[47] 57 FR 13498 (April 16, 1992).

[48] The requirements can be found in CAA section 182(a).

[49] 87 FR 19629 (April 5, 2022).

[50] 87 FR 45657 (July 29, 2022).

[51] 89 FR 22963 (April 3, 2024).

[52] Calcagni memo, 4.

[53] Yuma Maintenance Plan, 28–32.

[54] Yuma Maintenance Plan, 28–31.

emissions. Lower sulfur content fuel has reduced sulfur dioxide (SO_2) emissions and allowed pollution control equipment to operate more effectively to reduce emissions of other pollutants as well.

Federal nonroad and stationary standards also contributed to attainment of the 2015 ozone NAAQS. Nonroad spark-ignition and recreational engine standards implemented between 2003 and 2020 have contributed to a 72 percent reduction in VOCs and an 80 percent reduction in NO_X.[55] The boiler and reciprocating internal combustion engines national emissions standards for hazardous air pollutants (NESHAPs), as well as the utility mercury and air toxics standards (MATS) and new source performance standards (NSPS) rules for electricity generating units also have contributed to VOC and NO_X reductions in the Yuma area.[56] Taken together, these Federal programs contributed to VOC and NO_X emissions reductions in the Yuma area.

With respect to the connection between the emissions reductions and the improvement in air quality, we also conclude that the air quality improvement in the Yuma area is due to permanent and enforceable emissions reductions and not the result of temporary or impermanent factors such as local economic downturn, temporary emissions reductions, or unusual or extreme weather patterns. Our conclusion is based on the observation that the ozone design value for the Yuma area has been below 0.070 ppm, the level of the 2015 ozone NAAQS, since 2020.[57] In sum, ambient ozone concentrations in the Yuma area have been consistently below the NAAQS since 2020 and have not been subject to large swings and disparate observations that might result from a sudden facility closure or an extreme weather pattern.

In conclusion, we find that the improvement in ambient air quality in the Yuma area is due to permanent and enforceable reductions in emissions of VOC and NO_X, resulting from control measures such as (1) Federal vehicle standards and (2) stationary source control measures. Therefore, we propose to find that Arizona has satisfied the criterion for redesignation set forth at CAA section 107(d)(3)(E)(iii).

D. The Area Must Have a Fully Approved Maintenance Plan Under CAA Section 175A

Section 107(d)(3)(E)(iv) of the CAA requires, as a pre-condition to being redesignated from nonattainment to attainment, that the Administrator has fully approved a maintenance plan for the area as meeting the requirements of section 175A of the Act.

Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. The maintenance plan is a SIP revision that provides for maintenance of the relevant NAAQS in the area for at least 10 years after redesignation. The Calcagni memo, dated September 4, 1992, provides additional guidance on the required content of a maintenance plan.

A maintenance plan should address the following five areas: the attainment emissions inventory, maintenance demonstration, monitoring network, verification of continued attainment, and a contingency plan. The attainment emissions inventory identifies the emissions level in the area that is sufficient to attain the 2015 ozone NAAQS based on emissions during a three-year period which had no monitored violations. To demonstrate maintenance of the 2015 ozone NAAQS, ADEQ has projected the attainment emissions inventory through the first maintenance period and ensured that it was less than or equal to the inventory at the time of attainment. A maintenance plan must also include provisions for continued operation of an appropriate air quality monitoring network. The State must show how it will track and verify the progress of the maintenance plan. Finally, the maintenance plan must include a list of potential contingency measures which ensure prompt correction of any violation of the 2015 ozone NAAQS. Based on our review and evaluation of the Yuma Maintenance Plan, as described in the following sections, we are proposing to approve the Plan as meeting the requirements of CAA section 175A.

1. Attainment Inventories and Projected Future Inventories

A maintenance plan should include an ''attainment emissions inventory'' of ozone precursors in the area to identify a level of emissions sufficient to attain the NAAQS.[58] The attainment emissions inventory should be consistent with the EPA's most recent guidance on emissions inventories for nonattainment areas available at the time it was developed and should represent emissions during the timeframe associated with the ambient air quality monitoring data showing attainment of the NAAQS. The attainment inventory will generally be the actual inventory during the time period that the area attained the standard. The EPA has provided guidance for developing ozone emissions inventories in ''Emissions Inventory Guidance for Implementation of Ozone and Particulate Matter National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations''.[59]

ADEQ selected 2020 as the base year for the attainment inventory in the Yuma Maintenance Plan. The Yuma area attained the 2015 ozone NAAQS in 2020, and therefore, the emissions inventory from 2020 represents emissions levels consistent with continued attainment (*i.e.,* maintenance) of the NAAQS. We consider the selection of the 2020 base year inventory to be appropriate given that it was the most recent emissions inventory associated with the reporting schedule required under the Air Emissions Reporting Requirements rule at the time of development of the Plan.

Table 2 presents the VOC and NO_X emissions estimates contained in the Yuma Maintenance Plan for 2020 and presents the Plan's projected emissions inventories of ozone precursors for an interim year (2030) and the maintenance plan's horizon year (2037).[60]

[55] Id.

[56] Id.

[57] Yuma Maintenance Plan, Figure 2–2.

[58] Calcagni memo, 8–9.

[59] ''Emissions Inventory Guidance for Implementation of Ozone and Particulate Matter National Ambient Air Quality Standards and Regional Haze Regulations,'' EPA–454/B–17–002, May 2017.

[60] The maintenance plan horizon year refers to the final year of the maintenance period covered by the plan.

TABLE 2—YUMA AREA 2020 AND PROJECTED 2030 AND 2037 VOC AND NO_X OZONE SEASON DAY EMISSIONS

[Pounds per day] [a]

Emissions source	2020		2030		2037	
	VOC	NO_X	VOC	NO_X	VOC	NO_X
Point	104	1,662	1,384	4,628	1,384	4,628
Nonpoint	5,754	1,410	6,281	1,556	6,738	1,660
Mobile—Nonroad	1,792	1,620	1,720	923	1,754	782
Mobile—On-road	8,939	5,412	4,908	2,747	4,222	2,390
Total [b]	16,589	10,104	14,293	9,854	14,098	9,460

[a] Source: Yuma Maintenance Plan, 43.

[b] Emissions have been added to the Mobile—On-road emissions source category to account for safety margins added to proposed motor vehicle emissions budget. See the Yuma Maintenance Plan, page 50.

The data shown in Table 3 in this document is based on the EPA's 2020 national emissions inventory (NEI). The inventory addresses point sources,[61] nonpoint sources,[62] nonroad mobile sources,[63] and on-road mobile sources. Appendix A to the Yuma Maintenance Plan contains source-specific descriptions of emissions calculation procedures and sources of input data.

The EPA has reviewed the emissions inventory submitted by ADEQ and proposes to conclude that the Plan's inventory is based on reasonable assumptions and methodologies, and that the inventory is comprehensive, current, accurate, and consistent with applicable CAA provisions and the Calcagni memo. Therefore, we are proposing that the inventory is acceptable for use in demonstrating maintenance of the 2015 ozone NAAQS.

2. Maintenance Demonstration

Section 175A(a) of the CAA requires that the maintenance plan ''provide for the maintenance of the national primary ambient air quality standard for such air pollutant in the area concerned for at least 10 years after the redesignation.'' A State may generally demonstrate maintenance of the NAAQS by either showing that future emissions of a pollutant or its precursors will not exceed the level of the attainment inventory, or by conducting modeling that shows that the future mix of sources and emissions rates will not cause a violation of the NAAQS.[64] Assumptions concerning emissions rates in maintenance demonstrations should generally reflect permanent, enforceable measures.[65] Therefore, the analysis should assume that sources are operating at permitted levels (or historic peak levels), unless evidence is presented that such an assumption is unrealistic.[66]

The Yuma Maintenance Plan demonstrates maintenance of the 2015 ozone NAAQS for a ten-year period beginning in 2027. ADEQ used the 2020 NEI and the Motor Vehicle Emission Simulator (MOVES) version 3.1 as the baseline to develop growth factors for point, nonpoint, mobile on-road, and mobile nonroad sources. For point sources, ADEQ used permitted potential to emit (PTE) levels of emissions, except for the Arizona Public Service (APS) Yucca Power Plant. ADEQ argues that, for the APS Yucca Power Plant, permitted PTE is calculated by assuming the facility would burn fuel oil at maximum capacity, overestimating emissions from the facility. ADEQ argues that the facility runs primarily on natural gas and burns little fuel oil each year.[67] Therefore, ADEQ used historic high emissions from 2018 for the baseline. We agree that this method for estimating emissions from APS Yucca Power Plant is consistent with EPA guidance. For nonpoint sources, ADEQ used the 2020 NEI held constant, or multiplied by a projection factor based on population.[68] ADEQ used MOVES 3.1 to model future on-road emissions, using Arizona Department of Transportation vehicle registration data and MOVES defaults.[69] ADEQ used the EPA defaults for Yuma County and applied a population allocation factor to apportion the county-wide nonroad mobile source emissions to the Yuma nonattainment area. ADEQ also used MOVES to model future nonroad mobile source emissions.

Table 2 compares the VOC and NO_X emissions estimated for the Yuma area for 2020 with those projected for 2030 and 2037 by source category. The projected VOC and NO_X emissions show that VOC and NO_X emissions are projected to remain below the attainment levels throughout the 10-year period following redesignation.

3. Monitoring Network

Once an area has been redesignated, the State should continue to operate an appropriate air quality monitoring network in accordance with 40 CFR part 58 to verify the attainment status of the area.[70] Data collected by the monitoring network are also needed to determine if the contingency provisions of the maintenance plan are triggered. ADEQ currently operates one ozone monitor (the Yuma Supersite monitor) in the Yuma area.

In the Yuma Maintenance Plan [71] ADEQ indicates its intention to continue operation of an air quality monitoring network to verify continued attainment of the 2015 ozone NAAQS.[72] We approved ADEQ's State and Local Air Monitoring Stations (SLAMS) air quality network in their annual monitoring network plan for year 2023

[61] For the Yuma Maintenance Plan, ''point sources'' include rock crusher/screener plants, electricity generation facilities, paper mills, gas filling stations, and vapor extraction units.

[62] For the Yuma Maintenance Plan, ''nonpoint sources'' include biogenic emissions, dry cleaning, surface coating, residential and industrial fuel combustion, and open burning.

[63] For the Yuma Maintenance Plan, ''Mobile—Nonroad sources'' includes agricultural, commercial, lawn and garden, pleasure craft, railroad, and recreational nonroad mobile sources.

[64] Calcagni memo, 9–11.

[65] Calcagni memo, 9.

[66] Id. at 4. See also, memorandum dated November 30, 1993, from Kent D. Berry, Acting Director, Air Quality Management Division, EPA, Subject: ''Use of Actual Emissions in Maintenance Demonstrations for Ozone and Carbon Monoxide (CO) Nonattainment Areas.''

[67] For the year 2018, the APS Yucca Power Plant utilized 99.3 percent natural gas and 0.7 percent fuel oil. For a demonstration and justification for this estimation method, see the Yuma Maintenance Plan, appendix A, section A8.1, A–54.

[68] Yuma Maintenance Plan, appendix A, A–41, A–42.

[69] Yuma Maintenance Plan, appendix A, A–42–A–50.

[70] Calcagni memo, 11.

[71] Yuma Maintenance Plan, 43.

[72] Although the Yuma Maintenance Plan is not explicit in this regard, we presume that ADEQ's intention to continue operation of a monitoring network indicates the agency's intention to do so consistent with the EPA's monitoring requirements in 40 CFR part 58 (''Ambient Air Quality Surveillance'').

on October 30, 2023, prior to ADEQ's submittal of the Yuma Maintenance Plan.[73] We find ADEQ's commitment for continued ambient ozone monitoring set forth in the Yuma Maintenance Plan to be acceptable for the purpose of verifying continued maintenance in the Yuma area.

4. Verification of Continued Attainment

Each State should ensure that it has the legal authority to implement and enforce all measures necessary to maintain the NAAQS.[74]

ADEQ has the legal authority to implement and enforce the requirements of the Yuma Maintenance Plan under title 49 of the Arizona Revised Statutes, ''The Environment.'' This includes the authority to adopt, implement, and enforce any emissions control contingency measures determined to be necessary to correct 2015 ozone NAAQS violations. To verify continued attainment, ADEQ committed to the continued operation of an ozone monitoring network that meets the EPA air quality surveillance requirements. In addition, ADEQ committed to track the progress of the maintenance plan through continued development and submission of periodic emissions inventories to the EPA and review of the inventory to determine whether changes could affect maintenance of the 2015 ozone NAAQS. These methods are sufficient for the purpose of verifying continued attainment.

5. Contingency Provisions

Section 175A(d) of the CAA requires that maintenance plans contain contingency provisions, as the EPA deems necessary, to promptly correct any violations of the NAAQS that occur after redesignation of the area. Such provisions must include a requirement that the State will implement all measures with respect to the control of the air pollutant concerned that were contained in the SIP prior to the area being redesignated to attainment. These contingency provisions are distinguished from contingency measures required for nonattainment areas under CAA section 172(c)(9) in that they are not required to be fully adopted measures that will take effect without further action by the State for the maintenance plan to be approved. The contingency provisions of a maintenance plan are, however, an enforceable part of the SIP and should ensure that contingency measures are adopted expeditiously once the Plan's contingency provisions are triggered by a specified event. Thus, a State should identify the specific indicators or triggers that will be used to determine when the contingency measures need to be implemented. Next, the maintenance plan should clearly identify the measures to be adopted, include a schedule and procedure for adoption and implementation of the measures, and contain a specific timeline for action by a State.

As required by section 175A of the CAA, ADEQ has adopted a contingency plan to address possible future ozone air quality problems.[75] ADEQ identifies two triggers: a warning level response and action level response. The warning level response would be triggered if an annual 4th high monitored concentration is above the level of the 2015 ozone NAAQS. This would initiate an analysis to determine whether the high ozone concentrations indicate a trend towards high ozone levels. The study would include an assessment of meteorological conditions and an assessment of whether actual emissions have deviated significantly from the emissions projections contained in the maintenance plan, along with an evaluation of which source sectors are responsible for emissions increases. The action level response would be triggered if a certified design value exceeds the level of the 2015 ozone NAAQS. Within 18 months of the certified design value exceedance, ADEQ commits to identify and implement necessary control measures.

Potential contingency measures listed in the maintenance plan are those emissions controls or other measures that ADEQ may choose to adopt and implement in response to the contingency trigger. The contingency plan lists the following potential contingency provisions that will be considered for adoption and implementation by the applicable State agency, while the Plan indicates that the list is not considered to be exhaustive:

- Anti-idling control program for mobile sources, targeting diesel vehicles;
- Diesel exhaust retrofits;
- Traffic flow improvements;
- Park and ride facilities; and
- Rideshare/carpool program.

Upon our review of the Plan, we find that the contingency provisions in the Yuma Maintenance Plan clearly identify specific contingency measures, contain sufficient tracking and triggering mechanisms to determine when contingency provisions are needed, contain an adequate description of the process of recommending and implementing contingency measures, and contain specific timelines for action. Thus, we conclude that the contingency provisions of the Yuma Maintenance Plan are adequate to ensure prompt correction of a violation and therefore comply with section 175A(d) of the Act.

6. Motor Vehicle Emissions Budgets

Section 176(c) of the CAA requires Federal actions in nonattainment and maintenance areas to conform to the SIP's goals of eliminating or reducing the severity and number of violations of the NAAQS and achieving expeditious attainment of the standards. Conformity to the SIP's goals means that such actions will not: (1) cause or contribute to violations of the NAAQS, (2) worsen the severity of an existing violation, (3) or delay timely attainment of any NAAQS or any interim milestone.

Actions involving Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) funding or approval are subject to the EPA's transportation conformity rule, codified in 40 CFR part 93, subpart A. Under this rule, regional transit authorities in nonattainment and maintenance areas coordinate with State and local air quality and transportation agencies, the EPA, FHWA, and FTA to demonstrate that an area's regional transportation plans and transportation improvement programs conform to the applicable SIP. This demonstration is typically done by showing that estimated emissions from existing and planned highway and transit systems are less than or equal to the motor vehicle emissions budgets (''budgets'') contained in submitted or approved control strategy SIPs and maintenance plans.[76]

These control strategy SIPs and maintenance plans typically set budgets for criteria pollutants and/or their precursors to address pollution from cars and trucks. Budgets are generally established for specific years and specific pollutants or precursors. Maintenance plan submittals should identify budgets for transportation related VOC and NO_X emissions in the last year of the maintenance period.

For budgets in a maintenance plan to be approvable, they must meet, at a minimum, the EPA's adequacy criteria.[77] To meet these requirements,

[73] The EPA's requirements for annual review of monitoring networks are no longer codified at 40 CFR 58.20(d) but are now found at 40 CFR 58.10.

[74] Calcagni memo, 11.

[75] Yuma Maintenance Plan, 45–47.

[76] Control strategy SIPs refer to reasonable further progress (RFP) and attainment demonstration SIPs. 40 CFR 93.101.

[77] 40 CFR 93.118(e)(4) and (5). For more information on the transportation conformity requirement and applicable policies on budgets,

the budgets must be consistent, when considered with emissions from all other sources, with maintenance of the NAAQS and reflect all the motor vehicle control measures relied upon for the maintenance demonstration. The EPA's process for determining adequacy of a budget consists of three basic steps: (1) providing public notification of a SIP submission; (2) providing the public the opportunity to comment on the budgets during a public comment period; and (3) making a finding of adequacy. The process for determining the adequacy of a submitted budget is codified at 40 CFR 93.118(f). The EPA can notify the public by either posting an announcement that the EPA has received SIP budgets on the EPA's adequacy website,[78] or via a **Federal Register** notice of proposed rulemaking when the EPA reviews the adequacy of a maintenance plan budget simultaneously with its review and action on the SIP submittal itself.[79]

The Yuma Maintenance Plan contains VOC and NO_X budgets for 2020, 2030, and 2037. Any and all comments on the approvability of the budgets should be submitted during the comment period stated in the Dates section of this document.

The EPA proposes to approve the 2020, 2030, and 2037 budgets in the Yuma Maintenance Plan for transportation conformity purposes. If the EPA issues a final action to approve the budgets, these budgets must be used in future transportation conformity determinations for the Yuma area for the 2015 ozone standard.

The new budgets, if approved in the final rulemaking, will be effective on the date of publication of the EPA's final rulemaking in the **Federal Register**. The applicable VOC and NO_X budgets for the Yuma nonattainment area are defined in Table 3.

TABLE 3—PROPOSED MOTOR VEHICLE EMISSIONS BUDGETS FOR THE YUMA AREA

[Pounds per ozone season day]

Budget year	VOC	NO_X
2020	8,939	5,412
2030	4,908	2,747
2037	4,222	2,390

Source: Yuma Maintenance Plan, Table 7–1.

The budgets are the on-road mobile source VOC and NO_X emissions for the Yuma area for 2020, 2030, and 2037. The budgets are compatible with the 2020, 2030, and 2037 on-road mobile source VOC and NO_X emissions included in Yuma's 2020, 2030 and 2037 emissions inventories, as summarized in Table 2. The derivation of the budget is thoroughly discussed in appendix A to the Yuma Maintenance Plan.

We evaluated the budgets against our adequacy criteria in 40 CFR 93.118(e)(4) and (5) as part of our review of the budget's approvability and expect to complete the adequacy review of the budgets concurrent with our final action on the Yuma Maintenance Plan. The EPA is not required under its transportation conformity rule to find budgets adequate prior to proposing approval of them. In this notice, the EPA is announcing that the adequacy process for these budgets begins, and the public has 30 days to comment on their adequacy, per the transportation conformity rule at 40 CFR 93.118(f)(2)(i) and (ii).

ADEQ developed budgets for 2020, 2030 and 2037 using on-road motor vehicle emission estimates using the EPA's MOVES3 model fleet data from Arizona Motor Vehicle Division registration data, and travel demand modeling from the Yuma Metropolitan Planning Organization (YMPO). As documented in a separate memorandum [80] included in the docket for this rulemaking, we preliminarily conclude that the budgets in the Yuma Maintenance Plan meet each adequacy criterion. While adequacy and approval are two separate actions, reviewing the budgets in terms of the adequacy criteria informs the EPA's decision to propose to approve the budgets. We have completed our detailed review and are proposing to approve the demonstration of maintenance for the 2015 ozone area through the year 2037. We have also reviewed the budgets in the Yuma Maintenance Plan and found that they are consistent with the maintenance demonstration for which we are proposing approval, are clearly identified and precisely quantified, are based on control measures that have already been adopted and implemented and meet all other applicable statutory and regulatory requirements including the adequacy criteria in 40 CFR 93.118(e)(4) and (5). The EPA is proposing to approve the budgets for 2020, 2030, and 2037 as part of our approval of the Yuma Maintenance Plan. Once the EPA finalizes the adequacy process or approves the budgets as proposed (whichever occurs first, noting that finalization of the adequacy process and approval of the budgets may also occur concurrently per 40 CFR 93.118(f)(2)(iii)), the budgets must be used by YMPO for transportation conformity determinations for the Yuma area.

IV. Proposed Action and Request for Public Comment

Under CAA section 110(k)(3), and for the reasons set forth in this document, the EPA is proposing to approve the Yuma Maintenance Plan submitted by ADEQ on December 27, 2023, as a revision to the Arizona SIP,[81] and to redesignate the Yuma nonattainment area to attainment for the 2015 ozone NAAQS. We are proposing to approve the maintenance demonstration and contingency provisions as meeting all applicable requirements for maintenance plans and related contingency provisions in CAA section 175A, and the budgets for 2020, 2030 and 2037 (shown in Table 4) for transportation conformity purposes as we find they meet all applicable criteria for such budgets including the adequacy criteria under 40 CFR 93.118(e). We are soliciting comments on these proposed actions. We will accept comments from the public for 30 days following publication of this proposal in the **Federal Register** and will consider any relevant comments before taking final action.

V. Statutory and Executive Order Review

Under the CAA, redesignation of an area to attainment and the accompanying approval of a maintenance plan under section 107(d)(3)(E) are actions that affect the status of a geographical area and do not impose any additional regulatory requirements on sources beyond those imposed by State law. A redesignation to attainment does not in and of itself create any new requirements, but rather results in the applicability of requirements contained in the CAA for areas that have been redesignated to attainment. Moreover, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 review State choices, and approve those choices if they meet

which can be found *at https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-93.*

[78] See the EPA adequacy website: *https://www.epa.gov/state-and-local-transportation/state-implementation-plans-sip-submissions-currently-under-epa.*

[79] See the EPA memorandum dated July 15, 2024, titled: ''Adequacy Documentation for Motor Vehicle Emissions Budgets in the Yuma Maintenance Plan.''

[80] See the EPA memorandum dated July 15, 2024, titled: ''Adequacy Documentation for Motor Vehicle Emissions Budgets in the Yuma Maintenance Plan.''

[81] Yuma Maintenance Plan (submitted electronically December 27, 2023).

the criteria of the CAA. 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 proposed action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- 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; and
- Will not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994), as discussed in section VI of this proposal.

The EPA has identified Tribal areas within the Yuma area covered by this rulemaking that would be potentially affected by this proposed action. Specifically, the Cocopah Tribe of Arizona and the Quechan Tribe of the Fort Yuma Indian Reservation are located within the boundaries of the Yuma area.

The EPA has concluded that the final rule may have Tribal implications for these tribes for the purposes of transportation conformity only, as this document sets motor vehicle emissions budgets for ozone precursors for the Yuma area, which includes some Tribal roads. The EPA has communicated with the potentially affected tribes located within the boundaries of the Yuma nonattainment area.[82]

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 communities with environmental justice (EJ) concerns to the greatest extent practicable and permitted by law. EPA defines EJ as ''the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.'' EPA further defines the term fair treatment to mean that ''no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.''

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

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Reporting and recordkeeping requirements, Sulfur Dioxide, Volatile organic compounds.

[82] Letter dated June 4, 2024, from Matthew Lakin, Director, EPA Region IX to Sherry Cordova, Chairwoman, Cocopah Tribe of Arizona, Subject: ''Invitation to Consult on a Redesignation Request and Maintenance Plan from the State of Arizona for the 2015 Ozone National Ambient Air Quality Standards (NAAQS),'' and letter dated June 4, 2024 from Matt Lakin, Director, EPA Region IX to Jordan Joaquin, President, Quechan Tribe of the Fort Yuma Indian Reservation, Subject: ''Invitation to Consult on a Redesignation Request and Maintenance Plan from the State of Arizona for the 2015 Ozone National Ambient Air Quality Standards (NAAQS).''

40 CFR Part 81

Environmental Protection, Air pollution control.

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

Dated: October 29, 2024.

Martha Guzman Aceves,

Regional Administrator, Region IX.

[FR Doc. 2024–25575 Filed 11–4–24; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 240220–0053240]

RIN 0648–BM01

Pacific Island Fisheries; Withdrawal of Proposed Rule; Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator

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

ACTION: Proposed rule; withdrawal.

SUMMARY: NMFS withdraws the proposed rule for ''Catch and Retention Limits for Striped Marlin in the Western and Central North Pacific Ocean North of the Equator'' that published in the **Federal Register** on February 26, 2024. This proposed rule was intended to satisfy Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) obligations to address U.S. fishing vessels' relative impact on this internationally managed stock that, based on a prior stock assessment and domestic status determination criteria, NMFS determined was overfished. NMFS is now withdrawing the proposed rule because NMFS has determined the stock is no longer overfished, not approaching an overfished condition, and is rebuilding, based on a more recent assessment. Thus, the factual and legal bases for the proposed rule no longer apply.

DATES: The proposed rule published February 26, 2024 (89 FR 14036) is withdrawn as of November 5, 2024.

ADDRESSES: Copies of the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific (Pelagic FEP) are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel. 808–522–8220, fax 808–

522–8226, or *https://www.wpcouncil.org.*

Copies of other supporting documents for this action are available from *https://www.regulations.gov/docket/NOAA-NMFS-2022-0148,* or from Sarah Malloy, Acting Regional Administrator, NMFS Pacific Islands Regional Office (PIRO), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

FOR FURTHER INFORMATION CONTACT: David O'Brien, PIRO Sustainable Fisheries, 808–725–5038.

SUPPLEMENTARY INFORMATION:

I. How are striped marlin managed?

NMFS and the Council manage U.S. commercial fishing for Pelagic Management Unit Species (PMUS), such as striped marlin (*Kajikia audax*), under the Pelagic FEP and implementing Federal regulations. Although the Pelagic FEP indicates that PMUS have statutory exemptions from annual catch limits (ACLs), the Magnuson-Stevens Act authorizes the Council to determine ACLs or other catch limits for PMUS if such actions are deemed appropriate and consistent with the Magnuson-Stevens Act and other statutory mandates.

Striped marlin are an internationally managed species often caught incidentally in fisheries primarily targeting tuna, but are retained due to their economic value. Magnuson-Stevens Act section 304(i) mandates that when the Secretary of Commerce (Secretary) determines a fishery is overfished or approaching a condition of being overfished due to excessive international fishing pressure, and if there are no management measures to end overfishing under an international agreement to which the U.S. is a party, the Council shall recommend domestic regulations to address the relative impact of U.S. fishing vessels on the stock.

As described in the proposed rule, the Secretary determined the stock was overfished in 2020 and informed the Council of its requirements under Magnuson-Stevens Act section 304(i). The Council recommended NMFS implement an annual catch limit of 457 metric tons (t) for Western and Central North Pacific Ocean (WCNPO) striped marlin caught in all U.S. fisheries and a retention limit of 443 t for vessels with Hawaii limited entry longline permits. If the retention limit were projected to be reached, retention of striped marlin by Hawaii longline vessels would be prohibited for the remainder of the calendar year. Additional background information on this action is in the proposed rule published in the **Federal Register** on February 26, 2024 (89 FR 14036); we do not repeat it here.

II. Why is NMFS withdrawing the proposed rule?

Results of a 2023 stock assessment for WCNPO striped marlin, considered relative to domestic status determination criteria in the FEP, indicate the stock is experiencing overfishing but is no longer overfished. In addition, the 2023 assessment estimated spawning stock biomass (SSB) in the terminal year of the assessment (SSB2020 = 1,696 t) had increased by nearly 73 percent from the estimate from the terminal year in the 2019 assessment (SSB2017 = 981 t) indicating the stock is not approaching a condition of being overfished.

On May 20, 2024, the NMFS Pacific Islands Fisheries Science Center and the NMFS Southwest Fisheries Science Center concluded that the results of the 2023 stock assessment were the best available scientific information for judging the status of the stock and for use in management, thus superseding the prior 2019 assessment.

On September 5, 2024, considering the 2023 assessment and status determination criteria defined in the Pelagic FEP, the Secretary determined that the status of WCNPO striped marlin had changed from overfished to not overfished-rebuilding. The stock remains subject to overfishing.

We published the proposed rule for catch and retention limits to address the relative impact of U.S. fishing vessels on the WCNPO striped marlin stock requirement in Magnuson-Stevens Act section 304(i) when the stock had been determined to be overfished. The stock status no longer meets the statutory criteria of overfished or approaching an overfished condition; therefore, the action cannot proceed. For this reason, NMFS is withdrawing the proposed rule.

III. What are the next steps?

As described in the proposed rule, this action on its own would not have ended overfishing on the stock, which must be addressed at the international level. International negotiations at the WCPFC have resulted in adoption of a rebuilding plan for this stock that requires rebuilding to 20 percent of unfished biomass with at least 60 percent probability by 2034. The rebuilding plan currently does not include catch limits, although it acknowledges that catch reductions by all member nations are required to achieve the rebuilding target.

The U.S. delegation has brought recommendations to the WCPFC and continues to pursue revised international measures for WCNPO striped marlin. We anticipate the WCPFC at its upcoming November 2024 meeting or a subsequent meeting will update international management for the stock, including updated catch limits for U.S. fisheries. If the WCPFC takes such action in November 2024, we intend to implement consistent domestic measures and/or catch limits. If the WCPFC does not act in November 2024, we intend to implement the 457 t domestic catch limit for WCNPO striped marlin as prescribed under the prior WCPFC Conservation and Management Measure 2010–01.

Dated: October 29, 2024.

Samuel D. Rauch, III,

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

[FR Doc. 2024–25676 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 89, No. 214
Tuesday, November 5, 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

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by December 5, 2024 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30–day Review—Open for Public Comments'' or by using the search function. An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Animal Plant and Health Inspection Service

Title: National Veterinary Services Laboratories Request Forms.

OMB Control Number: 0579–0430.

Summary of Collection: The Animal Health Protection Act (7 U.S.C. 8301–8317) provides the Secretary of Agriculture broad authority to prohibit or restrict, through orders and regulations, the importation or entry of any animal, article, or means of conveyance if USDA determines that the prohibition or restriction is necessary to prevent the introduction or spread of any pest or disease of livestock within the United States. Disease prevention is the most effective method for maintaining a healthy animal population.

In connection with this disease prevention mission, the Animal and Plant Health Inspection Service (APHIS) National Veterinary Services Laboratories (NVSL) safeguard U.S. animal health and contribute to public health by ensuring that timely and accurate laboratory support is provided by their nationwide animal health diagnostic system.

Need and Use of the Information: APHIS will collect information using VS Form 4–9, Request for Reagents or Supplies; VS Form 4–10, NVSL Customer Contact Update; and VS Form 4–11, NVSL Application for Laboratory Training and; VS Form 12, NVSL Laboratories Kit and Instrument Order form. These forms are used to safeguard the U.S. animal population from pests and diseases. If the information was collected less frequently or not collected, APHIS would be unable to process reagent orders or provide requested training.

Description of Respondents: Foreign Federal Government; Individuals or households; Businesses; State, Local or Tribal Government.

Number of Respondents: 970.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 1,013.

Rachelle Ragland-Greene,

Departmental Information Collection Clearance Officer.

[FR Doc. 2024–25675 Filed 11–4–24; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Black Hills National Forest Advisory Board

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of meeting.

SUMMARY: The Black Hills National Forest Advisory Board will hold a public meeting according to the details shown below. The committee is authorized under the Forest and Rangeland Renewable Resources Planning Act of 1974, the National Forest Management Act of 1976, the Federal Public Lands Recreation Enhancement Act, and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to provide advice and recommendations on a broad range of forest issues such as forest plan revisions or amendments; forest health including fire, insects, and disease; travel management; forest monitoring and evaluation; recreation fees, and site-specific projects having forest-wide implications.

DATES: An in-person meeting will be held on November 20, 2024, 1 p.m. to 4:30 p.m. Mountain Standard Time.

Written and Oral Comments: Anyone wishing to provide in-person oral comments must pre-register by 11:59 p.m. Mountain Standard Time on November 15, 2024. Written public comments will be accepted by 11:59 p.m. Mountain Standard Time on November 15, 2024. Comments submitted after this date will be provided by the Forest Service to the committee, but the committee may not have adequate time to consider those comments prior to the meeting.

All board meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: This meeting will be held in person at the USDA Forest Service, Mystic Ranger District Office, 8221 Mount Rushmore Road, Rapid City, South Dakota, 57702. Advisory board information and meeting details can be found at the following website: *https://www.fs.usda.gov/main/blackhills/workingtogether/advisorycommittees* or

by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Written Comments: Written comments must be sent by email to *scott.j.jacobson@usda.gov or* via mail (postmarked) to Scott Jacobson, 8221 Mount Rushmore Road, Rapid City, South Dakota, 57702. The Forest Service strongly prefers comments be submitted electronically.

Oral Comments: Persons or organizations wishing to make oral comments must pre-register by 11:59 p.m. Mountain Standard Time, November 15, 2024, and speakers can only register for one speaking slot. Oral comments must be sent by email to *scott.j.jacobson@usda.gov or* via mail (postmarked) to Scott Jacobson, 8221 Mount Rushmore Road, Rapid City, South Dakota, 57702.

FOR FURTHER INFORMATION CONTACT: Shawn Cochran, Designated Federal Officer, by phone at 605–673–9201 or email at *shawn.cochran@usda.gov;* or Scott Jacobson, Committee Coordinator, by phone at 605–440–1409 or email at *scott.j.jacobson@usda.gov.*

SUPPLEMENTARY INFORMATION: The meeting agenda will include:

1. Getting to know the committee;
2. Elect Chair and Vice Chair;
3. Federal Advisory Committee Act briefing;
4. Forest recreation fee proposal review; and
5. Forest plan revision update.

The agenda will include time for individuals to make oral statements of three minutes or less. Individuals wishing to make an oral statement should make a request in writing at least three days prior to the meeting date to be scheduled on the agenda. Written comments may be submitted to the Forest Service up to 7 days after the meeting date listed under **DATES**.

Please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, by or before the deadline, for all questions related to the meeting. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received upon request.

Meeting Accommodations: The meeting location is compliant with the Americans with Disabilities Act, and the USDA provides reasonable accommodation to individuals with disabilities where appropriate. If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpretation, assistive listening devices, or other reasonable accommodation to the person listed under the **FOR FURTHER INFORMATION CONTACT** section or contact USDA's TARGET Center at 202–720–2600 (voice and TTY) or USDA through the Federal Relay Service at 800–877–8339. Additionally, program information may be made available in languages other than English.

USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Equal opportunity practices in accordance with USDA's policies will be followed in all appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent the many communities, identities, races, ethnicities, backgrounds, abilities, cultures, and beliefs of the American people, including underserved communities. USDA is an equal opportunity provider, employer, and lender.

Dated: October 16, 2024.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2024–24408 Filed 11–4–24; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; American Community Survey and Puerto Rico Community Survey

AGENCY: Census Bureau, Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act (PRA) of 1995, invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment on the proposed extension of the American Community Survey and Puerto Rico Community Survey, prior to the submission of the information collection request (ICR) to OMB for approval.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before January 6, 2025.

ADDRESSES: Interested persons are invited to submit written comments by email to *acso.pra@census.gov.* Please reference the American Community Survey and the Puerto Rico Community Survey in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2024–0029, to the Federal e-Rulemaking Portal: *http://www.regulations.gov.* Click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments. All comments received are part of the public record. No comments will be posted to *https://www.regulations.gov* for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Nicole Butler, U.S. Census Bureau, American Community Survey Office, 301–763–3928, *nicole.butler@census.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The U.S. Census Bureau seeks an extension for the American Community Survey (ACS) and the Puerto Rico Community Survey (PRCS).

Since its founding, the Census Bureau has balanced the demands of a growing country requiring information about its people and economy with concerns for respondents' confidentiality and the time and effort it takes respondents to answer questions. Beginning with the 1810 Census, Congress updated the set of questions asked in the 1790 and 1800 Censuses by adding questions to support a range of public concerns and

uses. Over the course of a century, Federal agencies requested to add questions about agriculture, industry, and commerce, as well as individuals' occupation, ancestry, marital status, disabilities, place of birth, and other topics. In 1940, the Census Bureau introduced the long-form census questionnaire in order to ask more detailed questions from a sample of the public.

In the early 1990s, the demand for current, nationally consistent data from a wide variety of users led Federal government policymakers to consider the feasibility of collecting social, economic, housing, and demographic data continuously throughout the decade. The benefits of providing current data, along with the anticipated decennial census benefits in cost savings, planning, improved census coverage, and more efficient operations, led the Census Bureau to plan the implementation of the Continuous Measurement Survey, later called the American Community Survey (ACS). After years of testing, the ACS was implemented in 2005, replacing the need for long-form data collection in future decennial censuses. The ACS is conducted throughout the United States and in Puerto Rico, where it is called the Puerto Rico Community Survey (PRCS). The ACS samples approximately 3.5 million housing unit addresses in the United States and about 36,000 in Puerto Rico each year. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room occupied or intended for occupancy as separate living quarters. The ACS also collects detailed data from a sample of about 150,000 residents living in group quarters facilities in the United States and about 600 in Puerto Rico. Group quarters are places where people live or stay in a group living arrangement owned or managed by an entity or organization providing housing and/or services for the residents. People living in group quarters usually are not related to each other. Group quarters include college/university student housing, residential treatment centers, skilled nursing facilities, group homes, military barracks, correctional facilities, workers' group living quarters, Job Corps centers, and emergency and transitional shelters.

The ACS program provides estimates annually for the nation, all states, the District of Columbia, Puerto Rico, congressional districts, metropolitan areas, and counties and places with a population of 65,000 or more. It takes five years for smaller areas and population groups to accumulate enough data to provide reliable estimates. Every community in the nation continues to receive a detailed, statistical portrait of its social, economic, housing, and demographic characteristics each year through one-year and five-year ACS products.

The ACS collects detailed social, economic, housing, and demographic data on over 40 topics. The list of topics and questions can be found here: *https://www.census.gov/acs/www/about/why-we-ask-each-question/.*

II. Method of Collection

To encourage self-response in the ACS, the Census Bureau sends up to five mailings to housing unit addresses selected for the sample. The first mailing, sent to all mailable addresses in the sample, includes an invitation to participate in the ACS online and states that a paper questionnaire will be sent in a few weeks to those unable to respond online. The second mailing is a letter that reminds respondents to complete the survey online, thanks them if they have already done so, and informs them that a paper questionnaire will be sent later if we do not receive their response. In a third mailing, the paper questionnaire is sent only to those sample addresses that have not completed the online questionnaire within two weeks of receipt of the first mailing. The fourth mailing is a postcard that reminds respondents to respond and informs them that an interviewer may contact them if they do not complete the survey. A fifth mailing is sent to respondents who have not completed the survey within five weeks. This letter provides a due date and reminds the respondents to return their questionnaires to be removed from future contact. Some households are also contacted by email. If a household starts the online survey and gives an email but doesn't finish the survey, the household will receive an email reminder to complete the survey.

If the Census Bureau does not receive a response from an address in the self-response data collection phase, the address may be selected for an in-person or phone interview by a Census Bureau field representative. This is the nonresponse follow-up data collection operation known as the Computer-Assisted Personal Interview (CAPI) phase. The CAPI phase of data collection lasts for one month. Only a portion of nonresponding addresses, after the self-response phase, are sampled in CAPI. While this phase of data collection focuses on personal interviews, respondents still have the option to respond online or call the Telephone Questionnaire Assistance line and complete the survey over the telephone.

At the beginning of the CAPI month a sixth mailing is sent to all mailable addresses in the CAPI sample. This letter urges respondents to complete the survey online to avoid an in-person interview. If a household responds online or by phone, they are removed from the workload and are no longer contacted. If they do not respond, a Census Bureau field representative attempts to contact them to obtain a response via a computer-assisted interview.

Unlike the ACS, the PRCS does not have an internet response option. As a result, a PRCS mailings make no references to an internet response option. The Census Bureau sends up to five mailings to a Puerto Rico address selected to be in the sample. The first mailing includes a prenotice letter. The second and fourth mailings include the paper survey. The third and fifth mailings are postcards that serve as a reminder to respond to the survey. If the Puerto Rico address is deemed unmailable because the address is incomplete or directs mail only to a post office box, the address may be selected for an interview in person or by telephone.

The Census Bureau employs a separate strategy to collect data from group quarters. The Census Bureau collects data for sampled people in group quarters through personal interviews, telephone interviews, and internet responses. The Census Bureau will obtain the facility information by conducting a telephone or personal visit interview with a group quarter contact. During this interview, the Census Bureau obtains a roster of residents and randomly selects them for person-level interviews. The facility can also upload their facility roster to the Census Bureau online listing application. During the person-level phase, a field representative uses a computer-assisted personal interview automated instrument to collect detailed information for each sampled resident. The field representative also has the option to distribute a bilingual (English/Spanish) questionnaire to residents for self-response if they are unable to complete a computer-assisted personal interview. Respondents in some group quarters also have the option to self-respond to the survey online.

III. Data

OMB Control Number: 0607–0810.

Form Number(s): ACS–1, ACS–1(SP), ACS–1(PR), ACS–1(PR)SP, ACS–1(GQ), ACS–1(GQ)(PR), ACS Housing Unit internet electronic instrument (no form

number), ACS nonresponse follow up CAPI electronic instrument (no form number), ACS Failed Edit Follow up CATI electronic instrument (no form number), ACS Telephone Questionnaire Assistance CATI electronic instrument (no form number). ACS Group Quarters internet listing instrument (no form number), ACS Group Quarters Facility Questionnaire CAPI GQFQ electronic instrument, ACS Group Quarters internet electronic instrument (no form number), ACS Group Quarters Resident CAPI electronic instrument (no form number). ACS Reinterview CATI/CAPI HU RI electronic instrument (no form number), ACS Reinterview CATI/CAPI GQ RI electronic instrument (no form number).

Type of Review: Regular submission, Request for an extension

Affected Public: Individuals or households.

Estimated Number of Respondents: 3,576,000 for household respondents; 20,100 for contacts in GQ; 150,600 people in GQ; 22,875 households for reinterview; and 1,422 GQ contacts for reinterview. The total estimated number of respondents is 3,770,997.

Estimated Time Per Response: 40 minutes for the average household questionnaire; 15 minutes for a GQ facility questionnaire; 25 minutes for a GQ person questionnaire; 10 minutes for a household reinterview; 10 minutes for a GQ-level reinterview.

Estimated Total Annual Burden Hours: 2,384,000 for household respondents; 5,025 for contacts in GQ; 62,750 for GQ residents 3,813 households for reinterview; and 237 GQ contacts for reinterview. The estimate is an annual average of 2,455,825 burden hours.

TABLE 1—ANNUAL ACS AND PRCS RESPONDENT AND BURDEN HOUR ESTIMATES

Data collection operation	Forms or instrument used in data collection	Annual estimated number of respondents	Estimated minutes per respondent by data collection activity	Annual estimated burden hours
I. ACS Household Questionnaire, Online Survey, Telephone, and Personal Visit.	ACS–1, ACS 1(SP), ACS–1PR, ACS–1PR(SP), Online Survey, Telephone, CAPI.	3,576,000	40	2,384,000
II. ACS GQ Facility Questionnaire CAPI—Telephone and Personal Visit.	CAPI GQFQ	20,100	15	5,025
III. ACS GQ CAPI Personal Interview or Telephone, Online Survey and Paper Self-response.	CAPI, ACS–1(GQ), ACS–1(GQ)(PR)	150,600	25	62,750
IV. ACS Household Reinterview—CATI/CAPI	ACS HU–RI	22,875	10	3,813
V. ACS GQ-level Reinterview—CATI/CAPI	ACS GQ–RI	1,422	10	237
Totals		3,770,997	N/A	2,455,825

Estimated Total Annual Cost to Public: $0. (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)

Respondent's Obligation: Mandatory.

Legal Authority: 13 U.S.C. 141, 193, 221, and 223.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include, or summarize, each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Departmental PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2024–25655 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–38–2024]

Foreign-Trade Zone (FTZ) 265; Authorization of Production Activity; Unimacts Company; (Steel Products); Conroe, Texas

On July 3, 2024, City of Conroe, grantee of FTZ 265, submitted a notification of proposed production activity to the FTZ Board on behalf of Unimacts Company, within FTZ 265, in Conroe, Texas.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (89 FR 57393, July 15, 2024). On October 31, 2024, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including section 400.14.

Dated: October 31, 2024.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2024–25683 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–455–808]

Dioctyl Terephthalate From Poland: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that dioctyl terephthalate (DOTP) from Poland is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2023, through December 31, 2023. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable November 5, 2024.

FOR FURTHER INFORMATION CONTACT: Megan Goins, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0884.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation in the **Federal Register** on April 22, 2024.[1] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[2] On July 24, 2024, Commerce postponed the preliminary determination of this investigation until October 29, 2024.[3]

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[4] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The product covered by this investigation is DOTP from Poland. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,[5] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope).[6] No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice.* Therefore, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* the complete description of the scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Pursuant to section 776(a) of the Act, Commerce preliminarily relied upon facts otherwise available to assign an estimated weighted-average dumping margin to Grupa Azoty Zaklady Azotowy (Azoty), the sole mandatory respondent in this investigation because Azoty withdrew its participation in this investigation. Further, Commerce preliminarily determines that Azoty failed to cooperate by not acting to the best of its ability to comply with a request for information and Commerce is using an adverse inference in selecting from among the facts otherwise available (*i.e.,* applying adverse facts available (AFA) to this respondent, in accordance with section 776(b) of the Act). For a full description of the methodology underlying our preliminary determination, *see* the Preliminary Decision Memorandum.

All-Others Rate

Section 733(d)(1)(ii) of the Act provides that, in a preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually investigated in accordance with section 735(c)(5) of the Act. Section 735(c)(5)(A) of the Act states that generally the estimated rate for all others shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

The estimated weighted-average dumping margin in this preliminary determination was determined entirely under section 776 of the Act. In cases where no weighted-average dumping margins other than zero, *de minimis,* or those determined entirely under section 776 of the Act have been established for individually examined entities, in accordance with section 735(c)(5)(B) of the Act, Commerce typically calculates a simple average of the margins alleged in the petition and applies the results to all other entities not individually examined.[7]

In the Petition,[8] Eastman Chemical Company (the petitioner) alleged a single estimated dumping margin for Poland, 57.88 percent.[9] Therefore, consistent with our practice, for the all-others rate in this investigation, we preliminarily assign this dumping margin alleged in the Petition, which is 57.88 percent.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Grupa Azoty Zaklady Azotowy ...	*57.88
All Others	57.88

*Rate is based on AFA.

[1] *See Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and the Republic of Türkiye: Initiation of Less-Than-Fair-Value Investigations,* 89 FR 29285 (April 22, 2024) (*Initiation Notice*).

[2] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[3] *See Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and the Republic of Türkiye: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations,* 89 FR 59891 (July 24, 2024).

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Dioctyl Terephthalate from Poland'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

[6] *See Initiation Notice,* 89 FR at 29286.

[7] *See, e.g., Thermal Paper from Spain: Final Determination of Sales at Less Than Fair Value,* 86 FR 54162, 54163 (September 30, 2021).

[8] *See* Petitioner's Letter, ''Dioctyl Terephthalate (DOTP) from Taiwan, Turkey, Malaysia, and Poland,'' dated March 26, 2024 (Petition).

[9] *See Initiation Notice,* 89 FR at 29288.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margin determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied AFA to the only individually examined company in this investigation, in accordance with section 776 of the Act, and the applied AFA rate is based solely on the Petition, there are no calculations to disclose.

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

Because the only respondent in this investigation withdrew its participation and did not act to the best of its ability to provide information requested by Commerce, and Commerce preliminarily determines the mandatory respondent has been uncooperative, Commerce will not conduct verification.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of the preliminary determination. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[10] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[11]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their briefs that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[12] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[13]

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

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until no later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination may be accompanied by a request for extension of provisional measures from a four-month period to a period of not more than six months in duration.[14]

On October 4, 2024, pursuant to 19 CFR 351.210(e), Azoty requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months.[15] On October 8, 2024, the petitioner requested that, in the event of a negative determination, Commerce postpone the final determination in accordance with 19 CFR 351.210(b)(2)(i).[16] In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will

[10] *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) (*APO and Service Final Rule*).

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

[12] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[13] *See APO and Service Final Rule.*

[14] *See* 19 CRF 351.210(e)(2).

[15] *See* Azoty's Letter, ''Request for Postponement of Final Antidumping Determination,'' dated October 4, 2024.

[16] *See* Petitioner's Letter, ''Petitioner's Request to Postpone Final Antidumping Duty Determinations,'' dated October 8, 2024.

make its final determination no later than 135 days after the date of publication of this preliminary determination in the **Federal Register**.

U.S. International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the U.S. International Trade Commission (ITC) of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: October 29, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is dioctyl terephthalate (DOTP) regardless of form. DOTP that has been blended with other products is included within this scope when such blends include constituent parts that have not been chemically reacted with each other to produce a different product. For such blends, only the DOTP component of the mixture is covered by the scope of this investigation.

DOTP that is otherwise subject to this investigation is not excluded when commingled with DOTP from sources not subject to this investigation. Commingled refers to the mixing of subject and non-subject DOTP. Only the subject component of such commingled products is covered by the scope of this investigation.

DOTP has the general chemical formulation of C_6H_4 $(C_8H_{17}COO)_2$ and a chemical name of ''bis (2-ethylhexyl) terephthalate'' and has a Chemical Abstract Service (CAS) registry number of 6422–86–2. Regardless of the label, all DOTP is covered by this investigation.

Subject merchandise is currently classified under subheading 2917.39.2000 of the Harmonized Tariff Schedule of the United States (HTSUS). Subject merchandise may also enter under subheadings 2917.39.7000 or 3812.20.1000 of the HTSUS. While the CAS registry number and HTSUS classifications are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Application of Facts Available With Adverse Inferences
V. Recommendation

[FR Doc. 2024–25641 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–875]

Dioctyl Terephthalate From Taiwan: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that dioctyl terephthalate (DOTP) from Taiwan is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2023, through December 31, 2023. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable November 5, 2024.

FOR FURTHER INFORMATION CONTACT: Brian Smith or Hannah Lee, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1766 or (202) 482–1216, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on April 22, 2024.[1] On July 18, 2024, Commerce postponed the preliminary determination of this investigation.[2] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[3] The deadline for the preliminary determination is now October 29, 2024.

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[4] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The product covered by this investigation is DOTP from Taiwan. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,[5] in the *Initiation Notice,* Commerce set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope).[6] No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice.* Therefore, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* the scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. For the mandatory respondent, Nan Ya Plastics Corporation (Nan Ya), Commerce has calculated export prices in accordance with section 772(a) of the Act and normal value is calculated in accordance with section 773 of the Act. In addition, pursuant to sections 776(a) and (b) of the Act, Commerce has preliminarily relied upon facts otherwise available, with

[1] *See Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and the Republic of Türkiye: Initiation of Less-Than-Fair-Value Investigations,* 89 FR 29285 (April 22, 2024) (*Initiation Notice*).

[2] *See Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and the Republic of Türkiye: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations,* 89 FR 59891 (July 24, 2024).

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Dioctyl Terephthalate from Taiwan,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

[6] *See Initiation Notice,* 89 FR at 29286.

adverse inferences, for Oxyde Chemicals Singapore Pte. Ltd. and Fortune Chemical Corp., Ltd. For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that, in a preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

In this investigation, Commerce calculated an estimated weighted average dumping margin for the sole mandatory respondent, Nan Ya, that is not zero, *de minimis,* or based entirely on facts otherwise available. Consequently, the rate calculated for Nan Ya is also assigned as the rate for all other producers and exporters.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Nan Ya Plastics Corporation	18.73
Oxyde Chemicals Singapore Pte. Ltd	*32.94
Fortune Chemical Corp., Ltd	*32.94
All Others	18.73

*Rate based on adverse facts available.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) The cash deposit rate for the respondents listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation.[7] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[8] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[9]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their briefs that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[10] Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[11]

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

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary

[7] *See* 19 CFR 351.309(c)(1)(i); *see also* 19 CFR 351.303 (for general filing requirements).

[8] *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) (*APO and Service Final Rule*).

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

[10] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[11] *See APO and Service Final Rule.*

determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On October 4 and 8, 2024, pursuant to 19 CFR 351.210(e), Nan Ya and Eastman Chemical Company (the petitioner) requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months, respectively.[12] In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

U.S. International Trade Commission Notification (ITC)

In accordance with section 733(f) of the Act, Commerce will notify the ITC of its preliminary determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether these of DOTP from Taiwan are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

[12] *See* Nan Ya's Letter, ''Request for Extension of Final Determination,'' dated October 4, 2024; *see also* Petitioner's Letter, ''Petitioner's Request to Postpone Final Antidumping Duty Determinations,'' dated October 8, 2024.

Dated: October 29, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is dioctyl terephthalate (DOTP), regardless of form. DOTP that has been blended with other products is included within this scope when such blends include constituent parts that have not been chemically reacted with each other to produce a different product. For such blends, only the DOTP component of the mixture is covered by the scope of the investigation.

DOTP that is otherwise subject to this investigation is not excluded when commingled with DOTP from sources not subject to this investigation. Commingled refers to the mixing of subject and non-subject DOTP. Only the subject component of such commingled products is covered by the scope of this investigation.

DOTP has the general chemical formulation of C_6H_4 $(C_8H1_7COO)_2$ and a chemical name of ''bis (2-ethylhexyl) terephthalate'' and has a Chemical Abstract Service (CAS) registry number of 6422–86–2. Regardless of the label, all DOTP is covered by this investigation.

Subject merchandise is currently classified under subheading 2917.39.2000 of the Harmonized Tariff Schedule of the United States (HTSUS). Subject merchandise may also enter under subheadings 2917.39.7000 or 3812.20.1000 of the HTSUS. While the CAS registry number and HTSUS classifications are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Application of Facts Available and Use of Adverse Inference
V. Discussion of the Methodology
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2024–25642 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–557–827]

Dioctyl Terephthalate From Malaysia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that dioctyl terephthalate (DOTP) from Malaysia is being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2023, through December 31, 2023. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable November 5, 2024.

FOR FURTHER INFORMATION CONTACT: Nathan Araya, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3401.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation in the **Federal Register** on April 22, 2024.[1] On July 18, 2024, Commerce postponed the preliminary determination of this investigation until October 29, 2024.[2] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[3] The deadline for the preliminary determination is now October 29, 2024.

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[4] A list of topics

[1] *See Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and the Republic of Turkiye: Initiation of Less-Than-Fair-Value Investigations,* 89 FR 29285 (April 22, 2024) (*Initiation Notice*).

[2] *See Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and the Republic of Turkiye: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations,* 89 FR 59891 (July 24, 2024).

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination in the Less Than Fair Value Investigation of Dioctyl Terephthalate from Malaysia,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The product covered by this investigation is DOTP from Malaysia. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,[5] in the *Initiation Notice,* Commerce set aside a period of time for parties to raise issues regarding product coverage (*i.e.,* scope).[6] No interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* Therefore, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* the scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Commerce has calculated export prices in accordance with section 772(a) of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that, in a preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Commerce calculated an estimated weighted-average dumping margin for UPC Chemicals (Malaysia) Sdn Bhd. (UPC MY), the only individually examined exporter/producer in this investigation. Because the only individually calculated dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, the estimated weighted-average dumping margin calculated for UPC MY is the margin assigned to all other producers and exporters, pursuant to section 735(c)(5)(A) of the Act.

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Estimated weighted-average dumping margin (percent)
UPC Chemicals (Malaysia) Sdn Bhd	6.97
All Others	6.97

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margin determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation.[7] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[8] Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[9]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their briefs that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[10] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public

[5] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

[6] *See Initiation Notice,* 89 FR at 29286.

[7] *See* 19 CFR 351.309(c)(1)(i); *see also* 19 CFR 351.303 (for general filing requirements).

[8] *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) (*APO and Service Final Rule*).

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

[10] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[11]

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

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of Commerce's regulations requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On October 15, 2024, pursuant to 19 CFR 351.210(e), UPC MY requested that Commerce postpone the final determination and that provisional measures be extended to a period not to exceed six months.[12] In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

U.S. International Trade Commission Notification (ITC)

In accordance with section 733(f) of the Act, Commerce will notify the ITC of its preliminary determination of sales at LTFV. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether these imports of DOTP from Malaysia are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: October 29, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation is dioctyl terephthalate (DOTP), regardless of form. DOTP that has been blended with other products is included within this scope when such blends include constituent parts that have not been chemically reacted with each other to produce a different product. For such blends, only the DOTP component of the mixture is covered by the scope of the investigations.

DOTP that is otherwise subject to this investigation is not excluded when commingled with DOTP from sources not subject to these investigations. Commingled refers to the mixing of subject and non-subject DOTP. Only the subject component of such commingled products is covered by the scope of these investigations.

DOTP has the general chemical formulation of C_6H_4 $(C_8H_{17}COO)_2$ and a chemical name of ''bis (2-ethylhexyl) terephthalate'' and has a Chemical Abstract Service (CAS) registry number of 6422–86–2. Regardless of the label, all DOTP is covered by this investigation.

Subject merchandise is currently classified under subheading 2917.39.2000 of the Harmonized Tariff Schedule of the United States (HTSUS). Subject merchandise may also enter under subheadings 2917.39.7000 or 3812.20.1000 of the HTSUS. While the CAS registry number and HTSUS classifications are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II—List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2024–25640 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–889]

Certain Quartz Surface Products From India: Final Results of Antidumping Duty Administrative Review; 2022–2023

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that certain producers/exporters subject to this administrative review did not make sales of subject merchandise at less than normal value (NV) during the June 1, 2022, through May 31, 2023, period of review (POR).

DATES: Applicable November 5, 2024.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Anjali Mehindiratta, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4243 or (202) 482–9127, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 9, 2024, Commerce published the preliminary results of the 2022–2023 administrative review of the antidumping duty order on certain quartz surface products (quartz surface products) from India[1] in the **Federal Register** and invited interested parties

[11] *See APO and Service Final Rule.*

[12] *See* UPC MY's Letter, ''UPC Chemicals (Malaysia) SDN Bhd.'s Request to Postpone Final Antidumping Duty Determination,'' dated October 15, 2024.

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

to comment.[2] We received no comments from interested parties on the *Preliminary Results,* and we have made no changes to the *Preliminary Results.* Accordingly, no decision memorandum accompanies this **Federal Register** notice. The *Preliminary Results* are hereby adopted in these final results. Commerce conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

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

Rate for Non-Selected Companies

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

In this administrative review, we calculated dumping margins of zero percent for both mandatory respondents: Marudhar Rocks International Pvt. Ltd./Marudhar Quartz Surface Private Limited (Marudhar) [3] and Pokarna Engineered Stone Limited (PESL). Thus, in accordance with the expected method, and consistent with the U.S. Court of Appeals for the Federal Circuit's decision in *Albemarle,*[4] we assign to the 44 companies, which were not selected for individual review in this administrative review, a zero percent rate based on the rates calculated for the two mandatory respondents.

Final Results of Review

We determine that the following estimated weighted-average dumping margin exists for the period June 1, 2022, through May 31, 2023:

Producer/exporter	Weighted-average dumping margin (percent)
Pokarna Engineered Stone Limited	0.00
Marudhar Rocks International Pvt. Ltd./Marudhar Quartz Surface Private Limited	0.00
Non-Individually Examined Companies [5]	0.00

Disclosure

Normally, Commerce discloses to interested parties the calculations of the final results of an administrative review within five days of a public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because we have made no changes to the *Preliminary Results,* there are no calculations to disclose.

Assessment Rates

Consistent with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), upon completion of the administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review. Because the respondents' weighted-average dumping margins or importer-specific assessment rates are zero in the final results of review, we intend to instruct CBP to liquidate entries without regard to antidumping duties.[6] The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[7]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR for which Marudhar and PESL did not know that their merchandise was destined for the United States, we will instruct CBP to liquidate such entries at the all-others rate established in the original less-than-fair value (LTFV) investigation (*i.e.,* 1.02 percent) if there is no rate for the intermediate company(ies) involved in the transaction.

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

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of final results of administrative review for all shipments of quartz surface products from India entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above (including the non-selected companies listed in the appendix) will be equal to the weighted-average dumping margin established in the final results of this administrative review

[2] *See Certain Quartz Surface Products from India: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2022–2023,* 89 FR 56292 (July 9, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[3] Commerce previously collapsed Marudhar Rocks International Pvt. Ltd. and Marudhar Quartz Surface Private Limited (collectively, Marudhar) and treated the firms as a single entity. *See Certain Quartz Surface Products from India: Final Results of Antidumping Duty Administrative Review, and Final Determination of No Shipments; 2021–2022,* 88 FR 80689 (November 20, 2023).

[4] *See Albemarle Corp.* v. *United States,* 821 F.3d 1345, 1352 (Fed. Cir. 2016) (*Albemarle*) (holding that Commerce may only use ''other reasonable methods'' if it reasonably concludes that the expected method is ''not feasible'' or ''would not be reasonably reflective of potential dumping margins'').

[5] *See* Appendix.

[6] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8102–03 (February 14, 2012); *see also* 19 CFR 351.106(c)(2).

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

(*i.e.,* 0.00 percent); (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review or another completed segment of this proceeding, but the producer is, the cash deposit rate will be the company-specific rate established for the most recent completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 1.02 percent, the all-others rate established in the less-than-fair-value investigation.[8] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Administrative Protective Order

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

Notification to Interested Parties

Commerce is issuing and publishing the final results of this review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

[8] *See Order.*

Dated: October 29, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Non-Individually Examined Companies Receiving a Review-Specific Rate

1. 3HQ Surfaces Pvt. Ltd.
2. Antique Granito Shareholders Trust
3. Antique Marbonite Pvt Ltd; Prism Johnson Limited; Shivam Enterprises
4. Argil Ceramics
5. ARO Granite Industries Ltd.
6. ASI Industries Limited
7. Asian Granito India Ltd.
8. Baba Super Minerals Pvt Ltd.
9. Camrola Quartz Limited
10. Classic Marble Co Pvt Ltd.
11. Cuarzo
12. Divine Surfaces Private Limited
13. Divya Shakti Granites Ltd.
14. Divya Shakti Ltd.
15. Esprit Stones Pvt Ltd.
16. Evetis Stone Pvt Ltd.
17. Global Stones Pvt. Ltd.
18. Global Surfaces Ltd.
19. Glowstone Industries Pvt Ltd.
20. Hi Elite Quartz LLP
21. Imperiaal Granimarmo Pvt Ltd.
22. Indus Trade and Technology LLC
23. Internaational Stones India Pvt. Ltd.
24. Keros Stone LLP
25. Mahi Granites Pvt Ltd.
26. Malbros Marbles and Granites Industries
27. Mountmine Impex Pvt Ltd.
28. Pacific Industries Ltd.
29. Pacific Quartz Surfaces LLP
30. Paradigm Stone India Pvt Ltd.
31. Pelican Buildmat Pvt Ltd.
32. Pelican Quartz Stone
33. QuartzKraft LLP
34. Renshou Industries
35. Rocks Forever
36. Safayar Ceramics Pvt Ltd.
37. Satya Exports
38. Shanmukha Exports
39. Southern Rocks and Minerals Pvt Ltd.
40. Sunex Stones Pvt Ltd.
41. Tab India Granites Pvt. Ltd.
42. Universal Marketing Agencies Private Limited
43. Universal Quartz & Natural Stones Pvt Ltd.
44. Venkata Sri Balaji Quartz Surfaces

[FR Doc. 2024–25611 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–007, C–533–909]

Barium Chloride From the People's Republic of China and India: Final Results of Changed Circumstances Reviews and Revocation of the Antidumping Duty and Countervailing Duty Orders

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

SUMMARY: The U.S. Department of Commerce (Commerce) is revoking the antidumping duty (AD) order on barium chloride from the People's Republic of China (China) and the countervailing duty (CVD) order on barium chloride from India.

DATES: Applicable November 5, 2024.

FOR FURTHER INFORMATION CONTACT: Megan Goins, AD/CVD Operations, Office V (China), and Harrison Tanchuck, AD/CVD Operations, Office VI (India), Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0884 and (202) 482–7421.

SUPPLEMENTARY INFORMATION:

Background

On October 17, 1984, Commerce issued the AD order on barium chloride from China, and on March 7, 2023, Commerce issued the CVD order on barium chloride from India.[1] On September 18, 2024, Commerce published the initiation and preliminary results of the changed circumstances reviews (CCRs) and revocation of the *Orders* pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b) and 19 CFR 351.222.[2] We invited interested parties to comment on the *Preliminary Results.* Honeywell International Inc (Honeywell) submitted comments agreeing with the *Preliminary Results* and stating that Commerce's general practice in these cases is to liquidate without regard to antidumping and/or countervailing duties, and to refund any

[1] *See Antidumping Duty Order; Barium Chloride from the People's Republic of China,* 49 FR 40635 (October 17, 1984) (*AD Order*); and *Barium Chloride from India: Countervailing Duty Order,* 88 FR 14120 (March 7, 2023) (*CVD Order*) (collectively, *Orders*).

[2] *See Barium Chloride from the People's Republic of China and India: Initiation and Preliminary Results of Changed Circumstances Review and Intent to Revoke the Antidumping Duty and Countervailing Duty Orders,* 89 FR 76448 (September 18, 2024) (*Initiation and Preliminary Results*).

estimated antidumping and/or countervailing duties, on all unliquidated entries of the merchandise covered by a revocation that are not covered by the final results of an administrative review or automatic liquidation instructions. Honeywell, therefore, requested that Commerce revoke the *AD Order* with an effective date of October 1, 2023, and revoke the *CVD Order* with an effective date of June 17, 2022.[3] We did not receive comments from any other interested party.

Scope of the Orders

The merchandise covered by the *Orders* is barium chloride, a chemical compound having the formulas BaC12 or BaC12–2H20, currently classifiable under subheading 2827.39.4500 of the Harmonized Tariff Schedule of the United States (HTSUS).[4] Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of these *Orders* is dispositive.

Final Results of Changed Circumstances Reviews and Revocation of the Orders

Because no party submitted comments objecting to the *Preliminary Results* of these CCRs, and the record contains no further information or evidence that weighs against the proposed revocations, Commerce determines, pursuant to sections 751(d)(1) and 782(h) of the Act, and 19 CFR 351.222(g), that there are changed circumstances that warrant revocation of the *Orders.* Specifically, in light of Chemical Products Corporation's (the petitioner) lack of objection to these CCRs, the petitioner's indication that it does not have an interest in the *Orders,*[5] and the absence of comments from any interested party opposing the *Initiation and Preliminary Results,* we find that producers accounting for substantially all of the production of the domestic like product to which the *Orders* pertain lack interest in the relief provided by the *Orders.* Accordingly, we are revoking the *Orders.*

Application of the Final Results of the CCRs

Section 751(d)(3) of the Act provides that ''{a} determination under this section to revoke an order . . . shall apply with respect to unliquidated entries of subject merchandise which are entered, or withdrawn from warehouse, for consumption on or after the date determined by the administering authority.'' Commerce's general practice is to instruct U.S. Customs and Border Protection (CBP) to liquidate without regard to antidumping or countervailing duties, and to refund any estimated antidumping or countervailing duties on, all unliquidated entries of the merchandise covered by a revocation that are not covered by the final results of an administrative review or automatic liquidation instruction.[6] Consistent with our practice, we are applying the final results of these CCRs to all unliquidated entries of the merchandise covered by the *AD Order* which have been entered, or withdrawn from warehouse, for consumption on or after October 1, 2023, *i.e.,* the day following the last day of the period covered by the most recently-completed administrative review of the *AD Order,* and that are not already subject to automatic liquidation instructions;[7] and to all unliquidated entries covered by the *CVD Order* which have been entered, or withdrawn from warehouse, for consumption on or after January 1, 2024, *i.e.,* the day following the last day of the period covered by the most recently-completed administrative review of the *CVD Order,* and that are not already subject to automatic liquidation instructions.[8]

Instructions to CBP

Because we determine that there are changed circumstances that warrant revocation of the *Orders,* we will instruct CBP to discontinue the suspension of liquidation and the collection of cash deposits of estimated antidumping and countervailing duties, to liquidate all unliquidated entries that were entered, or withdrawn from warehouse, on or after October 1, 2023 (*AD Order*) or January 1, 2024 (*CVD Order*), without regard to antidumping and countervailing duties, respectively, and to refund all antidumping duty and countervailing duty cash deposits on all such merchandise.

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

Administrative Protective Order

This notice serves as the final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply

[3] *See* Honeywell's Letter, ''Case Brief,'' dated September 25, 2024 (Case Brief).

[4] The scope reflects the HTSUS subheading currently in effect.

[5] *See Initiation and Preliminary Results,* 89 FR at 76449; *see also* Honeywell's Letters, ''Barium Chloride from the People's Republic of China: Changed Circumstances Review Request,'' dated August 6, 2024 at 3 and Exhibit 1; and ''Barium Chloride from India: Changed Circumstances Review Request,'' dated September 5, 2024 at 5 and Exhibit 4.

[6] *See, e.g., Certain Pasta from Italy: Final Results of Countervailing Duty Changed Circumstances Review and Revocation, In Part,* 76 FR 27634 (May 12, 2011); *Stainless Steel Bar from the United Kingdom: Notice of Final Results of Changed Circumstances Review and Revocation of Order, in Part,* 72 FR 65706 (November 23, 2007); *Notice of Final Results of Antidumping Duty Changed Circumstances Review and Revocation of Order In Part: Certain Corrosion-Resistant Carbon Steel Flat Products from Germany,* 71 FR 66163 (November 13, 2006); *Notice of Final Results of Antidumping Duty Changed Circumstances Reviews and Revocation of Orders in Part: Certain Corrosion-Resistant Carbon Steel Flat Products from Canada and Germany,* 71 FR 14498 (March 22, 2006); and *Notice of Final Results of Antidumping Duty Changed Circumstances Review, and Determination to Revoke Order in Part: Certain Cased Pencils from the People's Republic of China,* 68 FR 62428 (November 4, 2003).

[7] *See* Case Brief at 5; *see also Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List,* 88 FR 68098 (October 3, 2023); and *Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 88 FR 84784 (December 6, 2023).

[8] *See Rescission of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 84117 (October 22, 2024) (*Rescission Notice*). Honeywell requested that Commerce revoke the *CVD Order* with an effective date of the preliminary determination in the underlying investigation, *i.e.,* June 17, 2022. *See* Case Brief at 5. However, because the opportunity to request the first administrative review occurred in March, 2024, and Commerce issued automatic liquidation instructions for the period June 17, 2022, through December 31, 2023, on June 18, 2024, it is not appropriate to make the revocation effective June 17, 2022. Additionally, Honeywell's Case Brief was submitted prior to the publication of this *Rescission Notice.* Honeywell agrees that Commerce should liquidate without regard to antidumping and/or countervailing duties, and to refund any estimated antidumping and/or countervailing duties, on all unliquidated entries of the merchandise covered by a revocation that are not covered by the final results of an administrative review or automatic liquidation instruction. *See* Case Brief at 4. Because entries made under the *CVD Order* through December 31, 2023, are subject to either automatic liquidation or liquidation instructions pursuant to the *Rescission Notice,* consistent with Honeywell's request, the effective date of the revocation of the *CVD Order* is January 1, 2024.

with the regulations and terms of an APO is a violation subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(a)(1), 751(b), and 777(i) of the Act and 19 CFR 351.213(d)(4), 19 CFR 351.216, and 19 CFR 351.222.

Dated: October 29, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2024–25613 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–428–849]

Common Alloy Aluminum Sheet From Germany: Final Results of Antidumping Duty Administrative Review; 2022–2023

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that the exporter and producer subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR), April 1, 2022, through March 31, 2023.

DATES: Applicable November 5, 2024.

FOR FURTHER INFORMATION CONTACT: Jeff Pedersen, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2769.

SUPPLEMENTARY INFORMATION:

Background

On April 25, 2024, Commerce published the *Preliminary Results* in the **Federal Register**.[1] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[2] On August 26, 2024, Commerce extended the deadline for the final results of review until October 29, 2024.[3]

For a complete description of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[4] Commerce conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The product covered by the *Order* is common alloy aluminum sheet (aluminum sheet) from Germany. For a full description of the scope of the *Order, see* the Issues and Decision Memorandum.

Analysis of Comments Received

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

Changes Since the Preliminary Results of Review

We made no changes to the weighted-average dumping margin that we calculated for Speira GmbH (Speira) in the *Preliminary Results.*

Final Results of Review

Commerce determines that the following estimated weighted-average dumping margin exists for the period, April 1, 2022, through March 31, 2023:

Producer or exporter	Weighted-average dumping margin (percent)
Speira GmbH[5]	6.44

Disclosure

Because Commerce has not modified its analysis or calculations from the *Preliminary Results,*[6] there are no new calculations to disclose for these final results of review in accordance with 19 CFR 351.224(b).

Assessment Rates

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

Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for examined sales to each importer to the total entered value of those sales. Where an importer-specific assessment rate is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to a refinement to Commerce's assessment practice, for subject merchandise that was entered into the United States, or withdrawn from warehouse, for consumption during the POR, that was produced or exported by Speira GmbH for which Speira GmbH did not report the sale in its U.S. sales database, we will instruct CBP to liquidate the entry of such merchandise at the all-others rate (*i.e.,* 49.40 percent)[7] if there is no rate for the intermediate company(ies) involved in the transaction.[8]

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

[1] *See Common Alloy Aluminum Sheet from Germany: Preliminary Results and Partial Rescission of Antidumping* Duty Administrative Review; 2022–2023, 89 FR 31724 (April 25, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[3] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2022–2023,'' dated August 26, 2024.

[4] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the 2022–2023 Administrative Review of the Antidumping Duty Order on Common Alloy Aluminum Sheet from Germany,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[5] Formerly known as Hydro Aluminium Rolled Products GmbH. *See Common Alloy Aluminum Sheet from Germany: Preliminary Results of Antidumping Duty Administrative Review; 2020–2022,* 88 FR 30087 (May 10, 2023, unchanged in *Common Alloy Aluminum Sheet from Germany: Final Results of Antidumping Duty Administrative Review; 2020–2022,* 88 FR 77556 (November 13, 2023).

[6] *See Preliminary Results.*

[7] *See Common Alloy Aluminum Sheet from Germany: Final Determination of Sales at Less Than Fair Value,* 86 FR 13318 (March 8, 2021).

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

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register**, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Speira GmbH will be equal to the weighted-average dumping margin listed in the ''Final Results of Review'' section above; (2) for merchandise that was exported by a company that is not under review and the company has a company-specific cash deposit rate from a completed segment of this proceeding, the cash deposit rate will continue to be the company-specific cash deposit rate from a completed segment of the proceeding that is currently applicable to the company; (3) if the exporter of the subject merchandise was not covered by this review or a previously completed segment of this proceeding, but the producer of the subject merchandise was covered, then the cash deposit rate will be equal to the company-specific cash deposit rate from a completed segment of this proceeding that is currently applicable to the producer of the subject merchandise; and (4) if neither the exporter nor the producer of the subject merchandise was covered by this review or a previously completed segment of this proceeding, then the cash deposit rate will be 49.40 percent *ad valorem,* the all-others rate established in the less than fair value investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

Administrative Protective Order (APO)

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

Notification to Interested Parties

We are issuing and publishing these final results of review and this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: October 29, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Issues
Comment 1: Whether to Use Quarterly Costs
Comment 2: Speira's Reported Cost Variances
V. Recommendation

[FR Doc. 2024–25614 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–852]

Dioctyl Terephthalate From the Republic of Türkiye: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that dioctyl terephthalate (DOTP) from the Republic of Türkiye (Türkiye) is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is January 1, 2023, through December 31, 2023. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable November 5, 2024.

FOR FURTHER INFORMATION CONTACT: Dennis McClure, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5973.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation in the **Federal Register** on April 22, 2024.[1] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[2] On July 24, 2024, Commerce postponed the preliminary determination of this investigation until October 29, 2024.[3]

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[4] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II in this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Investigation

The product covered by this investigation is DOTP from Türkiye. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,[5] the *Initiation Notice* set aside a period for parties to raise issues regarding product coverage (*i.e.,* scope).[6] No interested party

[1] *See Dioctyl Terephthalate From Malaysia, Poland, Taiwan, and the Republic of Türkiye: Initiation of Less-Than-Fair-Value Investigations,* 89 FR 29285 (April 22, 2024) (*Initiation Notice*).

[2] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[3] *See Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and the Republic of Türkiye: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations,* 89 FR 59891 (July 24, 2024).

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Dioctyl Terephthalate from the Republic of Türkiye,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[6] *See Initiation Notice.*

commented on the scope of the investigation as it appeared in the *Initiation Notice.* Therefore, Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* the complete description of the scope in Appendix I to this notice.

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Pursuant to section 776(a) of the Act, Commerce has preliminarily relied upon facts otherwise available for By Petrokimya Sanayi Ve Ticaret A.S. (Petrokimya), the sole mandatory respondent in this investigation, because Petrokimya failed to submit the necessary information to calculate an antidumping margin in this investigation. Further, Commerce preliminarily determines that Petrokimya failed to cooperate by not acting to the best of its ability to comply with a request for information and Commerce is using an adverse inference in selecting from among the facts otherwise available (*i.e.,* applying adverse facts available (AFA) to this respondent, in accordance with section 776(b) of the Act). For a full description of the methodology underlying the preliminary determination, *see* the Preliminary Decision Memorandum.

All-Others Rate

Sections 733(d)(1)(ii) and 735(c)(5)(A) of the Act provide that, in a preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually examined. This rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

The estimated weighted-average dumping margins in this preliminary determination were calculated entirely under section 776 of the Act. In cases where no weighted-average dumping margins other than zero, *de minimis,* or those determined entirely under section 776 of the Act have been established for individually examined entities, in accordance with section 735(c)(5)(B) of the Act, Commerce typically calculates a simple average of the margins alleged in the petition and applies the results to all other entities not individually examined.[7]

In the Petition,[8] Eastman Chemical Company (the petitioner) calculated two estimated dumping margins, 42.50 and 80.71 percent. Therefore, consistent with our practice, for the all-others rate in this investigation, we preliminarily assigned a simple average of the dumping margins alleged in the Petition, which is 61.61 percent.[9]

Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist:

Exporter/producer	Weighted-average dumping margin (percent)
By Petrokimya Sanayi Ve Ticaret A.S	*80.71
All Others	61.61

*Rate based on AFA.

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise, as described in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margins or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margin determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied AFA to the individually examined company Petrokimya in this investigation, in accordance with section 776 of the Act, and the applied AFA rate is based solely on the petition, there are no calculations to disclose.

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

Because the examined respondent in this investigation did not act to the best of its ability to provide information requested by Commerce, and Commerce preliminarily determines the examined respondent is uncooperative, we will not conduct verification.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of the preliminary determination.[10] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[11] Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents

[7] *See, e.g., Thermal Paper from Spain: Final Determination of Sales at Less Than Fair Value,* 86 FR 54162, 54163 (September 30, 2021), and accompanying Issues and Decision Memorandum; *see also Certain Preserved Mushrooms from France: Final Affirmative Determination of Sales at Less Than Fair Value,* 87 FR 72963, 72964 (November 28, 2022).

[8] *See* Petitioner's Letter, ''Dioctyl Terephthalate (DOTP) from Taiwan, Turkey, Malaysia, and Poland,'' dated March 26, 2024 (Petition); *see also* Checklist, ''AD Investigation Initiation Checklist,'' dated April 15, 2024 (Initiation Checklist); *see also* Petitioner's Letter, ''Response to Request for Clarification,'' dated April 8, 2024.

[9] *See* Petition.

[10] *See* 19 CFR 351.309(c)(1)(i); *see also* 19 CFR 351.303 (for general filing requirements).

[11] *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) (*APO and Service Final Rule*).

listing each issue; and (2) a table of authorities.[12]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their briefs that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[13] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[14]

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

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Pursuant to 19 CFR 351.210(e)(2), Commerce requires that requests by respondents for postponement of a final antidumping determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On October 8, 2024, Petrokimya and the petitioner[15] requested that Commerce postpone the final determination and that the provisional measures be extended to a period not to exceed six months, respectively. In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the preliminary determination is affirmative; (2) the requesting exporter accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will make its final determination no later than 135 days after the date of publication of this preliminary determination.

U.S. International Trade Commission Notification (ITC)

In accordance with section 733(f) of the Act, Commerce will notify the ITC of its preliminary determination of sales at LTFV. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of DOTP from Türkiye are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This preliminary determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: October 29, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation is dioctyl terephthalate (DOTP), regardless of form. DOTP that has been blended with other products is included within this scope when such blends include constituent parts that have not been chemically reacted with each other to produce a different product. For such blends, only the DOTP component of the mixture is covered by the scope of the investigations.

DOTP that is otherwise subject to this investigation is not excluded when commingled with DOTP from sources not subject to this investigation. Commingled refers to the mixing of subject and non-subject DOTP. Only the subject component of such commingled products is covered by the scope of this investigation.

DOTP has the general chemical formulation of C_6H_4 $(C_8H_{17}COO)_2$ and a chemical name of ''bis (2-ethylhexyl) terephthalate'' and has a Chemical Abstract Service (CAS) registry number of 6422–86–2. Regardless of the label, all DOTP is covered by this investigation.

Subject merchandise is currently classified under subheading 2917.39.2000 of the Harmonized Tariff Schedule of the United States (HTSUS). Subject merchandise may also enter under subheadings 2917.39.7000 or 3812.20.1000 of the HTSUS. While the CAS registry number and HTSUS classifications are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II—List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Investigation
IV. Application of Facts Available With Adverse Inferences
V. Recommendation

[FR Doc. 2024–25643 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review

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

Background

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the

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

[13] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[14] *See APO and Service Final Rule.*

[15] *See* Petrokimya's Letter, ''Investigation Request to Postpone Final Determination and Provisional Measures Period,'' dated October 8, 2024; *see also* Petitioner's Letter, ''Petitioner's Request to Postpone Final Antidumping Duty Determinations,'' dated October 8, 2024.

U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for December 2024

Pursuant to section 751(c) of the Act, the following Sunset Reviews are scheduled for initiation in December 2024 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
Antidumping Duty Proceedings	
Polyester Textured Yarn from China, A–570–097 (1st Review)	Mary Kolberg, (202) 482–1785.
Polyester Textured Yarn from India, A–533–885 (1st Review)	Mary Kolberg, (202) 482–1785.
Countervailing Duty Proceedings	
Polyester Textured Yarn from China, C–570–098 (1st Review)	Mary Kolberg, (202) 482–1785.
Polyester Textured Yarn from India, C–533–886 (1st Review)	Mary Kolberg, (202) 482–1785.

Suspended Investigations

No Sunset Review of suspended investigations is scheduled for initiation in December 2024.

Commerce's procedures for the conduct of Sunset Review are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year* (*Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[1] An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day on which it is due.

In prior proceedings we have encouraged interested parties to provide an executive summary of their comments, including footnotes. In these sunset reviews, we request that interested parties provide at the beginning of their comments, an executive summary for each issue raised in their comments. Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the decision memorandum that will accompany the notice to be published in the **Federal Register**. Finally, we request that interested parties include footnotes for relevant citations in the public executive summary of each issue.

This notice is not required by statute but is published as a service to the international trading community.

Dated: October 21, 2024.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2024–25612 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule,* 88 FR 67069 (September 29, 2023).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Coastal and Marine Ecological Classification Standard Solicitation for Revisions

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on June 26, 2024 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: Coastal and Marine Ecological Classification Standard Solicitation for Revisions.

OMB Control Number: 0648–0799.

Form Number(s): None.

Type of Request: Regular submission [extension of a current information collection].

Number of Respondents: 100.

Average Hours Per Response: 1.

Total Annual Burden Hours: 100.

Needs and Uses: NOAA's Office of Coastal Management (OCM) is proposing a renewal of the information collection that allows interested parties to submit requests for revisions to update the Coastal and Marine Ecological Classification Standard (CMECS). CMECS was approved by the Federal Geographic Data Committee (FGDC) in August 2012 and provides a national standard for consistent descriptions of coastal and marine ecological features. The primary uses of CMECS are in mapping and classifying the geological, physical, biological, and chemical components of the environment. Among other applications, the CMECS framework can be used to integrate data from disparate sources, facilitate comparisons among sites, and organize data for regional assessment. Since its publication in 2012, the CMECS has been used to characterize habitats ranging from coastal wetlands

and estuaries to the deep ocean and at local to global scales. Benefits of CMECS include: data collected by different sensors and methods can be integrated into a single database; all the physical, biological, and chemical-forcing functions that collectively determine a habitat type can be captured; and the system has the flexibility to accommodate new units as additional information becomes available.

The CMECS was developed as a dynamic standard to allow periodic revisions to continue to meet the needs of the user community and as such, the CMECS can be updated to accommodate the requirements of evolving scientific practices, technology, and coastal and marine resource management. The review process allows the CMECS to retain its consistency, credibility, and rigor through periodic reviews and an orderly, authoritative, and transparent updating process as required by the Federal Geographic Data Committee. Anyone can propose changes, which can include minor edits, such as grammatical or typographical corrections, clarifications of definitions and meaning, or more substantial changes to the hierarchy within components. The CMECS Implementation Group, through the Office for Coastal Management, has determined it is necessary to initiate the dynamic standard process to revise the CMECS. We are soliciting recommendations for revisions to the CMECS through a form to be posted on the CMECS website. All recommendations collected will be reviewed and revisions will be made to the CMECS to reflect those recommendations found to be valuable for implementation of the CMECS and supportive of the user community needs.

Affected Public: Coastal scientists and managers throughout the United States responsible for characterization of coastal and marine habitats or ecosystems more broadly. This may include academia; non-governmental organizations; State, Local or Tribal government; Federal government; and for profit environmental support businesses.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0799.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2024–25677 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE441]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a hybrid meeting of its Groundfish Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Monday, November 25, 2024 at 9 a.m.

ADDRESSES:

Meeting address: This meeting will be held at Fairfield Inn & Suites, 185 MacArthur Drive, New Bedford, MA 02740; telephone: (777) 634–2000.

Webinar registration URL information: https://nefmc-org.zoom.us/meeting/register/tJUkcuCqqzMvGte-HALS6YAAUS3eHyD37hwN.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Groundfish Committee will meet to discuss recommendations from the Recreational Advisory Panel, Groundfish Advisory Panel, and Groundfish Plan Development Team. They will review draft alternatives and draft impacts analysis of Framework Adjustment 69/Specifications and Management Measures and recommend preferred alternatives to the Council. The committee will also receive an update on development of Atlantic Cod Management Transition Plan. They will make recommendations to the Council, as appropriate, and discuss other business, as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: October 31, 2024.

Rey Israel Marquez,

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

[FR Doc. 2024–25702 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE453]

Western Pacific 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 Western Pacific Fishery Management Council (Council) will hold a meeting of the Pacific Pelagics Fishery Ecosystem Plan (FEP) Plan Team (PT) to discuss fishery management issues and develop recommendations to the Council for future management of pelagic fisheries in the Western Pacific region.

DATES: For the date, time and meeting agenda, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: Web conference access information will be posted on the Council's website at *www.wpcouncil.org.* For assistance with the web conference connection, contact the Council office at (808) 522–8220.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; telephone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The Pelagic PT meeting will be held on November 18, 2024, and run from 1 p.m. to 5 p.m. Hawaii Standard Time (HST) (12 p.m. to 4 p.m. Samoa Standard Time (SST); 9 a.m. to 1 p.m. on November 19, 2024, Chamorro Standard Time (ChST)). Public comment periods will be provided in the agenda. The order in which agenda items are addressed may change. The meeting will run as late as necessary to complete scheduled business.

Agenda for the Pelagic Plan Team Meeting

Monday, November 18, 2024, 1 p.m. to 5 p.m. HST

1. Welcome and Introductions
2. Approval of Draft Agenda
3. U.S. Catch Limits for North Pacific Striped Marlin (Initial Action)
4. Hawaii and American Samoa Longline Fisheries Crew Training Requirement (Initial Action)
5. Development of an Electronic Monitoring Program for Western Pacific Fisheries (Initial Action)
6. Other Business
7. Public Comment
8. Discussion and Recommendations

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: October 31, 2024.

Rey Israel Marquez,

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

[FR Doc. 2024–25700 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Application Forms for Membership on a National Marine Sanctuary Advisory Council

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on July 31, 2024 during a 60-day comment period. No comments were received during this period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration, Commerce.

Title: Application Forms for Membership on a National Marine Sanctuary Advisory Council.

OMB Control Number: 0648–0397.

Form Number(s): None.

Type of Request: Regular submission (revision and extension of a currently approved collection).

Number of Respondents: 900.

Average Hours per Response: 1.25 hours.

Total Annual Burden Hours: 1,125 hours.

Needs and Uses: This is a request for revision and extension of an approved information collection.

Section 315 of the National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1445a) allows the Secretary of Commerce to establish one or more advisory councils to advise and make recommendations to the Secretary regarding the designation and management of national marine sanctuaries. Executive Order 13178 (December 4, 2000) similarly established a Coral Reef Ecosystem Reserve Council pursuant to the NMSA for the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. Councils are individually chartered for each site, or for the sanctuary system, to meet its specific needs. Once an advisory council has been chartered, a sanctuary superintendent starts a process to recruit members for that council by providing notice to the public and requesting interested parties to apply for the available seat(s) (*e.g.,* Research, Education) and position(s) (*i.e.,* council member or alternate). The information obtained through this application process will be used to determine the qualifications of the applicant for membership on the advisory council.

Two application forms are currently associated with this information collection: (a) National Marine Sanctuary Advisory Council Application form; and (b) National Marine Sanctuary Advisory Council Youth Seat Application form. Application form instructions will specify requirements imposed upon the agency when reviewing applicants as potential council members or alternates. Questions posed to applicants have been reviewed and an additional two questions are being added to solicit information on eligibility for a potential stipend program to decrease financial barriers to joining advisory councils. An additional section for demographic questions is also being added to include the newly updated *Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity* (SPD 15) and *Recommendations on the Best Practices for the Collection of Sexual Orientation and Gender Identity Data on Federal Statistical Surveys,* and to learn more about our applicants. Existing questions may be reordered, reworded, and at times, condensed to improve the organization of applicant responses and, thereby, simplify the applicant review process. We do not believe that such revisions to the application would appreciably change the average annual number of respondents or the reporting burden for the information requirements supporting solicitation of new advisory council members.

Affected Public: Individuals or households; business or other for-profit organizations; not-for-profit institutions.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

Legal Authority: National Marine Sanctuaries Act (16 U.S.C. 1445a).

This information collection request may be viewed at *www.reginfo.gov.* Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the

following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0397. Requests for information, including copies of the proposed collection of information and supporting documentation, may be directed to ONMS at *sage.riddick@noaa.gov.*

Sheleen Dumas,

Departmental PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2024–25654 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–NK–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XE440]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Joint Groundfish Advisory and Recreational Advisory Panels via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Thursday, November 21, 2024 at 9 a.m.

ADDRESSES: Webinar registration URL information: *https://nefmc-org.zoom.us/meeting/register/tJMrduCsqDkoE9Srk8rV3P7_XP_42h0dI3bV.*

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Cate O'Keefe, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Groundfish and Recreational Advisory Panels will meet to review draft alternatives and draft impacts analysis to Framework Adjustment 69/Specifications and Management Measures and recommend preferred alternatives to the Groundfish Committee. They will also receive an update on the development of the Atlantic Cod Management Transition Plan. The Panels will make recommendations to the Groundfish Committee, as appropriate, and discuss other business, as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Cate O'Keefe, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: October 31, 2024.

Rey Israel Marquez,

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

[FR Doc. 2024–25704 Filed 11–4–24; 8:45 am]

BILLING CODE 3510–22–P

COMMODITY FUTURES TRADING COMMISSION

Market Risk Advisory Committee

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of meeting.

SUMMARY: The Commodity Futures Trading Commission (CFTC) announces that on December 10, 2024, from 9:30 a.m. to 12:30 p.m. (Eastern Standard Time), the Market Risk Advisory Committee (MRAC or Committee) will hold an in-person public meeting at the CFTC's Washington, DC headquarters, with options for the public to attend virtually. At this meeting, the MRAC will discuss current topics and developments in the areas of central counterparty risk and governance, market structure, climate-related risk, and innovative and emerging technologies affecting the derivatives and related financial markets, including discussions led by the Central Counterparty (CCP) Risk & Governance and Market Structure subcommittees with recommendations related to CCP cyber resilience and critical third-party service providers and the cash futures basis trade, respectively.

DATES: The meeting will be held on December 10, 2024, from 9:30 a.m. to 12:30 p.m. (Eastern Standard Time). Please note that the meeting may end early if the MRAC has completed its business. Members of the public who wish to submit written statements in connection with the meeting should submit them by December 17, 2024.

ADDRESSES: The meeting will take place in the Conference Center at the CFTC's headquarters, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581. You may submit public comments, identified by ''Market Risk Advisory Committee,'' through the CFTC website at *https://comments.cftc.gov.* Follow the instructions for submitting comments through the Comments Online process on the website. If you are unable to submit comments online, contact Peter Janowski, Alternate Designated Federal Officer, via the contact information listed in this Notice to discuss alternate means of submitting your comments. Any statements submitted in connection with the committee meeting will be made available to the public, including by publication on the CFTC website, *https://www.cftc.gov.*

FOR FURTHER INFORMATION CONTACT: Peter Janowski, MRAC Alternate Designated Federal Officer, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581; (646) 746–9870 or *pjanowski@cftc.gov.*

SUPPLEMENTARY INFORMATION: The entire meeting will be open to the public with seating on a first-come, first-served basis. Registration for this meeting is not required. Members of the public may also listen to the meeting by telephone by calling a domestic or international toll or toll-free number to connect to a live, listen-only audio feed. Call-in participants should be prepared to provide their first name, last name, and affiliation.

Domestic Toll-Free Number:
833 435 1820 U.S.
833 568 8864 U.S.

Domestic Toll Number:
+1 669 254 5252 U.S. (San Jose)
+1 646 828 7666 U.S. (New York)
+1 646 964 1167 U.S. (U.S. Spanish Line)
+1 415 449 4000 U.S. (U.S. Spanish

Line)
+1 551 285 1373 U.S. (New Jersey)
+1 669 216 1590 U.S. (San Jose)

International numbers are available here: *https://cftc-gov.zoomgov.com/u/abBIfl8GgU,* and will be posted on the CFTC's website, *https://www.cftc.gov,* on the page for the meeting, under Related Links.

Call-In/Webinar ID: 161 098 2116
Pass Code/Pin Code: 876025

Members of the public may also view a live webcast of the meeting via the *www.cftc.gov* website. The meeting agenda may change to accommodate other Committee priorities. For agenda updates and meeting materials, please visit: *https://www.cftc.gov/About/AdvisoryCommittees/MRAC.*

After the meeting, a transcript of the meeting will be published through a link on the CFTC's website, *https://www.cftc.gov.* Persons requiring special accommodations to attend the meeting because of a disability should notify the contact person listed in this notice.

(Authority: 5 U.S.C. 1009(a)(2).)

Dated: October 31, 2024.

Christopher Kirkpatrick,

Secretary of the Commission.

[FR Doc. 2024–25698 Filed 11–4–24; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Strategic Environmental Research and Development Program Scientific Advisory Board

AGENCY: Under Secretary of Defense for Acquisition and Sustainment (USD(A&S)), Department of Defense (DoD).

ACTION: Notice of Federal advisory committee meeting.

SUMMARY: The DoD is publishing this notice to announce that the following Federal advisory committee meeting of the Strategic Environmental Research and Development Program (SERDP) Scientific Advisory Board (SAB) will take place.

DATES: Open to the public Tuesday, November 12, 2024 from 9 a.m. to 11:15 a.m. eastern standard time.

ADDRESSES: The open meeting will be accessible by videoconference. Information for accessing the videoconference is provided in **SUPPLEMENTARY INFORMATION** ''Meeting Accessibility''.

FOR FURTHER INFORMATION CONTACT: Dr. Kimberly Spangler, Designated Federal Officer (DFO) 703–571–2477 (voice), *kimberly.y.spangler.civ@mail.mil* (email). Mailing address is SERDP Office, 3500 Defense Pentagon, RM 5C646, Washington, DC 20301–3500. Website: *https://serdp-estcp.org/about.* The most up-to-date changes to the meeting agenda can be found on the website.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of chapter 10 of title 5, United States Code (U.S.C.) (commonly known as the ''Federal Advisory Committee Act'' or ''FACA'') and 41 Code of Federal Register (CFR) 102–3.140 and 102–3.150.

Due to circumstances beyond the control of the Designated Federal Officer and the Department of Defense, the Strategic Environmental Research and Development Program Scientific Advisory Board was unable to provide public notification required by 41 CFR 102–3.150(a) concerning its November 12, 2024 meeting. Accordingly, the Advisory Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102–3.150(b), waives the 15-calendar day notification requirement.

Availability of Materials for the Meeting: Additional information, including the agenda or any updates to the agenda, is available on the *https://serdp-estcp.mil/about/programs?Id=b7ba8fa2-c6b0-4ae3-bdcd-50a3461ef4d9.*

Purpose of the Meeting: The purpose of the meeting is for the SERDP SAB to make recommendations regarding technologies, research, projects, programs, activities, and, if appropriate, funding within the scope of SERDP Fiscal Year (FY) 2025.

Agenda: Tuesday, November 12, 2024, from 9 a.m. to 11:15 a.m.— Welcome, Introductions, Statement of Need Overview and Proposals, Voting on FY 2025 Recommendations, and Adjourn.

Meeting Accessibility: Pursuant to section 1009(a) of title 5, U.S.C. and 41 CFR 102–3.140 through 102–3.165, this meeting is open to the public. The meeting will be held via videoconference. If you wish to attend, you must register at this link: *https://www.zoomgov.com/j/1604023928?pwd=NHByWEpibzljQmNLNWFuVmYrTUxDdz09.*

Once registered, the web address and audio number will be provided. For purposes of transparency and attendance reporting you will be required to use your actual first name and last name as your username and provide your affiliation.

Special Accommodations: Individuals requiring special accommodations to access the public meeting should contact Dr. Kimberly Spangler at 703–571–2477 (voice) no later than Wednesday, November 6, 2024 (by 5 p.m. EST) so that appropriate arrangements can be made.

Written Statements: Pursuant to 41 CFR 102–3.140 and section 1009(a)(3) of title 5, U.S. Code, interested persons may submit a written statement to the SERDP SAB. Individuals submitting a statement must submit their statement no later than Friday, November 8, 2024 (by 5 p.m. EST) to *kimberly.y.spangler.civ@mail.mil* (email) or to 703–571–2477 (voice). If a statement pertaining to a specific topic being discussed at the planned meeting is not received by Friday, November 8, 2024, prior to the meeting, then it may not be provided to, or considered by, the SERDP SAB during the November 12, 2024, meeting. The DFO, Dr. Kimberly Spangler will review all timely submissions with the SERDP SAB Chair and ensure such submissions are provided to the members of the SERDP SAB before the meeting.

Public Comment Period: Just before the meeting adjourns the SERDP SAB Chair will ask those in the virtual meeting if there are any oral public comments. If there are, the chair will call on each person to speak. The individual will have up to 5 minutes to address the board. After oral comments, any comments submitted to the DFO will be read aloud.

Dated: October 30, 2024.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2024–25616 Filed 11–4–24; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2024–SCC–0136]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; 2020/25 Beginning Postsecondary Students (BPS:20/25) Full-Scale Study

AGENCY: National Center for Education Statistics (NCES), 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 December 5, 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 Carrie Clarady, 202–245–6347.

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: 2020/25 Beginning Postsecondary Students (BPS:20/25) Full-Scale Study.

OMB Control Number: 1850–0631.

Type of Review: A revision of a currently approved ICR.

Respondents/Affected Public: Individuals and Households.

Total Estimated Number of Annual Responses: 26,947.

Total Estimated Number of Annual Burden Hours: 10,289.

Abstract: The 2020/25 Beginning Postsecondary Students Full-Scale Study (BPS:20/25) is conducted by the National Center for Education Statistics, part of the Institute of Education Sciences, within the Department of Education, and is part of the Beginning Postsecondary Students Longitudinal Study data collection program at *https://nces.ed.gov/surveys/bps/.* BPS is designed to follow a cohort of students who enroll in postsecondary education for the first time during the same academic year, irrespective of the date of high school completion. The study collects data on students' persistence in and completion of postsecondary education programs; their transition to employment; demographic characteristics; and changes over time in their goals, marital status, income, and debt, among other indicators. Data from BPS are used to help researchers and policymakers better understand how financial aid influences persistence and completion, what percentages of students complete various degree programs, what are the early employment and wage outcomes for certificate and degree attainers, and why students leave school.

The BPS:20/25 field test was completed during the 2023–24 academic year and was designed to test items and procedures for the upcoming full-scale study (see Appendix D of this submission with results of the two experiments embedded in the field test). BPS:20/25 will be a nationally-representative sample of approximately 28,650 students who were first-time beginning students during the 2019–20 academic year. These students will be asked to complete a survey and administrative data will also be collected for them. BPS:20/25 and other NCES postsecondary studies include data linkages with many existing sources of valuable data, listed in appendix B, including the Department of Education's FAFSA Processing System (FPS), National Student Loan Data System (NSLDS), and National Student Clearinghouse (NSC). These NCES studies also obtain data from postsecondary institution student records, information on military service records from Veterans Benefits Administration (VBA), and admissions test scores from ACT and The College Board. Linkages to additional data providers, such as Experian and the National Directory of New Hires (NDNH), may be explored for BPS:20/25.

As part of the clearance process for the previously submitted and approved Field Test package (OMB #1850–0631 v.20), NCES published a notice in the **Federal Register** allowing first a 60- and then a 30-day public comment period. That submission was designed to adequately justify the need for and overall practical utility of the full study, presenting the overarching plan for all phases of the data collection and providing as much detail about the measures to be used as is available at the time of that submission. The materials for the BPS:20/25 full-scale study are based upon the field test materials. In order to clear the final materials for the BPS:20/25 full-scale study, NCES is publishing a notice in the **Federal Register** allowing an additional 30-day public comment period on the final details and materials of the BPS:20/25 full-scale study.

Dated: October 31, 2024.

Stephanie Valentine,

PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2024–25661 Filed 11–4–24; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

High Energy Physics Advisory Panel

AGENCY: Office of Science, Department of Energy (DOE).

ACTION: Notice of open meeting.

SUMMARY: This notice announces a hybrid meeting of the DOE/National Science Foundation (NSF) High Energy Physics Advisory Panel (HEPAP). The Federal Advisory Committee Act requires that public notice of these meetings be announced in the **Federal Register**.

DATES:

Thursday, December 5, 2024; 9 a.m. to 5 p.m. (eastern time).

Friday, December 6, 2024; 9 a.m. to 1 p.m. (eastern time).

ADDRESSES: This meeting is open to the public. This meeting will be held at the Hilton Washington DC/Rockville Hotel & Executive Meeting Center, 1750 Rockville Pike, Rockville, Maryland 20852–1699. Participation through Zoom will also be available. Information to participate can be found on the website closer to the meeting date at *https://science.osti.gov/hep/hepap/meetings/.*

FOR FURTHER INFORMATION CONTACT: John Kogut, HHEPAP; U.S. Department of Energy; Office of Science; Germantown Building, 1000 Independence Avenue SW, Washington, DC 20585; Telephone: (301) 903–1298; Email: *John.Kogut@science.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of Meeting: To hear presentations by the DOE and NSF on recent activities of their high energy physics programs. To receive, discuss and vote on the Committee of Visitors (COV) Report on the Facilities Division of HEP.

Tentative Agenda:

- Update from DOE—Regina Rameika
- Update from NSF—Saul Gonzalez
- The DOE Accelerator and Technology Division—Eric Colby
- The DOE CERN Agreements—Abid Patwa
- Report of the HEP Facilities Division Committee of Visitors (COV)—Young-Kee Kim
- Discussion and voting of the COV Report
- Presentation by members of the high energy physics community on recent activities in research, operations, facilities and planning
- DOE Viewpoint on Fermilab—Regina Rameika

Public Participation: The meeting is open to the public. A webcast of this meeting will be available. Please check the website below for updates and information on how to view the meeting. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of these items on the agenda, you should contact John Kogut, (301) 903–1298 or by email at *John.Kogut@science.doe.gov.* You must make your request for an oral statement at least five business days before the meeting. Reasonable provisions will be made to include the scheduled oral statements on the agenda. If you have any questions or need a reasonable accommodation under the Americans with Disabilities Act for this event, please send your request to John Kogut at *John.Kogut@science.doe.gov* two weeks but no later than 48 hours, prior to the event. Closed captions will be enabled. The Chairperson of the Panel will conduct the meeting to facilitate the orderly conduct of business. The Chairperson of the Panel will conduct the meeting to facilitate the orderly conduct of business. Public comment will follow the 10-minute rule.

Minutes: The minutes of the meeting will be available on the High Energy Physics Advisory Panel website at *https://science.osti.gov/hep/hepap/meetings/.*

Signing Authority: This document of the Department of Energy was signed on October 30, 2024, by David Borak, Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 31, 2024.

Jennifer Hartzell,

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

[FR Doc. 2024–25668 Filed 11–4–24; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: PR25–8–000.

Applicants: Columbia Gas of Virginia Inc.

Description: § 284.123 Rate Filing: Revisions to Statement of Operating Conditions 10–2024 to be effective 9/27/2024.

Filed Date: 10/28/24.

Accession Number: 20241028–5094.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: PR25–9–000.

Applicants: Columbia Gas of Ohio, Inc.

Description: § 284.123 Rate Filing: COH Rates effective Sept 27 2024 to be effective 9/27/2024.

Filed Date: 10/28/24.

Accession Number: 20241028–5109.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: RP25–94–000.

Applicants: Southern LNG Company, L.L.C.

Description: § 4(d) Rate Filing: SLNG Electric Power Cost Adjustment—2024 to be effective 12/1/2024.

Filed Date: 10/28/24.

Accession Number: 20241028–5105.

Comment Date: 5 p.m. ET 11/12/24.

Docket Numbers: RP25–95–000.

Applicants: Midcontinent Express Pipeline LLC.

Description: § 4(d) Rate Filing: MEP November 2024 NRANCA Filing to be effective 11/1/2024.

Filed Date: 10/28/24.

Accession Number: 20241028–5130.

Comment Date: 5 p.m. ET 11/12/24.

Docket Numbers: RP25–96–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: Compliance filing: Annual Penalty Revenue Sharing—2024 to be effective N/A.

Filed Date: 10/29/24.

Accession Number: 20241029–5003.

Comment Date: 5 p.m. ET 11/12/24.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: PR24–69–002.

Applicants: Intermountain Gas Company.

Description: § 284.123 Rate Filing: Revised Statement of Operating Conditions to be effective 10/1/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5058.

Comment Date: 5 p.m. ET 11/19/24.

Any person desiring to protest in any the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: October 29, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–25628 Filed 11–4–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4349–033]

EONY Generation Limited; Notice Soliciting Scoping Comments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New Major License.

b. *Project No.:* 4349–033.

c. *Date Filed:* April 26, 2024.

d. *Applicant:* EONY Generation Limited.

e. *Name of Project:* Moose River Hydroelectric Project (project).

f. *Location:* On the Moose River in Lewis County, New York.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Rodney Foster, Manager, Maintenance and Asset Management, EONY Generation Limited, 2711 Hunt Club Road, P.O. Box 8700, Ottawa, Ontario, Canada K1G 3S4; telephone at (613) 225–0418, extension 7056; email at *rodfoster@energyottawa.com.*

i. *FERC Contact:* Kelly Wolcott, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–6480; email at *kelly.wolcott@ferc.gov.*

j. *Deadline for Filing Scoping Comments:* November 29, 2024.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* You must include your name at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: 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, MD 20852. All filings must clearly identify the project name and docket number on the first page: Moose River Hydroelectric Project (P–4349–033).

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. The application is not ready for environmental analysis at this time.

l. *Project Description:* The Moose River Project includes a dam that consists of: (1) a southern section that includes a 39-foot-long intake structure with a 3-foot-long debris sluice gate and a 15-foot-long sluice gate equipped with a trashrack with 2-inch clear bar spacing; and a 10-foot-long stoplog gate; and (2) a northern section that includes a 240-foot-long spillway with a crest elevation of 1,024.6 feet National Geodetic Vertical Datum of 1929 (NGVD 29) and a 58-foot-long, 0.5-foot-high notch.

The dam creates an impoundment that has a surface area of 21 acres at 1,024.6 feet NGVD 29. From the impoundment, water flows through the intake structure to an approximately 5,000-foot-long tunnel with a surge chamber and a 93-foot-long steel penstock. The penstock conveys water to a powerhouse that contains a 12.6-megawatt Kaplan turbine-generator. Water is discharged from the turbine to an approximately 82.5-foot-long tailrace. From the impoundment, water also flows through the debris sluice gate and stoplog gate to a 170-foot-long excavated rock channel that discharges into the Moose River. The project creates an approximately 6,200-foot-long bypassed reach of the Moose River.

Electricity generated at the project is transmitted to the electric grid via a 13.8-kilovolt (kV) underground generator lead line and a switchyard approximately 400 feet east of the powerhouse that includes a 13.8/115-kV step-up transformer.

The minimum and maximum hydraulic capacities of the powerhouse are 200 and 1,300 cfs, respectively. The average annual energy production of the project from 2016 through 2022, was 51,350 megawatt-hours.

Project recreation facilities include: (1) the Agers Falls Recreation Area on the south bank of the bypassed reach; (2) the Moose River Trail; (3) a boat portage trail around the north side of the dam; and (4) a hand-carry boat launch on the south shoreline of the impoundment.

The current license requires EONY to operate the project in a run-of-river mode, such that project outflow approximates the inflow to the impoundment. EONY maintains the normal maximum surface elevation of the impoundment at the spillway crest elevation of 1,024.6 feet NGVD 29 during non-winter months. During winter months, EONY maintains the surface elevation of the impoundment at 1,024.1 feet NGVD 29, which corresponds to the crest elevation of the notch in the spillway, to manage ice.

The current license also requires EONY to release a year-round minimum flow of 60 cfs or inflow, whichever is less, to the bypassed reach. EONY is required to provide annual whitewater flow releases downstream of the dam on ten scheduled days and ten unscheduled days, from 12:00 to 7:00 p.m., or one-half hour prior to sunset, whichever is earlier. The current license requires the licensee to implement the cultural resource management plan for the protection of historic properties.

In its application for a new major license, EONY proposes to decrease the amount of land and water enclosed by the project boundary from 184.3 to 168.4 acres. EONY proposes to continue operating the project in a run-of-river mode and maintaining the same impoundment elevations as under the current license. EONY proposes to: (1) release a year-round minimum flow of 80 cfs or inflow, whichever is less, to the bypassed reach; (2) implement an Impoundment Drawdown and Cofferdam Plan, an Invasive Species Management Plan, and a Bat and Eagle Protection Plan, all filed in Appendix C of the license application; (3) continue to maintain the project recreation facilities, and the interpretive display and trail through the historic Agers Mill Complex; (4) install directional signage at a non-project hand-carry boat take-out site along the Moose River Trail; (5) continue to provide up to 20 whitewater flow releases per year; (6) continue generator ramping during whitewater release days as outlined in the current license; (7) consult with the New York State Historic Preservation Officer (New York SHPO) on the need for any surveys or protection measures prior to implementing any land-disturbing activities in the project boundary; and (8) to protect previously unidentified cultural resources that are discovered during any construction, stop construction and consult with the New York SHPO to determine the need for any surveys or protection measures.

m. A copy of the application can be viewed on the Commission's website at *https://www.ferc.gov* using the ''eLibrary'' link. Enter the project's docket number excluding the last three digits in the docket number field to access the document (P–4349). For assistance, contact FERC Online Support.

You may also register at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

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.*

n. *Scoping Process:* Pursuant to the National Environmental Policy Act (NEPA), Commission staff will prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the ''NEPA document'') that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS.

At this time, we do not anticipate holding on-site scoping meetings. Instead, we are soliciting written comments and suggestions on the preliminary list of issues and alternatives to be addressed in the NEPA document, as described in scoping document 1 (SD1), issued October 29, 2024.

Copies of the SD1 outlining the proposed project and subject areas to be addressed in the NEPA document were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link (see item m above).

Dated: October 29, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–25631 Filed 11–4–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD24–7–000]

Federal and State Current Issues Collaborative; Notice of Meeting and Agenda

As first announced in the Commission's September 17, 2024 Notice in the above-captioned docket,[1] the first public meeting of the Federal and State Current Issues Collaborative (Collaborative) will be held on November 12, 2024, at the Anaheim Marriott in Anaheim, California, from approximately 2:30 p.m. to 5:00 p.m. PST. Commissioners may attend and participate in this meeting. Attached to this Notice is an agenda for the meeting.

The meeting will be open to the public for listening and observing and on the record. There is no fee for attendance and registration is not required. The public may attend in person or via Webcast.[2] This conference will be transcribed. Transcripts will be available for a fee from Ace Reporting, 202–347–3700.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov* or call toll free 1–866–208–3372 (voice) or 202–208–8659 (TTY) or send a fax to 202–208–2106 with the required accommodations.

More information about the Collaborative is available here: *https://www.ferc.gov/federal-state-current-issues-collaborative.* For questions related to the Collaborative, please contact: Rob Thormeyer, 202–502–8694, *robert.thormeyer@ferc.gov,* Sarah Greenberg, 202–502–6230, *sarah.greenberg@ferc.gov,* or Robert Cain, 202–898–1350, *rcain@naruc.org.*

Dated: October 29, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–25630 Filed 11–4–24; 8:45 am]

BILLING CODE 6717–01–P

[1] *Fed. and State Current Issues Collaborative,* Notice, Docket No. AD24–7–000 (issued Sept. 17, 2024).

[2] A link to the Webcast will be available here on the day of the event: *https://www.ferc.gov/federal-state-current-issues-collaborative.*

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4639–033]

Ampersand Christine Falls Hydro, LLC; Notice of Availability of Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380, the Office of Energy Projects has reviewed the application for a subsequent license to continue to operate and maintain the Christine Falls Hydroelectric Project No. 4639 (project). The project is located on the Sacandaga River near the village of Speculator, Hamilton County, New York. Commission staff has prepared an Environmental Assessment (EA) for the project.

The EA contains the staff's analysis of the potential environmental impacts of the project and concludes that licensing the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

The Commission provides all interested persons with an opportunity to view and/or print the EA 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. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* or at (866) 208–3676 (toll-free), or (202) 502–8659 (TTY).

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Any comments should be filed within 45 days from the date of this notice.

The Commission strongly encourages electronic filing. Please file comments using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* For assistance, please contact FERC Online Support. 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 first page of any filing should include docket number P–4639–033.

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.*

For further information, contact Andy Bernick at 202–502–8660 or *andrew.bernick@ferc.gov.*

Dated: October 29, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–25626 Filed 11–4–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–8–000]

Gulf South Pipeline Company, LLC; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on October 18, 2024, Gulf South Pipeline Company, LLC (Gulf South), 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, filed in the above referenced docket, a prior notice request pursuant to section 157.216 of the Commission's regulations under the Natural Gas Act (NGA), and Gulf South's blanket certificate issued in Docket No. CP82–430–000, for authorization to abandon in place and partially by removal certain facilities at its Sterlington Compressor Station (Sterlington CS). All of the above facilities are located in Ouachita Parish, Louisiana (Sterlington Compressor Station Abandonment Project). The project will allow Gulf South to abandon in place three reciprocating units totaling 3,070 horsepower (HP) that it states are obsolete and not necessary to meet Gulf South's firm service obligations in the area, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission'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 Commission'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.*

Any questions concerning this request should be directed to Blake Flowers, Regulatory Analyst, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Houston, Texas 77046, at (713) 479–8262 or by email to *blake.flowers@bwpipelines.com.*

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on December 30, 2024. How to file protests, motions to intervene, and comments is explained below.

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.*

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,[1] any person [2] or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,[3] and must be submitted by the protest deadline, which is December 30, 2024. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [4] and the regulations under the NGA [5] by the intervention deadline for the project, which is December 30, 2024. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

[1] 18 CFR 157.205.

[2] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[3] 18 CFR 157.205(e).

[4] 18 CFR 385.214.

[5] 18 CFR 157.10.

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before December 30, 2024. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP25–8–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Protest'', ''Intervention'', or ''Comment on a Filing''; or [6]

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP25–8–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other method: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicant either by mail at: Blake Flowers, Regulatory Analyst, Gulf South Pipeline Company, LLC, 9 Greenway Plaza, Houston, Texas 77046, or by email (with a link to the document) at *blake.flowers@bwpipelines.com.* Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: October 29, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–25627 Filed 11–4–24; 8:45 am]

BILLING CODE 6717–01–P

[6] Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. P–15038–001]

Let it Go, LLC; Notice of Application for Surrender of Exemption Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Surrender of Exemption.

b. *Project No:* P–15038–001.

c. *Date Filed:* September 9, 2024.

d. *Applicant:* Let it Go, LLC.

e. *Name of Project:* Jefferson Mill Hydroelectric Project.

f. *Location:* The unconstructed project was to be located on the Hardware River near the Town of Scottsville, Albemarle County, Virginia. The Project was not to use or occupy any federal land.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Aaron Van Duyne, 18 Hook Mountain Road, Suite 202, PO Box 896, Pine Brook, New Jersey 07058, United States. *JeffersonMillHydro@gmail.com.*

i. *FERC Contact:* Nathan Scholl, (202) 502–7313, *nathan.scholl@ferc.gov.*

j. *Deadline for filing comments, motions to intervene, and protests:* November 29, 2024.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: 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: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P–14677–004. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must

also serve a copy of the document on that resource agency.

k. *Description of Request:* The exemptee (Let it Go, LLC) has come to the conclusion that the costs for developing the Project far exceed the economic benefits that would be derived. Thus, to avoid any further expenditures that would be required to further design, construct, operate, and maintain this facility, and in the interest of administrative economy of avoiding any further work on this Project by Commission staff, the exemptee has decided to seek a surrender of the exemption and cease all efforts to develop the site.

l. *Locations of the Application:* This filing may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions To Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 211, 214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

p. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: October 29, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–25625 Filed 11–4–24; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC25–15–000.

Applicants: Reworld Holding Corporation on Behalf of its Public Utility Subsidiaries, GIC Infra Holdings Pte. Ltd.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Reworld Holding Corporation, et al.

Filed Date: 10/28/24.

Accession Number: 20241028–5214.

Comment Date: 5 p.m. ET 11/18/24.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER07–562–005.

Applicants: Trans-Allegheny Interstate Line Company.

Description: Trans-Allegheny Interstate Line Company Response to 09/26/2024 Deficiency Letter.

Filed Date: 10/28/24.

Accession Number: 20241028–5220.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER10–3299–017; ER10–2480–013.

Applicants: Berkshire Power Company, LLC, New Athens Generating Company, LLC.

Description: Notice of Non-Material Change in Status of New Athens Generating Company, LLC, et al.

Filed Date: 10/29/24.

Accession Number: 20241029–5251.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER22–965–005.

Applicants: Covanta Delaware Valley, L.P.

Description: Compliance filing: Reworld Delaware Valley, L.P. submits tariff filing per 35: Informational Filing Re Transfer of Control, Requests Waiver & Expedited Action to be effective N/A.

Filed Date: 10/28/24.

Accession Number: 20241028–5162.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER22–966–005.

Applicants: Covanta Essex Company.

Description: Compliance filing: Reworld Essex Company submits tariff filing per 35: Informational Filing Re Transfer of Control, Requests Waiver & Expedited Action to be effective N/A.

Filed Date: 10/28/24.

Accession Number: 20241028–5170.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER22–967–005.

Applicants: Covanta Fairfax, LLC.

Description: Compliance filing: Reworld Fairfax, LLC submits tariff filing per 35: Informational Filing Re Transfer of Control, Requests Waiver & Expedited Action to be effective N/A.

Filed Date: 10/28/24.

Accession Number: 20241028–5176.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER22–968–005.

Applicants: Covanta Plymouth Renewable Energy, LLC.

Description: Compliance filing: Reworld Plymouth, LLC submits tariff filing per 35: Informational Filing Re Transfer of Control, Requests Waiver & Expedited Action to be effective N/A.

Filed Date: 10/28/24.

Accession Number: 20241028–5180.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER23–102–003; ER23–101–003.

Applicants: North East Offshore, LLC, Revolution Wind, LLC.

Description: Notice of Non-Material Change in Status of Revolution Wind, LLC, et al.

Filed Date: 10/29/24.

Accession Number: 20241029–5253.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER24–1894–001.

Applicants: Stanton Clean Energy, LLC.

Description: Tariff Amendment: Response to Deficiency Letter & Amendments to PPA (ER24–1894–) to be effective 5/1/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5184.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER24–1952–001.

Applicants: American Transmission Systems, Incorporated.

Description: American Transmission Systems, Inc. Response to 09/26/2024 Deficiency Letter.

Filed Date: 10/28/24.

Accession Number: 20241028–5217.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER24–2045–002.

Applicants: PJM Interconnection, L.L.C.

Description: Compliance filing: Submission of Responses to Data Request in Order Nos. 2023 and 2023–A Compliance to be effective N/A.

Filed Date: 10/29/24.

Accession Number: 20241029–5244.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER24–2178–001.

Applicants: Mid-Atlantic Interstate Transmission, LLC.

Description: Mid-Atlantic Interstate Transmission, LLC Response to 09/26/2024 Deficiency Letter.

Filed Date: 10/28/24.

Accession Number: 20241028–5219.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER24–2247–001.

Applicants: Jersey Central Power & Light Company.

Description: Jersey Central Power & Light Company Response to 09/26/2024 Deficiency Letter.

Filed Date: 10/28/24.

Accession Number: 20241028–5218.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER24–2299–001.

Applicants: South FirstEnergy Operating Companies.

Description: South FirstEnergy Operating Companies Response to 09/26/2024 Deficiency Letter.

Filed Date: 10/28/24.

Accession Number: 20241028–5221.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER24–3028–000; ER24–3029–000.

Applicants: Livingston Generating Station, LLC, Kalamazoo Generating Station, LLC.

Description: Supplement to 10/16/2024 Kalamazoo Generating Station, LLC, et al. tariff filing.

Filed Date: 10/28/24.

Accession Number: 20241028–5066.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER24–3059–000.

Applicants: Dan's Mountain Wind Force, LLC.

Description: Supplement to 09/17/2024, Dan's Mountain Wind Force, LLC tariff filing.

Filed Date: 10/28/24.

Accession Number: 20241028–5173.

Comment Date: 5 p.m. ET 11/7/24.

Docket Numbers: ER25–238–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA, SA No. 6172; Queue Nos. AC2–059/AD1–072/AD2–016 to be effective 12/28/2024.

Filed Date: 10/28/24.

Accession Number: 20241028–5146.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER25–239–000.

Applicants: Public Service Company of Colorado.

Description: § 205(d) Rate Filing: 2024–12–28—WAPA—Non-Conforming NITS 325–0.4.0 to be effective 12/28/2024.

Filed Date: 10/28/24.

Accession Number: 20241028–5192.

Comment Date: 5 p.m. ET 11/18/24.

Docket Numbers: ER25–240–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3977R1 Salt Branch Solar GIA to be effective 10/18/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5004.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–241–000.

Applicants: New York Independent System Operator, Inc., Niagara Mohawk Power Corporation.

Description: Tariff Amendment: New York Independent System Operator, Inc. submits tariff filing per 35.15: Notice of Cancellation: EPCA SA 2688 among NYISO, National Grid, and NEET NY to be effective 12/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5018.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–242–000.

Applicants: Fuse Energy NY LLC.

Description: Initial rate filing: MBR Application to be effective 1/1/2025.

Filed Date: 10/29/24.

Accession Number: 20241029–5033.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–243–000.

Applicants: Assembly Solar II, LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Tariff Filing to be effective 12/29/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5036.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–244–000.

Applicants: Blue Bird Solar, LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Tariff Filing to be effective 12/29/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5037.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–245–000.

Applicants: Gravel Pit Solar III, LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Tariff Filing to be effective 12/29/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5038.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–246–000.

Applicants: Gravel Pit Solar IV, LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Tariff Filing to be effective 12/29/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5039.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–247–000.

Applicants: Long Lake Solar, LLC.

Description: § 205(d) Rate Filing: Revised Market-Based Rate Tariff Filing to be effective 12/29/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5043.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–248–000.

Applicants: Happy Solar 1, LLC.

Description: § 205(d) Rate Filing: Revision of MBR Tariff, Change in Category Status to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5067.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–249–000.

Applicants: Oxbow Solar Farm 1, LLC.

Description: § 205(d) Rate Filing: Revision of MBR Tariff, Change in Category Status to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5070.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–250–000.

Applicants: Rochester Gas and Electric Corporation, New York Independent System Operator, Inc.

Description: Tariff Amendment: Rochester Gas and Electric Corporation submits tariff filing per 35.15: Notice of Cancellation: EPCA SA 2635 among NYISO, RG&E, and NEET NY to be effective 12/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5096.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–251–000.

Applicants: Omaha Public Power District, Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: Omaha Public Power District submits tariff filing per 35.13(a)(2)(iii: Omaha Public Power District Formula Rate Revisions to be effective 1/1/2025.

Filed Date: 10/29/24.

Accession Number: 20241029–5117.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–252–000.

Applicants: NextEra Energy Transmission Southwest, LLC, Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: NextEra Energy Transmission Southwest, LLC submits tariff filing per 35.13(a)(2)(iii: NEET SW Formula Rate Revisions (Wolf-Creek Blackberry) to be effective 1/1/2025.

Filed Date: 10/29/24.

Accession Number: 20241029–5155.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–253–000.

Applicants: Duke Energy Florida, LLC.

Description: § 205(d) Rate Filing: DEF-Pinellas County LGIA to be effective 1/1/2025.

Filed Date: 10/29/24.

Accession Number: 20241029–5156.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–254–000.

Applicants: NECEC Transmission LLC.

Description: § 205(d) Rate Filing: Bilateral, Cost-Based TSAs Incorporating Fourth Amendments (Eversource) to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5176.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–255–000.

Applicants: NECEC Transmission LLC.

Description: § 205(d) Rate Filing: Bilateral, Cost-Based TSAs Incorporating Fourth Amendments (National Grid) to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5180.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–256–000.

Applicants: NECEC Transmission LLC.

Description: § 205(d) Rate Filing: Bilateral, Cost-Based TSAs Incorporating Fourth Amendments (Unitil) to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5190.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–257–000.

Applicants: NECEC Transmission LLC.

Description: § 205(d) Rate Filing: Bilateral, Cost-Based TSAs Incorporating Fourth Amendments (HQUS Eversource) to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5191.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–258–000.

Applicants: NECEC Transmission LLC.

Description: § 205(d) Rate Filing: Bilateral, Cost-Based TSAs Incorporating Fourth Amendments (HQUS National Grid) to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5193.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–259–000.

Applicants: NECEC Transmission LLC.

Description: § 205(d) Rate Filing: Bilateral, Cost-Based TSAs Incorporating Fourth Amendments (HQUS Unitil) to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5196.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–260–000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: § 205(d) Rate Filing: Midcontinent Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: 2024–10–29_SA 3028 Ameren IL-Prairie Power Project #41 Sugar Grove-Rushville to be effective 12/29/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5199.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–261–000.

Applicants: NECEC Transmission LLC.

Description: § 205(d) Rate Filing: Bilateral, Cost-Based TSAs Incorporating Fourth Amendments (HQUS Additional) to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5201.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–262–000.

Applicants: Startrans IO, LLC.

Description: § 205(d) Rate Filing: Startrans IO, LLC TRBAA 2025 Update to be effective 1/1/2025.

Filed Date: 10/29/24.

Accession Number: 20241029–5202.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–263–000.

Applicants: Dunns Bridge Energy Storage, LLC.

Description: Compliance filing: Notice of Non-Material Change in Status and MBR Tariff Revisions to be effective 12/29/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5213.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ER25–264–000.

Applicants: Public Service Company of Colorado.

Description: Tariff Amendment: 2024–10–29—PSC—GI–2014–9—SS—LGIA Amnd 1–457 NOC to be effective 10/30/2024.

Filed Date: 10/29/24.

Accession Number: 20241029–5218.

Comment Date: 5 p.m. ET 11/19/24.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES25–10–000.

Applicants: AEP GENERATING COMPANY.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of AEP Generating Company.

Filed Date: 10/29/24.

Accession Number: 20241029–5248.

Comment Date: 5 p.m. ET 11/19/24.

Docket Numbers: ES25–11–000.

Applicants: Ameren Transmission Company of Illinois.

Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Ameren Services Company.

Filed Date: 10/29/24.

Accession Number: 20241029–5254.

Comment Date: 5 p.m. ET 11/19/24.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

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 29, 2024.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2024–25629 Filed 11–4–24; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0750; FRL–12314–01–OCSPP]

Pesticide Registration Review; Proposed Decisions for Several Pesticides; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's amended proposed interim decisions (PID) for folpet and sedaxane. This notice also announces the availability of EPA's proposed final registration review decision (PFD) for *d*-allethrin. EPA is opening a 60-day public comment period for these proposed registration review decisions.

DATES: Comments must be received on or before January 6, 2025.

ADDRESSES: Submit your comments, identified by the docket identification (ID) number for the specific pesticide of interest provided in table 1 of unit I, by one of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail: https://www.epa.gov/dockets/where-send-comments-epa-dockets.* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.

FOR FURTHER INFORMATION CONTACT:

For pesticide specific information, contact: The Chemical Review Manager for the pesticide of interest identified in table 1 of unit I.

For general information on the registration review program, contact: Melanie Biscoe, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–0701; email address: *biscoe.melanie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Purpose of This Notice

Pursuant to 40 CFR 155.58(a), this notice announces the availability of EPA's proposed interim and proposed final registration review decisions for the pesticides shown in table 1 and opens a 60-day public comment period on the proposed interim and proposed final registration review decisions.

TABLE 1—PROPOSED INTERIM AND PROPOSED FINAL REGISTRATION REVIEW DECISIONS

Registration review case name and number	Docket ID No.	Chemical review manager and contact information
d-Allethrin Case Number 0437	EPA–HQ–OPP–2010–0022	Carolyn Smith, *smith.carolyn@epa.gov*, (202) 566–2273.
Folpet Case Number 0630	EPA–HQ–OPP–2012–0859	Samantha Carter, *carter.samantha@epa.gov*, (202) 566–1179. Erin Dandridge, *dandridge.erin@epa.gov*, (202) 566–0635.
Sedaxane Case Number 7065	EPA–HQ–OPP–2022–0448	Samantha Carter, *carter.samantha@epa.gov*, (202) 566–1179.

II. Background

EPA is conducting its registration review of the chemicals listed in the table 1 of unit I pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(g) (7 U.S.C. 136a(g)) and the Procedural Regulations for Registration Review at 40 CFR part 155, subpart C. FIFRA Section 3(g) provides, among other things, that pesticide registrations are to be reviewed every 15 years. Consistent with 40 CFR 155.57, in its final registration review decision, EPA will ultimately determine whether a pesticide continues to meet the registration standard in FIFRA section 3(c)(5) (7 U.S.C. 136a(c)(5)). As part of the registration review process, the Agency has completed a proposed interim or proposed decision for each of the pesticides listed in table 1 of unit I.

The registration review docket for a pesticide includes documents related to the registration review case. Among other things, these documents describe EPA's rationales for conducting additional risk assessments for the registration review of the pesticides included in table 1 of unit I, as well as the Agency's subsequent risk findings and consideration of possible risk mitigation measures. The proposed interim and proposed registration review decisions are supported by the rationales included in those documents.

Consistent with 40 CFR 155.58(a), EPA provides for at least a 60-day public comment period on proposed interim and proposed registration review decisions. This comment period is intended to provide an opportunity for public input and a mechanism for initiating any necessary amendments to the proposed decision.

For additional background on the registration review program, see: *https://www.epa.gov/pesticide-reevaluation.*

III. What action is the Agency taking?

This notice is directed to the public in general and may be of interest to a wide range of stakeholders including environmental, human health, farm worker, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the Chemical Review Manager for the pesticide of interest identified in table 1 of unit I. In submitting a comment to EPA, please consider the following:

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all the information that you claim to be CBI. For CBI information on a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at: *https://www.epa.gov/dockets/commenting-epa-dockets.*

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws,

regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

All comments should be submitted using the methods in **ADDRESSES** and must be received by EPA on or before the closing date. These comments will become part of the docket for the pesticides included in table 1 in unit I. The Agency will consider all comments received by the closing date and may respond to comments in a ''Response to Comments Memorandum'' in the docket and/or in any subsequent interim or final registration review decision, as appropriate.

Authority: 7 U.S.C. 136 *et seq.*

Dated: October 22, 2024.

Jean Anne Overstreet,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2024–25618 Filed 11–4–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2024–0525; FRL–12397–01–OA]

Historically Black Colleges and Universities and Minority Serving Institutions Advisory Council

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: Under the Federal Advisory Committee Act (FACA), the Environmental Protection Agency (EPA) gives notice of a public meeting of the Historically Black Colleges and Universities and Minority Serving Institutions Advisory Council (HBCU-MSI AC). The purpose of this meeting is for the council to provide advice and recommendations to EPA on how to leverage HBCUs and MSIs to help diversify the agency's workforce and nurture the next generation of environmental leaders and ensure that these vital institutions of higher learning have the resources and support to continue to thrive for generations to come. It is part of a comprehensive effort to advance equity in economic and educational opportunities for all Americans while protecting human health and the environment. For additional information about registering to attend the meeting or to provide a public comment, see the ''Public Participation'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

DATES: The HBCU-MSI AC will convene a virtual and in-person public meeting on Wednesday, November 20, 2024, 10 a.m.–4:30 p.m. A public comment period relevant to the HBCU-MSI AC will be considered by the HBCU-MSI AC at the meeting on Wednesday, November 20, 2024 (see **SUPPLEMENTARY INFORMATION**). Members of the public who wish to participate during the public comment period must register by 11:59 p.m., Eastern Time, Wednesday, November 13, 2024.

ADDRESSES: The virtual and in-person public meeting will be held at EPA Headquarters located at 1200 Pennsylvania Avenue NW, Washington, DC 20460. The meeting will convene on Wednesday, November 20, 2024, from 10 a.m. to 4:30 p.m. EST. Refer to the **SUPPLEMENTARY INFORMATION** section below for additional information.

You may send comments, identified by Docket ID No. EPA–HQ–OA–2024–0525, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov/* (our preferred method). Follow the online instructions for submitting comments.
- *Email: HBCU-MSI.AC@epa.gov.* Include Docket ID No. EPA–HQ–OA–2024–0525 in the subject line of the message.

Instructions: All submissions received must include the Docket ID No. for this public meeting. Comments received may be posted without change to *https://www.regulations.gov/,* including any personal information provided. Comments must be submitted by 11:59 p.m. Eastern Time on Thursday, December 5, 2024. For detailed instructions on sending comments and additional information on the rulemaking process, see the ''Public Participation'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Because this public meeting is being held at a U.S. Government facility, individuals planning to attend the public meeting should be prepared to show valid picture identification to the security staff to gain access to the meeting room. Please note that the REAL ID Act, passed by Congress in 2005, established new requirements for entering federal facilities. For purposes of the REAL ID Act, EPA will accept government-issued IDs, including drivers' licenses from the District of Columbia and all states and territories except from American Samoa. If your identification is issued by American Samoa, you must present an additional form of identification to enter the federal building where the public hearing will be held. Acceptable alternative forms of identification include Federal employee badges, passports, enhanced driver's licenses, and military identification cards. For additional information for the status of your state regarding REAL ID, go to: *https://www.dhs.gov/real-id-enforcement-brieffrequently-asked-questions.* Any objects brought into the building need to fit through the security screening system, such as a purse, laptop bag, or small backpack. Demonstrations will not be allowed on Federal property for security reasons.

FOR FURTHER INFORMATION CONTACT: Rhonda Wright, HBCU-MSI AC Designated Federal Officer; telephone number: (202) 500–1291; email address: *wright.rhonda@epa.gov.* Additional information about the HBCU-MSI AC is available at *https://www.epa.gov/faca/historically-black-colleges-and-universities-and-minority-serving-institutions-advisory.*

SUPPLEMENTARY INFORMATION: The Charter of the HBCU-MSI AC (available at *https://www.epa.gov/faca/historically-black-colleges-and-universities-and-minority-serving-institutions-advisory*) states that the advisory council will provide advice and recommendations to EPA on how to leverage HBCUs and MSIs to help diversify the agency's workforce and nurture the next generation of environmental leaders and ensure that these vital institutions of higher learning have the resources and support to continue to thrive for generations to come. It is part of a comprehensive effort to advance equity in economic and educational opportunities for all Americans while protecting human health and the environment.

I. Public Participation

The meeting is open to the public with limited seating available for in-person attendance and on a first come, first serve basis. Members of the public wishing to participate virtually must contact the Designated Federal Officer (DFO) by 11:59 p.m. on Wednesday, November 13, 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 timeline noted is met prior to the meeting.

Individual registration is required for the public meeting. No two individuals can share the same registration link. Information on how to register is located at *https://www.epa.gov/faca/historically-black-colleges-and-universities-and-minority-serving-institutions-advisory.* Registration for the meeting is available until the scheduled end time of the meeting. Registration to speak during the public comment period will close at 11:59 p.m., ET, on Wednesday, November 13, 2024. When registering, please provide your name, organization, city and state, and email address for follow up. Please also indicate whether you would like to provide public comment during the meeting, or if you are submitting written comments.

A. Written Comments

Submit your comments, identified by Docket ID No. EPA–HQ–OA–2024–0525, at *https://www.regulations.gov* (our preferred method), or the other methods identified in the **ADDRESSES** section. Comments must be submitted by 11:59 p.m. Eastern Time on Thursday, December 5, 2024. Once submitted, comments cannot be edited or removed from the docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at *https://www.regulations.gov* any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). Please visit *https://www.epa.gov/dockets/commenting-epa-dockets* for additional submission methods; the full EPA public comment policy; information about CBI, PBI, or multimedia submissions; and general guidance on making effective comments.

B. Participation Virtually and In-Person Public Meeting

EPA will begin pre-registering speakers for the public meeting upon publication of this document in the **Federal Register**. To register to speak virtually or in-person, please use the online registration form available at *https://www.epa.gov/faca/historically-black-colleges-and-universities-and-minority-serving-institutions-advisory.* The last day to pre-register to speak at the public meeting will be at 11:59 p.m., ET, on Wednesday, November 13, 2024.

EPA will make every effort to follow the schedule as closely as possible on the day of the public meeting; however, please plan for the meeting to run either ahead of schedule or behind schedule.

Individuals or groups making remarks during the public comment period will be limited to two (2)–three (3) minutes. Please be prepared to briefly describe your issue and your recommendation relevant to the current charges, topics, and questions under consideration by the HBCU-MSI AC. EPA also recommends submitting the text of your oral comments as written comments to the rulemaking docket.

Written statements and supporting information submitted during the comment period will be considered with the same weight as oral comments and supporting information presented at the public meeting.

Please note that any updates made to any aspect of the public meeting are posted online at *https://www.epa.gov/faca/historically-black-colleges-and-universities-and-minority-serving-institutions-advisory.* While EPA expects the public meeting to go forward as set forth above, please monitor our website. EPA does not intend to publish a document in the **Federal Register** announcing updates.

C. Information About Services for Individuals With Disabilities or Requiring English Language Translation Assistance

To ensure adequate time for processing, please make requests accessibility and/or accommodations for individuals with disabilities at least five (5) business days prior to the meeting. All requests should be sent to the email listed in the **FOR FURTHER INFORMATION CONTACT** section.

Kathryn Avivah Jakob,

Director, Office of Public Engagement and Environmental Education, Office of the Administrator.

[FR Doc. 2024–25682 Filed 11–4–24; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK

Sunshine Act Meetings

Notice of open meeting of the Advisory Committee of the Export-Import Bank of the United States (EXIM).

TIME AND DATE: Monday, November 18th, 2024 from 1 p.m.–2:30 p.m. ET.

A joint meeting of the EXIM Advisory Committee, Sub-Saharan Africa Advisory Committee, and EXIM Advisory Councils.

PLACE:

Microsoft Teams: The meeting will be held virtually for committee and council members, EXIM's Board of Directors, support staff, and all other participants.

Registration and Public Comment: Virtual Public Participation: The meeting will be open to public participation virtually and time will be allotted for questions or comments submitted online. Members of the public may also file written statements before or after the meeting to *advisory@exim.gov.*

Interested parties may register for the meeting at: *https://events.teams.microsoft.com/event/1ef4bba2-e6a2-4534-aa98-c09364e9502f@b953013c-c791-4d32-996f-518390854527.*

STATUS: Open.

MATTERS TO BE CONSIDERED: Discussion of EXIM policies and programs to provide competitive financing to expand United States exports and comments for inclusion in EXIM's Report to the U.S. Congress on Global Export Credit Competition.

CONTACT PERSON FOR MORE INFORMATION: For further information, contact India Walker, Senior External Engagement Specialist, at 202–480–0062 or *india.walker@exim.gov.*

The Advisory Committee has been established as directed by section 3(d) of the Export-Import Bank Act of 1945 (the ''Act''), 12 U.S.C. 635a(d)(1)(A). This Advisory Committee is chartered in accordance with the Federal Advisory Committee Act (''FACA''), 5 U.S.C. app.

India A. Walker,

Senior External Engagement Specialist, Office of External Engagement.

[FR Doc. 2024–25817 Filed 11–1–24; 4:15 pm]

BILLING CODE 6690–01–P

EXPORT-IMPORT BANK

[Public Notice: 2024–6098]

Agency Information Collection Activities: Submission to the Office of Management and Budget for Review and Approval; Comment Request; EIB 84–01 Application for Export Working Capital Guarantee

AGENCY: Export-Import Bank of the United States.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Export-Import Bank of the United States (EXIM), pursuant to the Export-Import Bank Act of 1945, as

amended, facilitates the finance of the export of U.S. goods and services. As part of its continuing effort to reduce paperwork and respondent burden, EXIM invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the paperwork Reduction Act of 1995.

DATES: Comments must be received on or before January 6, 2025 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on *WWW.REGULATIONS.GOV* (EIB 84–01), by email *smaro.karakatsanis@exim.gov,* or by mail to Smaro Karakatsanis, Export-Import Bank of the United States, 811 Vermont Ave. NW, Washington, DC. The application tool can be reviewed at: *https://img.exim.gov/s3fs-public/pub/pending/EIB+84-01+EXIM_WCGP_Application.pdf.*

FOR FURTHER INFORMATION CONTACT: To request additional information, please contact Smaro Karakatsanis, *smaro.karakatsanis@exim.gov,* 202–565–3655.

SUPPLEMENTARY INFORMATION:

Title and Form Number: EIB 84–01, Application for Export Working Capital Guarantee.

OMB Number: 3048–0003.

Type of Review: Regular.

Need and Use: This form provides EXIM staff with the information necessary to determine if the application and transaction is eligible for EXIM assistance under their export working capital guarantee program.

Affected Public: This form affects entities involved in the export of U.S. goods and services.

Annual Number of Respondents: 150.

Estimated Time per Respondent: 2 hours.

Annual Burden Hours: 300 hours.

Frequency of Reporting of Use: Annually.

Dated: October 30, 2024.

Andrew Smith,

Records Officer.

[FR Doc. 2024–25619 Filed 11–4–24; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

[FR ID: 258599]

Privacy Act of 1974; System of Records

AGENCY: Federal Communications Commission.

ACTION: Notice of a modified system of records.

SUMMARY: The Federal Communications Commission (FCC, Commission, or Agency) proposes to modify an existing system of records, FCC/OS–2 (formerly OMD–12), Integrated Library System (ILS) Records, subject to the Privacy Act of 1974, as amended. This action is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** notice of the existence and character of records maintained by the Agency. The FCC's Office of the Secretary (OS) in the Office of Managing Director (OMD) uses the records in OS–2 to keep track of items borrowed by registered users from the FCC Library's collection and to ensure that all items are returned to the FCC Library in a timely manner and/or upon a FCC employee's departure from the Commission.

DATES: This modified system of records will become effective on November 5, 2024. Written comments on the routine uses are due by Thursday, December 5, 2024. The routine uses in this action will become effective on Thursday, December 5, 2024 unless comments are received that require a contrary determination.

ADDRESSES: Send comments to Brendan McTaggart, Federal Communications Commission, 45 L Street NE, Washington, DC 20554, or *privacy@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: Brendan McTaggart, (202) 418–1738, or *privacy@fcc.gov.*

SUPPLEMENTARY INFORMATION: This notice serves to update and modify FCC/OS–2 as a result of various necessary changes and updates. The substantive changes and modifications to the previously published version of the FCC/OS–2 system of records include:

1. Renumbering the former ''OMD–12'' SORN as ''OS–2'' to align with the current numbering system for FCC SORNs.

2. Updating and/or revising language in seven routine uses (listed by the routine use number provided in this SORN): (1) Litigation and (2) Adjudication (now two separate routine uses); (3) Law Enforcement and Investigation; (4) Congressional Inquiries; (5) Government-wide Program Management and Oversight; (7) Assistance to Federal Agencies and Entities Related to Breaches, which is required by OMB M–17–12; and (8) Nonfederal Personnel.

3. Deleting former routine use (8) Recovering Overdue Library Materials, which is unnecessary because the disclosures described in that routine use are covered by U.S.C. 552a(b)(1).

The system of records is also updated to reflect various administrative changes related to the system managers and system addresses; policy and practices for storage retrieval of the information; administrative, technical, and physical safeguards; records retention schedules; and updated notification, records access, and contesting records procedures.

SYSTEM NAME AND NUMBER:

FCC/OS–2, Integrated Library System (ILS) Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

FCC Library, OS, OMD, FCC, 45 L Street NE, Washington, DC 20554.

SYSTEM MANAGER(S):

OS, OMD, FCC, 45 L Street NE, Washington, DC 20554.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101 and 47 U.S.C. 154(i).

PURPOSE(S) OF THE SYSTEM:

The information is maintained and used to keep track of items borrowed by registered users from the FCC Library's collection and to ensure that all items are returned to the FCC Library in a timely manner and/or upon a FCC employee's departure from the Commission.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former FCC employees who have registered as library users.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information in this system includes records on checked-out and/or checked-in items contained in the FCC Library collection. For each item, and for each individual who checked out/in the item, the records collected may include the individual's name, telephone number, email address, library barcode identifier (*i.e.,* library patron username), and position category (*e.g.,* attorney, engineer, etc.).

RECORD SOURCE CATEGORIES:

FCC employees who provide information in order to check out materials from the FCC Library.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a

portion of the records or information contained in this system may be disclosed to authorized entities, as is determined to be relevant and necessary, outside of the FCC as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

1. Litigation—Records may be disclosed to the Department of Justice (DOJ) when: (a) the FCC or any component thereof; (b) any employee of the FCC in his or her official capacity; (c) any employee of the FCC in his or her individual capacity where the DOJ or the FCC has agreed to represent the employee; or (d) the United States Government is a party to litigation or has an interest in such litigation, and by careful review, the FCC determines that the records are both relevant and necessary to the litigation, and the use of such records by the Department of Justice is for a purpose that is compatible with the purpose for which the FCC collected the records.

2. Adjudication—Records may be disclosed in a proceeding before a court or adjudicative body, when: (a) the FCC or any component thereof; or (b) any employee of the FCC in his or her official capacity; or (c) any employee of the FCC in his or her individual capacity; or (d) the United States Government, is a party to litigation or has an interest in such litigation, and by careful review, the FCC determines that the records are both relevant and necessary to the litigation, and that the use of such records is for a purpose that is compatible with the purpose for which the agency collected the records.

3. Law Enforcement and Investigation—When the FCC investigates any violation or potential violation of a civil or criminal law, regulation, policy, executed consent decree, order, or any other type of compulsory obligation, and determines that a record in this system, either alone or in conjunction with other information, indicates a violation or potential violation of law, regulation, policy, consent decree, order, or other compulsory obligation, the FCC may disclose pertinent information as it deems necessary to the target of an investigation, as well as with the appropriate Federal, State, local, Tribal, international, or multinational agencies, or a component of such an agency, responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order.

4. Congressional Inquiries—Records may be provided to a Congressional office in response to an inquiry from that Congressional office made at the written request of the individual to whom the records pertain.

5. Government-wide Program Management and Oversight—Records may be disclosed to the DOJ to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act (FOIA); or to the Office of Management and Budget (OMB) to obtain that office's advice regarding obligations under the Privacy Act.

6. Breach Notification—Records may be disclosed to appropriate agencies, entities, and persons when: (a) the Commission suspects or has confirmed that there has been a breach of the system of records; (b) the Commission has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the Commission (including its information system, programs, and operations), the Federal Government, or national security; and; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Commission's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

7. Assistance to Federal Agencies and Entities Related to Breaches—Records may be disclosed to another Federal agency or Federal entity, when the Commission determines that information from this system is reasonably necessary to assist the recipient agency or entity in: (a) responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, program, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

8. Non-Federal Personnel—Records may be disclosed to non-Federal personnel, including contractors, other vendors (*e.g.,* identity verification services), grantees, and volunteers who have been engaged to assist the FCC in the performance of a service, grant, cooperative agreement, or other activity related to this system of records and who need to have access to the records in order to perform their activity.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

This an electronic system of records that resides on the FCC's network or on an FCC vendor's network.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records in this system of records can be retrieved by an authorized FCC user by many category fields—*e.g.,* name, office telephone number, email address, and barcode number.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Information in this system is maintained and disposed of in accordance with National Archives and Records Administration (NARA) General Records Schedule (GRS) 4.4, Library Records (DAA–GRS–2015–0003).

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to the records is restricted to Office of the Secretary (OS) and IT staff; ILS and IT contractors; and vendors who maintain the networks and services. Other FCC employees, contractors, vendors, and users may be granted access on a ''need-to-know'' basis. The records are stored within FCC or a vendor's accreditation boundaries and maintained in a database housed in the FCC's or vendor's computer network databases. The electronic files and records are protected by the FCC and third-party privacy safeguards, a comprehensive and dynamic set of IT safety and security protocols and features that are designed to meet all Federal privacy standards, including those required by the Federal Information Security Modernization Act of 2014 (FISMA), the Office of Management and Budget (OMB), and the National Institute of Standards and Technology (NIST).

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedures below.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedures below.

NOTIFICATION PROCEDURES:

Individuals wishing to determine whether this system of records contains information about themselves may do so by writing to *privacy@fcc.gov.* Individuals requesting access must also comply with the FCC's Privacy Act regulations regarding verification of identity to gain access to records as required under 47 CFR part 0, subpart E.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

84 FR 18532 (May 1, 2019).

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2024–25673 Filed 11–4–24; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0025; –0200; –0214]

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. 3064–0025; –0200; and –0214).

DATES: Comments must be submitted on or before January 6, 2025.

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 collections of information:*

1. *Title:* Application for Consent to Exercise Trust Powers.

OMB Number: 3064–0025.

Form Number: 6200/09.

Affected Public: Insured state nonmember banks wishing to exercise trust powers.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0025)

Information collection (IC) (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Application for Consent to Exercise Trust Powers—Eligible Depository Institutions 12 CFR 303.242 (Mandatory).	Reporting (On Occasion)	3	1	08:00	24
2. Application for Consent to Exercise Trust Powers—Not-Eligible Depository Institutions, 12 CFR 303.242 (Mandatory).	Reporting (On Occasion)	1	1	24:00	24
Total Annual Burden (Hours)					48

Source: FDIC.

General Description of Collection: FDIC regulations (12 CFR 333.2) prohibit any insured State nonmember bank from changing the general character of its business without the prior written consent of the FDIC. The exercise of trust powers by a bank is usually considered a change in the general character of a bank's business if the bank did not exercise those powers previously. Therefore, unless a bank is currently exercising trust powers, it must file a formal application to obtain the FDIC's written consent to exercise trust powers. State banking authorities, not the FDIC, grant trust powers to their banks. The FDIC merely consents to the exercise of such powers. Applicants use form FDIC 6200/09 to obtain FDIC's consent. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 72 hours in 2022 to 48 hours currently is due to decrease in the number of applications for expedited processing from eligible depository institutions.

2. *Title:* Joint Standards for Assessing Diversity Policies and Practices.

OMB Number: 3064–0200.

Form Number: 2710/05—Diversity Self-Assessment (paper form), 2710/06—Diversity Self-Assessment (electronic form).

Affected Public: Insured State nonmember banks, and insured State savings associations.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0200)

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. Joint Standards for Assessing Diversity Policies and Practices—Paper Form, Interagency policy statement (Voluntary).	Reporting (Annual)	6	1	08:00	48
2. Joint Standards for Assessing Diversity Policies and Practices—Electronic Form (Implementation), Interagency policy statement (Voluntary).	Reporting (Annual)	36	1	07:00	252
3. Joint Standards for Assessing Diversity Policies and Practices—Electronic Form (Ongoing), Interagency policy statement (Voluntary).	Reporting (Annual)	139	1	03:00	417
4. Joint Standards for Assessing Diversity Policies and Practices—Free-Form, Interagency policy statement (Voluntary).	Reporting (Annual)	6	1	12:00	72
5. Joint Standards for Assessing Diversity Policies and Practices—Nonmaterial, Interagency policy statement (Voluntary).	Reporting (Annual)	14	1	00:06	1

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0200)—Continued

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)
6. Joint Standards for Assessing Diversity Policies and Practices—Public Disclosure, Interagency policy statement (Voluntary).	Disclosure (Annual)	201	1	01:00	201
Total Annual Burden (Hours)					991

Source: FDIC.

General Description of Collection: Section 342 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (the Act) required the Office of the Comptroller of the Currency, the Federal Reserve System, the FDIC, the Consumer Financial Protection Bureau, and the Securities and Exchange Commission each to establish an Office of Minority and Women Inclusion (OMWI) to be responsible for all matters of the agency relating to diversity in management, employment, and business activities. The Act also instructed each OMWI director to develop standards for assessing the diversity policies and practices of entities regulated by the agency. The agencies worked together to develop joint standards (Joint Standards) and, on June 10, 2015, they jointly published in the **Federal Register** the ''Final Interagency Policy Statement Establishing Joint Standards for Assessing the Diversity Policies and Practices of Entities Regulated by the Agencies'' (Policy Statement). The Policy Statement includes Joint Standards that cover ''Practices to Promote Transparency of Organizational Diversity and Inclusion.'' These Joint Standards contemplate that a regulated entity is transparent about its diversity and inclusion activities by making certain information available to the public annually on its websites or through other appropriate communications methods, in a manner reflective of the entity's size and other characteristics. The specific information referenced in these standards is (a) the entity's diversity and inclusion strategic plan; (b) its policy on its commitment to diversity and inclusion; (c) its progress toward achieving diversity and inclusion in its workforce and procurement activities; and (d) opportunities available at the entity that promote diversity. In addition, the Policy Statement includes Joint Standards that address ''Entities' Self-Assessment.'' The Joint Standards for Entities' Self-Assessment envision that a regulated entity, in a manner reflective of its size and other characteristics, (a) conducts annually a voluntary self-assessment of its diversity policies and practices; (b) monitors and evaluates its performance under its diversity policies and practices on an ongoing basis; (c) provides information pertaining to its self-assessment to the OMWI Director of its primary Federal financial regulator; and (d) publishes information pertaining to its efforts with respect to the Joint Standards. There is no change in the methodology or substance of this information collection. The decrease in total estimated annual burden from 1560 hours in 2022 to 991 hours currently is due to the expectation that most repeat respondent banks would use the copy/clone feature in Financial Institution Diversity-Self Assessment (FID-SA) for their future submissions, thereby saving a substantial amount of response time and reducing their overall burden hours.

3. *Title:* Computer Security Incident Notification Requirements.

OMB Number: 3064–0214.

Form Number: None.

Affected Public: Businesses or other for-profit.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL BURDEN (OMB NO. 3064–0214)

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. Notification Incident Reporting, 12 CFR 304.23 (Mandatory)	Reporting (On Occasion)	67	1.25	03:00	252
2. Service Provider Notification, 12 CFR 304.24 (Mandatory)	Reporting (On Occasion)	832	1	03:00	2,496
Total Annual Burden (Hours)					2,748

Source: FDIC.

General Description of Collection: The Office of the Comptroller of the Currency, Board of Governors of the Federal Reserve System, and the FDIC are issuing a notice of proposed rulemaking (the proposed rule) that would require a banking organization to notify its primary Federal regulator upon the occurrence of a significant computer security incident. This notification requirement is intended to serve as an early alert to a banking organization's primary Federal regulator and is not intended to include an assessment of the incident. The proposed rule would allow a banking organization to authorize or contract with a bank service provider to allow the bank service provider to make the relevant notifications to the banking organization's primary Federal regulator on the banking organization's behalf. Moreover, a bank service provider as defined herein and in accordance with the Bank Service Company Act (BSCA) would be required to notify affected banking organization customers within four hours of when it experiences a computer-security incident that it reasonably believes could disrupt, degrade, or impair services provided subject to the BSCA for four or more hours. ''Bank service providers'' would include both bank service companies and third-party service providers, under the BSCA. There is no change in the methodology or substance of this information collection. The increase in total estimated annual burden from 2,694 in 2022 to 2,748 currently is due to a change in the estimated number or respondents.

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 31, 2024.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024–25699 Filed 11–4–24; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments 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 St. Louis (Holly A. Rieser, Senior Manager) P.O. Box 442, St. Louis, Missouri 63166–2034. Comments can also be sent electronically to *Comments.applications@stls.frb.org:*

1. *Phyllis Hofmeister, Robert Hofmeister, William Hofmeister, and Norma Hofmeister, all of Quincy, Illinois; Kurt Hofmeister, Vero Beach, Florida; Jon Hofmeister, Warsaw, Illinois; and Jane Wiley, Bruce Wiley, Elizabeth Wiley, and Carson Wiley, all of Indianapolis, Indiana;* to establish the Hofmeister Family Control Group, a group acting in concert, to retain voting shares of First Bankers Trustshares, Inc., and thereby indirectly retain voting shares of First Bankers Trust Company, National Association, both of Quincy, Illinois. In addition, Robert Hofmeister to acquire additional voting shares of First Bankers Trustshares, Inc.

B. Federal Reserve Bank of Minneapolis (Mark Rauzi, Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291. Comments can also be sent electronically to *MA@mpls.frb.org:*

1. *Gigi Otten, Hayward, Minnesota; and the James and Renata MacAlpine Trust, James MacAlpine and Renata MacAlpine as trustees, all of Ord, Nebraska;* to join the Otten Family Shareholder Control Group (Otten Group), a group acting in concert, to retain voting shares of Minnesota Community Bancshares, Inc. (MCBI), Albert Lea, Minnesota, and thereby indirectly retain voting shares of Arcadian Bank, Hartland, Minnesota. In addition, the William E. Brush & Bettina A. Brush Trust, William Brush as trustee, both of North Loup, Nebraska; and the Harold C. Kermes Trust dated February 4, 2022, Harold Kermes as trustee, both of Hayward, Minnesota, to join the Otten Group, to acquire voting shares of MCBI, and thereby indirectly acquire voting shares of Arcadian Bank.

Board of Governors of the Federal Reserve System.

Erin Cayce,

Assistant Secretary of the Board.

[FR Doc. 2024–25709 Filed 11–4–24; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10398 #88]

Medicaid and Children's Health Insurance Program (CHIP) Generic Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: On May 28, 2010, the Office of Management and Budget (OMB) issued Paperwork Reduction Act (PRA) guidance related to the ''generic'' clearance process. Generally, this is an expedited process by which agencies may obtain OMB's approval of collection of information requests that are ''usually voluntary, low-burden, and uncontroversial collections,'' do not raise any substantive or policy issues, and do not require policy or methodological review. The process requires the submission of an overarching plan that defines the scope of the individual collections that would fall under its umbrella. This **Federal Register** notice seeks public comment on one or more of our collection of information requests that we believe are generic and fall within the scope of the umbrella. Interested persons are invited to submit 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 November 19, 2024.

ADDRESSES: When commenting, please reference the applicable form number (CMS–10398 #86) and the OMB control number (0938–1148). 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: CMS–10398 #88/OMB control number: 0938–1148, 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/medicare/regulations-guidance/legislation/paperwork-reduction-act-1995/pra-listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at 410–786–4669.

SUPPLEMENTARY INFORMATION: Following is a summary of the use and burden associated with the subject information collection(s). More detailed information can be found in the collection's supporting statement and associated materials (see **ADDRESSES**).

Generic Information Collection

1. *Title of Information Collection:* Medicaid/CHIP School-Based Services (SBS) Grants; *Type of Information Collection Request:* New information collection request information request; *Use:* The Centers for Medicare & Medicaid Services (CMS) is committed to increasing access to health care services in ways that can narrow disparities in rates of care, promote quality education and achievement, and build a reliable system of support for every young person. This commitment recognizes research that consistently demonstrates a positive link between scholastic attainment and improved health outcomes while also acknowledging that the educational environment is an optimal place to promote wellbeing.

Schools are uniquely positioned to help increase health equity and to help ensure that all children, including adolescents, have access to necessary health care services. Although schools are primarily providers of education, the school setting provides a unique opportunity to: enroll eligible children and adolescents in Medicaid and the Children's Health Insurance Program (CHIP); deliver covered services, including behavioral health services (mental health and substance use disorder (SUD) services) to eligible children; and help children who are enrolled in Medicaid or CHIP access the services they need.

School-based services (SBS), which are Medicaid or CHIP-coverable services provided to children and adolescents in a school setting, play an important role in the health and well-being of children and adolescents, particularly for those enrolled in the Medicaid or CHIP programs.

The Bipartisan Safer Communities Act (BSCA) (Section 11003(b)) authorized $50,000,000 for the Secretary to award grants to States for the purpose of implementing, enhancing, or expanding the provision of assistance through school-based entities under Medicaid and CHIP. This initiative provides funding support to bolster State and local infrastructure for the provision, billing, and claiming of Medicaid and CHIP SBS programs. Medicaid and CHIP cover many services provided through schools to students enrolled in Medicaid. This includes services provided by school-based health centers, which can significantly improve key health and educational outcomes among students. With the funding from this grant, States will be able to strengthen their SBS programs, and provide an overall greater quality of services to their students.

Form Number: CMS–10398 #88 (OMB control number: 0938–1148); *Frequency:* Annual, quarterly, once, and on occasion; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 18; *Total Annual Responses:* 114; *Total Annual Hours:* 1,278. (For policy questions regarding this collection contact: Andrew Badaracco at 410–786–4589.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2024–25646 Filed 11–4–24; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; ACF–800: Child Care and Development Fund (CCDF) Annual Aggregate Report (Office of Management and Budget #0970–0150)

AGENCY: Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office of Child Care (OCC), Administration for Children and Families (ACF) is requesting a three-year extension with changes to the form ACF–800: CCDF Annual Aggregate Report (Office of Management and Budget #0970–0150, expiration 3/31/2025). OCC proposes changes incorporating new items on presumptive eligibility and on additional information about lead agencies using grants and contracts for direct services to expand parent options for certain types of care specified in the 2024 CCDF final rule.

DATES: *Comments due* January 6, 2025. In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above.

ADDRESSES: You can obtain copies of the proposed collection of information and submit comments by emailing *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The ACF–800 provides annual aggregate data on the children and families receiving direct services under CCDF. The ACF–800 provides administrative information on the type and methods of child care delivery and is used to analyze and evaluate the CCDF program and the extent to which State and Territory Lead Agencies are assisting families in addressing child care needs.

OCC has included a new section on presumptive eligibility to gather data on the number of presumptively eligible children and the outcomes post verification. Additional questions specific to infants and toddlers, children with disabilities, and children in underserved geographic areas have been added to comply with the 2024 CCDF final rule requiring lead agencies to make some use of grants or contracts for direct services for these populations. Finally, OCC seeks public comment on use of the pooling factor for CCDF administrative data reporting and whether it is possible for states to identify and separately report all children and families served by CCDF without the need to apply a pooling factor.

Respondents: State and Territory Lead Agencies.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Annual number of responses per respondent	Average burden hours per response	Annual burden hours
ACF–800: CCDF Annual Aggregate Report	56	1	45	2,520

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.

In addition, the Department seeks public comment on use of the pooling factor for CCDF administrative data reporting. The current ACF–800 and ACF–801 reports instruct states that pool CCDF and non-CCDF funds to report all children and families funded by these pooled funding sources on both the ACF–800 and ACF–801. ACF then applies a pooling factor (reported by the state on the ACF–800) to determine the number of children and families served by CCDF. During the public comment period, ACF is soliciting comments on this approach, or whether it is possible for states to identify and separately report all children and families served by CCDF without the need to apply a pooling factor.

Authority: The Child Care and Development Block Grant Act (42 U.S.C. 9857 *et seq.*); regulations at 45 CFR 98.70 and 98.71.

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2024–25690 Filed 11–4–24; 8:45 am]

BILLING CODE 4184–81–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; ACF–801: Child Care and Development Fund (CCDF) Quarterly Case-Level Report (Office of Management and Budget #0970–0167)

AGENCY: Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office of Child Care (OCC), Administration for Children and Families (ACF) is requesting a three-year extension with changes to the form ACF–801: CCDF Quarterly Case-Level Report (Office of Management and Budget (OMB) #0970–0167, expiration 4/30/2025). OCC proposes changes to the reporting requirements for family co-payments and to combine race and ethnicity into a single category. Additionally, OCC proposes to add a new data element, the provider's county Federal Information Processing Series (FIPS) code, as well as including modified instructions for the total hours of care being provided.

DATES: *Comments due* January 6, 2025. 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 ACF–801 provides monthly case-level data on the children and families receiving direct child care services under CCDF. The ACF–801 case-level data are reported either monthly or quarterly. OCC proposes changes to the reporting requirements for family co-payments to better understand how co-payments are distributed across multiple children and program settings.

OCC has updated the race and ethnicity question to align with the updated Statistical Policy Directive 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15). The new categories and instructions for reporting race and ethnicity will provide improved data quality and uniformity of information collected that is consistent with OMB guidance. Additionally, OCC proposes to add a new data element, the provider's county FIPS code, for county-level analysis, such as mapping or geo-coding. Revised instructions for the collection of total hours of care provided monthly will address provisions in the 2024 CCDF final rule related to payment based on a child's enrollment rather than attendance.

Respondents: State and Territory Lead Agencies.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Annual number of responses per respondent	Average burden hours per response	Annual burden hours
ACF–801: CCDF Quarterly Case-Level Report	56	4	6.5	1,456

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.

The Department also seeks public comment on the proposed changes related to reporting family co-payments.

Finally, the Department seeks public comment on use of the pooling factor for CCDF administrative data reporting. The current ACF–800 and ACF–801 reports instruct states that pool CCDF and non-CCDF funds to report all children and families funded by these pooled funding sources on both the ACF–800 and ACF–801. ACF then applies a pooling factor (reported by the state on the ACF–800) to determine the number of children and families served by CCDF. During the public comment period, ACF is soliciting comments on this approach, or whether it is possible for states to identify and separately report all children and families served by CCDF without the need to apply a pooling factor.

Authority: Section 658K of the Child Care and Development Block Grant Act (42 U.S.C. 9858); regulations 45 CFR 98.70 and 98.71.

Mary C. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2024–25691 Filed 11–4–24; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Lists of Designated Primary Medical Care, Mental Health, and Dental Health Professional Shortage Areas

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: This notice informs the public of the availability of the complete lists of all geographic areas, population groups, and facilities designated as primary medical care, dental health, and mental health professional shortage areas (HPSAs) in a designated status as of October 15, 2024. The lists are available on the shortage area topic page on HRSA's *data.hrsa.gov* website.

ADDRESSES: Complete lists of HPSAs designated as of October 15, 2024, are available on the website at *https://data.hrsa.gov/tools/health-workforce/shortage-areas/frn.* Frequently updated information on HPSAs is available at *https://data.hrsa.gov/topics/health-workforce/health-workforce-shortage-areas.* Information on shortage designations is available at *https://bhw.hrsa.gov/workforce-shortage-areas/shortage-designation.*

FOR FURTHER INFORMATION CONTACT: For further information on the HPSA designations listed on the website or to request additional designation, withdrawal, or reapplication for designation, please contact Dr. Shelby Hockenberry, Branch Chief, Shortage Designation Branch, Division of Policy and Shortage Designation, Bureau of Health Workforce, HRSA, 5600 Fishers Lane, Rockville, Maryland 20857, *sdb@hrsa.gov,* (301) 443–1993.

SUPPLEMENTARY INFORMATION:

Background

Section 332 of the Public Health Service (PHS) Act, 42 U.S.C. 254e, provides that the Secretary shall designate HPSAs based on criteria established by regulation. HPSAs are defined in section 332 to include (1) urban and rural geographic areas with shortages of health professionals, (2) population groups with such shortages, and (3) facilities with such shortages. Section 332 further requires that the Secretary annually publish lists of the designated geographic areas, population groups, and facilities. The lists of HPSAs are to be reviewed at least annually and revised as necessary.

Final regulations (42 CFR part 5) were published on November 17, 1980 (45 FR 75996), that include the criteria for designating HPSAs. Criteria were defined for seven health professional types: primary medical care, dental, psychiatric, vision care, podiatric, pharmacy, and veterinary care. The criteria for correctional facility HPSAs were published on October 29, 1987 (52 FR 41594), and revised March 2, 1989 (54 FR 8735). The criteria for psychiatric HPSAs were expanded to mental health HPSAs on January 22, 1992 (57 FR 2473). Currently funded PHS Act programs use only the primary medical care, mental health, or dental HPSA or relevant sub-score designations such as Maternity Care Target Areas.

HPSA designation offers access to potential federal assistance. Public or private nonprofit entities are eligible to apply for assignment of National Health Service Corps personnel to provide primary medical care, mental health, or dental health services in or to these HPSAs. National Health Service Corps health professionals enter into service agreements to serve in federally designated HPSAs. Entities with clinical training sites located in HPSAs are eligible to receive priority for certain residency training program grants administered by HRSA. Other federal programs also utilize HPSA designations. For example, under authorities administered by the Centers for Medicare & Medicaid Services, certain qualified providers in geographic area HPSAs are eligible for increased levels of Medicare reimbursement.

Content and Format of Lists

The three lists of designated HPSAs are available on the HRSA Data Warehouse shortage area topic web page and include a snapshot of all geographic areas, population groups, and facilities that were designated HPSAs as of October 15, 2024. This notice incorporates the most recent annual reviews of designated HPSAs and supersedes the HPSA lists published in the **Federal Register** on July 1, 2024, (89 FR 54471/Document Number 2024–14477). That publication served as a notice that if those HPSAs in a proposed for withdrawal status were not re-evaluated and/or continued to not meet designation requirements by the time the HPSA **Federal Register** notice published on or before November 1, 2024, they would be withdrawn.

In addition, all Indian tribes that meet the definition of such tribes in the Indian Health Care Improvement Act of 1976, 25 U.S.C. 1603, are automatically designated as population groups with primary medical care and dental health professional shortages. Further, the Health Care Safety Net Amendments of 2002 provides eligibility for automatic facility HPSA designations for all federally qualified health centers (FQHCs) and rural health clinics that offer services regardless of ability to pay. Specifically, these entities include FQHCs funded under section 330 of the PHS Act, FQHC Look-Alikes, and tribal and urban Indian clinics operating under the Indian Self-Determination and Education Act of 1975 (25 U.S.C. 450) or the Indian Health Care Improvement Act. Many, but not all, of these entities are included on this listing. Absence from this list does not exclude them from HPSA designation; facilities eligible for automatic designation are included in the database when they are identified.

Each list of designated HPSAs is arranged by state. Within each state, the list is presented by county. If only a portion (or portions) of a county is (are) designated, a county is part of a larger designated service area, or a population group residing in a county or a facility located in the county has been

designated, the name of the service area, population group, or facility involved is listed under the county name. A county that has a whole county geographic or population group HPSA is indicated by the phrase ''County'' following the county name.

Development of the Designation and Withdrawal Lists

HRSA continuously receives requests for designation or withdrawal of a particular geographic area, population group, or facility as a HPSA. Under a Cooperative Agreement between HRSA and the 54 state and territorial primary care offices (PCOs), PCOs conduct needs assessments and submit applications to HRSA to designate HPSAs. HRSA refers requests that come from other sources to PCOs for review. In addition, interested parties, including governors, state primary care associations, and state professional associations, are notified of requests so that they may submit their comments and recommendations.

HRSA reviews each recommendation for possible addition, continuation, revision, or withdrawal. Following review, HRSA notifies the appropriate agency, individuals, and interested organizations of each designation of a HPSA, rejection of recommendation for HPSA designation, revision of a HPSA designation, and/or advance notice of pending withdrawals from the HPSA list. Designations (or revisions of designations) are effective as of the date on the notification from HRSA and are updated daily on the HRSA Data Warehouse website. The effective date of a withdrawal will be the next publication of a notice regarding the list of designated HPSAs in the **Federal Register**.

Diana Espinosa,

Principal Deputy Administrator.

[FR Doc. 2024–25624 Filed 11–4–24; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Secretary; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Interagency Pain Research Coordinating Committee.

The meeting will be held as a virtual meeting and will be open to the public as indicated below. 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 can be accessed from the NIH Videocast at the following link: *https://videocast.nih.gov/.*

Name of Committee: Interagency Pain Research Coordinating Committee.

Date: December 4, 2024.

Time: 10:15 a.m. to 4:00 p.m. Eastern Time (ET).

Agenda: Interagency Pain Research Coordinating Committee member updates and other committee business, including Federal Pain Research Strategy research progress, communication and dissemination strategies, and workgroup updates.

Webcast Live: http://videocast.nih.gov/.

Place: National Institutes of Health, Building 31, 31 Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Leah Pogorzala, Ph.D., Policy Analyst, Office of Pain Policy and Planning, Office of the Director, National Institute of Neurological Disorders and Stroke, NIH, Bethesda, MD 20892, Phone: (301) 496–4228, Email: *leah.pogorzala@nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person. Written comments should be submitted to the contact person by 5:00 p.m. ET on November 27, 2024.

Information is also available on the IPRCC website *http://iprcc.nih.gov*, where an agenda and any additional information for the meeting will be posted when available.

Dated: October 30, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–25650 Filed 11–4–24; 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; Member Conflict: Developmental Biology.

Date: December 2, 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: Anne Marie Strohecker, Ph.D., Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867–5309, *stroheckeram@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Health Services and Systems B.

Date: December 3–4, 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: Tara Roshell Earl, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1007C, Bethesda, MD 20892, (301) 402–6857, *earltr@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Microbial Diagnostics, Detection and Decontamination.

Date: December 3–4, 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: Shinako Takada, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–5997, *shinako.takada@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Special topics in Mechanistic and Clinical Neuroscience.

Date: December 3, 2024.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Suzan Nadi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, (301) 435–1259, *nadis@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–23–122: Research with Activities Related to Diversity (ReWARD).

Date: December 3–4, 2024.

Time: 10:00 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: Katherine M. Malinda, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4140, MSC 7814, Bethesda, MD 20892, (301) 435–0912, *malindakm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Topics in Autoimmune Arthritis.

Date: December 3, 2024.

Time: 10:30 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: Virtual Meeting.

Contact Person: Alok Mulky, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4203, Bethesda, MD 20892, (301) 435–3566, *mulkya@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–NS–22–034: HEAL Initiative.

Date: December 3, 2024.

Time: 11:00 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: Roger Janz, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–8515, *janzr2@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 30, 2024.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–25651 Filed 11–4–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; Notice of Closed Meeting

Pursuant to section 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 Center for Advancing Translational Sciences Special Emphasis Panel; CTSA Collaborative and Innovative Acceleration Award (CCIA) Review.

Date: February 20, 2025.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Rockville, MD 20892 (Virtual).

Contact Person: Jing Chen, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences, National Institutes of Health, 9609 Medical Center Drive, Suite 1E504, Bethesda, MD 20892, (301) 827–3268, *chenjing@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: October 30, 2024.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–25649 Filed 11–4–24; 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; Member Conflict: Research Grants in Vascular Biology and Hematology.

Date: December 3, 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: Courtney Elaine Watkins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–3093, email: *courtney.watkins2@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Native American Research Centers for Health (NARCH) and NARCH Planning Grants.

Date: December 3–4, 2024.

Time: 11:00 a.m. to 9:00 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: Heidi B. Friedman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 907–H, Bethesda, MD 20892, (301) 379–5632, email: *hfriedman@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Neurodegeneration, Cell death, and Mitochondrial function.

Date: December 4, 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: Christine Jean DiDonato, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1014J, Bethesda, MD 20892, (301) 435–1042, email: *didonatocj@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR23–138: Instrumentation Grant Program for Resource-Limited Institutions (S10).

Date: December 4, 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: James J. Li, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5148, MSC 7849, Bethesda, MD 20892, 301–806–8065, email: *lijames@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Human Genetics and Genomics Topics Special Emphasis Panel.
Date: December 4–5, 2024.
Time: 10:00 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: Virtual Meeting.
Contact Person: Maddalena Tilli Shiffert, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 710P, Bethesda, MD 20892, (301) 594–4257, email: *shiffertmt@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: HIV/AIDS Biological Review Panel.
Date: December 4, 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: Diana Maria Ortiz-Garcia, Ph.D., Scientific Review Officer, The Center for Scientific Review, The National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–5614, *diana.ortiz-garcia@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Workforce Diversity in Basic Cancer Research.
Date: December 4, 2024.
Time: 11:00 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: Rolf Jakobi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6190, MSC 7806, Bethesda, MD 20892, 301–435–1718, email: *jakobir@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neuroimmunology, Circadian Rhythms, Sleep, and Aging.
Date: December 4, 2024.
Time: 12:00 p.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: Virtual Meeting.
Contact Person: Anne-Sophie Marie Lucie Wattiez, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–4642, email: *anne-sophie.wattiez@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 30, 2024.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–25623 Filed 11–4–24; 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 Resource-Related Research Projects (R24 Clinical Trial Not Allowed).
Date: December 6, 2024.
Time: 1:00 p.m. to 5:00 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 3G21A, Rockville, MD 20892 (Video Assisted Meeting).
Contact Person: Shiv A. Prasad, 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 3G21A, Rockville, MD 20892, 240–627–3219, *shiv.prasad@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 30, 2024.

Lauren A. Fleck,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2024–25645 Filed 11–4–24; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7080–N–53]

30-Day Notice of Proposed Information Collection: Single Family Premium Collection Subsystem—Periodic (SFPCS–P); OMB Control No.: 2502–0536

AGENCY: Office of Policy Development and Research, Chief Data Officer, 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 comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for an additional 30 days of public comment.

DATES: *Comments Due Date:* December 5, 2024.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. 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. 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, Reports Managment Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410–5000; email: *PaperworkReductionActOffice@hud.gov.*

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 7th Street SW, Room 8210, Washington, DC 20410; email *Colette.Pollard@hud.gov* or

telephone (202) 402–3400. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on August 22, 2024 at 89 FR 67957.

A. Overview of Information Collection

Title of Information Collection: Single Family Premium Collection Subsystem—Periodic (SFPCS–P).

OMB Approval Number: 2502–0536.

OMB Expiration Date: March 31, 2025.

Type of Request: Revision of a currently approved collection.

Form Number: None.

Description of the need for the information and proposed use: The Single Family Insurance Operations Division (SFIOD) is seeking to account for the data collected from FHA Lenders pertaining to Batch Payment FHA Periodic MIP remittance signups currently on the Single Family Alternate Report Retrieval web page.

Respondents: Businesses or other for-profits.

Estimated Number of Respondents: 649.

Estimated Number of Responses: 7,696.

Frequency of Response: 16.

Average Hours per Response: .15.

Total Estimated Burden: 1,156 hours.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

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

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

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

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

(5) Ways to minimize the burden of the collection of information on those who are respond, including the use of automated collection techniques or other forms of information technology.

HUD encourages interested parties to submit comments in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Colette Pollard,

Department Reports Management Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2024–25666 Filed 11–4–24; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6496–N–01]

Tribal Intergovernmental Advisory Committee Membership

AGENCY: Office of Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: This notice announces the list of Committee Members of HUD's Tribal Intergovernmental Advisory Committee (TIAC) starting in January 2025. The committee will perform several advisory functions while it considers HUD policies that affect Indian Country. HUD will publish a subsequent notice with details of any scheduled TIAC meeting.

FOR FURTHER INFORMATION CONTACT: Heidi J. Frechette, Deputy Assistant Secretary for Native American Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street SW, Room 4126, Washington, DC 20410, telephone number 202–401–7914 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION:

I. Background

On January 26, 2021, President Biden issued a Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships.[1] The memorandum directed all Federal agencies to take actions to strengthen their Tribal consultation policies and practices and to further the purposes of Executive Order 13175 (Consultation and Coordination With Indian Tribal Governments).

On November 15, 2021 (86 FR 63051), to enhance consultation and collaboration with Tribal governments, HUD published a notice in the **Federal Register** announcing its intention to establish its first Tribal advisory committee known as the ''Tribal Intergovernmental Advisory Committee'' (TIAC). The notice also solicited Tribal feedback on a proposed TIAC structure and its functions. On March 31, 2022 (87 FR 18807), HUD published a notice in the **Federal Register** that announced the final structure of the TIAC and requested the submission of Tribal nominations to the TIAC. HUD selected 15 members for its inaugural TIAC, beginning in January 2023.

On April 8, 2024 (89 FR 24484), HUD published a notice in the **Federal Register** requesting submission of Tribal nominations to the TIAC for two-year terms to begin in January 2025 (replacing eight positions whose terms were set to expire at the end of December 2024).

II. The Tribal Intergovernmental Advisory Committee

Today's notice announces the membership of the TIAC starting January 2025 (returning members as well as new members). The purpose of the TIAC is to further facilitate intergovernmental communication between HUD and Tribal leaders of federally recognized Tribes on all HUD programs, to make recommendations to HUD regarding current program regulations that may require revision, as well as suggest rulemaking methods to develop such changes, and to advise in the development of HUD's American Indian and Alaska Native (AI/AN) housing priorities. The function of TIAC is not to replace Tribal consultation, but rather to serve as a tool to help supplement it.

In making the selections for membership on the TIAC, HUD's goal was to establish a committee whose

[1] Available at: *https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-on-tribal-consultation-and-strengthening-nation-to-nation-relationships/.*

membership reflects a balanced representation of Indian tribes. In addition to the Tribal representatives on the committee, there will be several HUD representatives, each representing various program offices, on the committee.

HUD appreciates commenters who submitted names of Alternates. HUD is only announcing Committee Members in today's Notice. However, each Committee Member should have an eligible Alternate in queue in case the Committee Member is unable to attend a particular committee meeting. As a reminder, the Alternate must meet the same eligibility criteria required of the selected Committee Member, specifically, that they must be either a duly elected Tribal official or Tribal employee. The Alternate cannot be a Tribally Designated Housing Entity employee. In the absence of a Committee Member, the Alternate will have the same rights, responsibilities, duties, and functions as a Committee Member during meetings. Each Committee Member has the discretion to decide who will best represent them in their absence. A Committee Member unable to attend any session must inform HUD in writing with an original signature as to whom they have selected to represent them and will specify the term. HUD will review all Alternates before a meeting to confirm that they meet the eligibility criteria for Alternates specified by HUD.

The final list of members of the TIAC is as follows:

Tribal Members

Jamie Azure, Chairman, Turtle Mountain Band of Chippewa Indians, Belcourt, North Dakota.

Gary Batton, Chief, Choctaw Nation of Oklahoma, Durant, Oklahoma.

Kelly Cook, Executive Director, Office of Housing, Chickasaw Nation, Ada, Oklahoma.

Glenn Ellis, Jr., Council Member, Makah Indian Tribe of the Makah Indian Reservation, Neah Bay, Washington.

Denise Harvey, Council Member, Confederated Tribes of Grand Ronde Community of Oregon, Grand Ronde, Oregon.

Emily Boyd-Valandra, Councilmember, Rosebud Sioux Tribe of the Rosebud Indian Reservation, Rosebud, South Dakota.

Benjamin Herne, Tribal Sub-Chief, Saint Regis Mohawk Tribe, Akwesasne, New York.

Victoria Hobbs, Legislative Council Representative, Tohono O'odham Nation of Arizona, Sells, Arizona.

Ryman LeBeau, Chairman, Cheyenne River Sioux Tribe, Eagle Butte, South Dakota (at-large).

Patricia MacDonald, Council President, Healy Lake Village, Fairbanks, Alaska.

Jacqueline Pata, 1st Vice President, Central Council of Tlingit and Haida Indian Tribes of Alaska, Juneau, Alaska.

Teri Nutter, Council Member, Gulkana Village Council, Gakona, Alaska (at-large).

Charles Matthew Sisneros, Lieutenant Governor, Santa Clara Indian Pueblo, Espanola, New Mexico.

Bridgett Sorenson, Board of Director, Sault Ste. Marie Tribe of Chippewa Indians, Kincheloe, Michigan.

Kim Teehee, Director of Government Relations, Cherokee Nation, Tahlequah, Oklahoma (at-large).

HUD Representatives

Assistant Secretary, Office of Public and Indian Housing.

Assistant Secretary, Office of Policy, Development, and Research.

Assistant Secretary, Office of Fair Housing and Equal Opportunity.

Assistant Secretary, Office of Field Policy Management.

Assistant Secretary, Office of Housing.

Assistant Secretary, Government National Mortgage Association.

Assistant Secretary, Office of Community Planning and Development.

Gary Cooper,

Associate Deputy Assistant Secretary for Native American Programs, Office of Public and Indian Housing.

[FR Doc. 2024–25657 Filed 11–4–24; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[256A2100DD/AAKC001030/ A0A501010.999900]

Receipt of Documented Petition for Federal Acknowledgment as an American Indian Tribe

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Department of the Interior (Department) gives notice that the group known as the Salinan Tribe of Monterey and San Luis Obispo Counties has filed a documented petition for Federal acknowledgment as an American Indian Tribe with the Assistant Secretary—Indian Affairs. The Department seeks comment and evidence from the public on the petition.

DATES: Comments and evidence must be postmarked by March 5, 2025.

ADDRESSES: Copies of the narrative portion of the documented petition, as submitted by the petitioner (with any redactions appropriate under 25 CFR 83.21(b)), and other information are available at the Office of Federal Acknowledgement's (OFA) website: *www.bia.gov/as-ia/ofa.* Submit any comments or evidence to: Department of the Interior, Office of the Assistant Secretary—Indian Affairs, Attention: Office of Federal Acknowledgment, Mail Stop 4071 MIB, 1849 C Street NW, Washington, DC 20240, or by email to: *Ofa_Info@bia.gov.*

FOR FURTHER INFORMATION CONTACT: Ms. Nikki Bass, OFA Director, Office of the Assistant Secretary—Indian Affairs, Department of the Interior, by phone: (202) 513–7650; or by email: *Ofa_Info@bia.gov.*

SUPPLEMENTARY INFORMATION: On July 31, 2015, the Department's revisions to 25 CFR part 83 became final and effective (80 FR 37861). A key goal of the revisions was to improve transparency through increased notice of petitions and providing improved public access to petitions. Today, the Department informs the public that a complete documented petition has been submitted under the current regulations, that portions of that petition are publicly available on the website identified above for easy access, and that we are seeking public comment early in the process on this petition.

Under 25 CFR 83.22(b)(1), the OFA publishes notice that the following group has filed a documented petition for Federal acknowledgment as an American Indian Tribe to the Assistant Secretary—Indian Affairs: Salinan Tribe of Monterey and San Luis Obispo Counties. The contact information for the petitioner is Mr. Michael Erin Woody, 8270 Morro Road, Atascadero, California 93422.

Also, under 25 CFR 83.22(b)(1), OFA publishes on its website the following:

i. The narrative portion of the documented petition, as submitted by the petitioner (with any redactions appropriate under 25 CFR 83.21(b));

ii. The name, location, and mailing address of the petitioner and other information to identify the entity;

iii. The date of receipt;

iv. The opportunity for individuals and entities to submit comments and evidence supporting or opposing the petitioner's request for acknowledgment within 120 days of the date of the website posting; and

v. The opportunity for individuals and entities to request to be kept

informed of general actions regarding a specific petitioner.

Authority

The Department publishes this notice and request for comment in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by Department Manual part 209, chapter 8.

Bryan Newland,

Assistant Secretary—Indian Affairs.

[FR Doc. 2024–25689 Filed 11–4–24; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–39010; 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 26, 2024, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by November 20, 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 26, 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.

CONNECTICUT

New Haven County

Long Wharf Pier, 351 Long Wharf Drive, New Haven, SG100011121

IOWA

Polk County

William O. and Mattie M. Coffee House, 4140 Grand Avenue, Des Moines, SG100011107

KANSAS

Douglas County

Friends' Place (Lawrence, Kansas MPS), 1500 Learnard Avenue, Lawrence, MP100011114

Finney County

Sears Roebuck & Co. Store, 601 N Main Street, Garden City, SG100011115

Lincoln County

Felcman, Frank & Anna Homestead (Post Rock Limestone Properties in Kansas, 1870–1948 MPS), 264 N 60th Rd., Sylvan Grove, MP100011116

Miami County

West Elementary School (Public Schools of Kansas MPS), 1009 Pacific Avenue, Osawatomie, MP100011117

Montgomery County

Wesley Chapel, 2696 County Road 4500, Coffeyville vicinity, SG100011118

Sedgwick County

Dawson Farmstead (Agriculture-Related Resources of Kansas MPS), 9801 N Broadway St. & 200 W 93rd St. N, Valley Center, MP100011119

Wyandotte County

First African Methodist Episcopal Church, 1111 N 8th Street, Kansas City, SG100011120

MAINE

Oxford County

Rumford Falls Paper Company Historic District, 60 Lowell and 35 Hartford Streets, Rumford, SG100011132

MARYLAND

Howard County

Sykesville Bypass Bridge (Historic Highway Bridges of Maryland, 1694–1965 MPS), MD 32 Bridge over River Road, the South Branch of the Patapsco River, and CSX Railroad, Sykesville, MP100011131

OHIO

Hamilton County

Schulkers, Robert F., House, 3168 Victoria Avenue (originally Boulevard), Cincinnati, SG100011129

Montgomery County

Santa Clara Business Historic District, 1846–1976 N Main Street, inclusive (both sides of street), Dayton, SG100011127

PENNSYLVANIA

Allegheny County

Loutellus Apartment Hotel, 231–245 Melwood Avenue, Pittsburgh, SG100011109

TEXAS

Medina County

Rainbow Theater, 410 Paris Street, Castroville, SG100011087

VIRGINIA

Richmond INDEPENDENT CITY

Hickory Hill School, 3000 East Belt Boulevard, Richmond, SG100011128

A request for removal has been made for the following resource(s):

KANSAS

Doniphan County

First National Bank Building (Highland, Doniphan County, Kansas MPS), 422–424 West Main St., Highland, OT08000609

Pratt County

Ellis, Earl H., VFW Post #1362, 701 E 1st St., Pratt, OT06000597

Wilson County

Neodesha City Hall Building, 102 S 4th St., Neodesha, OT100002248

Authority: Section 60.13 of 36 CFR part 60.

Sherry A. Frear,

Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2024–25708 Filed 11–4–24; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR85672300, 19XR0680A2, RX.31480001.0040000; OMB Control Number 1006–0003]

Agency Information Collection Activities; Bureau of Reclamation Use Authorization Application

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Reclamation (Reclamation) are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before January 6, 2025.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to Jason Kirby, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225–0007; or by email to *jkirby@usbr.gov.* Please reference Office of Management and Budget (OMB) Control Number 1006–0003 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Jason Kirby by email at *jkirby@usbr.gov,* or by telephone at (303) 445–2895. 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: In accordance with the Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

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

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

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: Reclamation is responsible for approximately 6.5 million acres of land which directly support Reclamation's Federal water projects in the 17 Western States. Under 43 CFR part 429, individuals or entities wanting to use Reclamation's lands, facilities, or waterbodies must apply using Form 7–2540. Examples of such uses are:

—agricultural uses such as grazing and farming;
—commercial or organized recreation and sporting activities;
—other commercial activities such as ''guiding and outfitting'' and ''filming and photography;'' and,
—resource exploration and extraction, including sand and gravel removal and timber harvesting.

We review applications to determine whether granting individual use authorizations are compatible with Reclamation's present or future uses of the lands, facilities, or waterbodies. When we find a proposed use compatible, we advise the applicant of the estimated administrative costs and estimated application processing time. In addition to the administrative costs, we require the applicant to pay a use fee based on a valuation or by competitive bidding. If the application is for construction of a bridge, building, or other significant construction project, Reclamation may require that all plans and specifications be signed and sealed by a licensed professional engineer.

Title of Collection: Bureau of Reclamation Use Authorization Application.

OMB Control Number: 1006–0003.

Form Number: Form 7–2540.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals, corporations, companies, and State and local entities who want to use Reclamation lands, facilities, or waterbodies.

Total Estimated Number of Annual Respondents: 225.

Total Estimated Number of Annual Responses: 225.

Estimated Completion Time per Response: 2 hours.

Total Estimated Number of Annual Burden Hours: 450 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: Each time a use authorization is requested.

Total Estimated Annual Nonhour Burden Cost: None.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq*).

Miguel Rocha,

Director, Dam Safety and Infrastructure.

[FR Doc. 2024–25620 Filed 11–4–24; 8:45 am]

BILLING CODE 4332–90–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1422]

Certain TOPCon Solar Cells, Modules, Panels, Components Thereof, and Products Containing Same; 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 30, 2024, under section 337

of the Tariff Act of 1930, as amended, on behalf of Trina Solar (U.S.), Inc. of Fremont, California; Trina Solar US Manufacturing Module 1, LLC of Wilmer, Texas; and Trina Solar Co., Ltd. of China. A supplement to the complaint was filed on October 17, 2024. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain TOPCon solar cells, modules, panels, components thereof, and products containing same by reason of the infringement of certain claims of U.S. Patent No. 9,722,104 (''the '104 patent'') and U.S. Patent No. 10,230,009 (''the '009 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 30, 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 1–11 of the '104 patent and claims 1–14, 16, and 17 of the '009 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 ''Tunnel Oxide Passivated Contact ('TOPCon') solar cells that include an isolation portion in an edge portion of a silicon semiconductor substrate and that prevents contact between two opposite type conductive semiconductor regions and solar modules and panels that include such solar cells'';

(3) Pursuant to Commission Rule 210.50(b)(l), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties or other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. l337(d)(l), (f)(1), (g)(1);

(4) 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:*

Trina Solar (U.S.), Inc., 7100 Stevenson Blvd., Fremont, CA 94538

Trina Solar US Manufacturing Module 1, LLC, Tradepoint 45 West, 1200 Sunrise Road, Wilmer, TX 75172

Trina Solar Co., Ltd., No. 2 Tianhe Road, Trina PV Industrial Park, Xinbei District, Jiangsu Province, China, 213031

(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:

Runergy USA Inc., 6200 Stoneridge Mall Road, Suite 300, Pleasanton, CA 94588

Runergy Alabama Inc., 4905 Moores Mill Road, Huntsville, AL 35811

Jiangsu Runergy New Energy Technology, Co., Ltd., No. 58 Xiangjiang Road, Economic & Technological Development, Zone, Yangcheng City, Jiangsu Province, China, 22400

Adani Solar USA Inc., 1125 Executive Circle, Suite 130, Irving, TX 75038

Adani Green Energy Ltd., Adani Corporate House, Shantigram, Near Vaishnodevi Circle, SG Highway, Ahmedabad, Gujarat, India, 382421

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(5) 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 31, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–25671 Filed 11–4–24; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1399 (Rescission)]

Certain Fiber-Optic Connectors, Adapters, Jump Cables, Patch Cords, Products Containing the Same, and Components Thereof; Notice of Commission Determination To Institute a Rescission Proceeding; Rescission of Three Consent Orders; Terminations of the Rescission Proceeding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to institute a rescission proceeding and to grant a petition to rescind three consent orders issued in the underlying investigation. The rescission proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–5468. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: On April 26, 2024, the Commission instituted this investigation based on a complaint, as supplemented, filed on behalf of US Conec, Ltd., of Hickory, North Carolina (''US Conec''). 89 FR 32459–60 (Apr. 26, 2024). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain fiber-optic connectors, adapters, jump cables, patch cords, products containing the same, and components thereof that infringe certain claims of U.S. Patent Nos. 11,733,466; 11,808,994; 11,906,794; 11,880,075; 11,385,415 and 10,495,823. *Id.* at 32459. The complaint also alleged that a domestic industry exists. *Id.* The Commission's notice of investigation names as respondents Senko Advance Co., Ltd. of Yokkaichi City, Japan and Senko Advanced Components, Inc. of Hudson, Massachusetts (''the Senko Respondents''); Eaton Corp. of Dublin, Ireland; Tripp Lite Holdings, Inc. of Woodridge, Illinois; FS.com Inc. of New Castle, Delaware; Infinite Electronics, Inc. of Irvine, California; L-com, Inc. of North Andover, Massachusetts; Sumitomo Electric Industries, Ltd. of Osaka, Japan; Sumitomo Electric Lightwave Corp. of Raleigh, North Carolina; Sumitomo Electric U.S.A., Inc. of Torrance, California; EZconn Corp. of New Taipei City, Taiwan; Flexoptix GmbH of Darmstadt, Germany; Shenzhen UnitekFiber Solution Ltd. of Shenzhen, China; Hubbell Inc. of Shelton, Connecticut; Hubbell Premise Wiring, Inc. of Shelton, Connecticut; Shenzhen IH Optics Co., Ltd. of Shenzhen, China; Rayoptic Communication Co., Ltd., of Shenzhen, China; and HuNan Surfiber Technology Co., Ltd. of Changsha, China. *Id.* at 32460. The Office of Unfair Import Investigations (''OUII'') participated in this investigation. *Id.*

The investigation was terminated with respect to all respondents based on the entry of consent orders, settlement, or the withdrawal of the complaint. As relevant to the petition for rescission, The Commission previously terminated the investigation in part based on the entry of consent orders with respect to the following respondents: FS.com Inc., Order No. 15 (Jun. 25, 2024), unreviewed by Comm'n Notice (Jul. 24, 2024); Shenzhen IH Optics Co., Ltd., Order No. 16 (Jun. 26, 2024), *unreviewed by* Comm'n Notice (Jul. 24, 2024); Flexoptix GmbH, Order No. 17 (Jun. 26, 2024), *unreviewed by* Comm'n Notice (Jul. 24, 2024). The Commission also previously terminated the investigation in part based on settlement with respect to the Senko Respondents. Order No. 34 (Sept. 24, 2024), *unreviewed by* Comm'n Notice (Oct. 11, 2024)

On October 2, 2024, US Conec and the Senko Respondents jointly petitioned the Commission to rescind the consent orders issued against the following respondents: Shenzhen IH Optics Co., Flexoptics GmbH, and FS.Com Inc. (''the Consent Order Respondents''). US Conec and the Senko Respondents argue that the settlement agreement between US Conec and the Senko Respondents authorized the Consent Order Respondents to conduct the activities prohibited by the respective consent orders, and that such authorization was a change in fact warranting a rescission of those consent orders. They also represented that other than the settlement agreement between US Conec and the Senko Respondents, ''there are no other agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation.'' Petition at 1–2. On October 15, 2024, OUII filed a response supporting the petition to rescind the three consent orders. No other responses to the petition were filed.

Having reviewed US Conec's and the Senko Respondents' unopposed petition seeking to rescind the consent orders, and OUII's response, the Commission has determined to institute a recission proceeding and finds that the conditions which led to the issuance of the consent orders no longer exist. The Commission, therefore, finds that granting the petition to rescind those three consent orders is warranted under section 337(k)(1) (19 U.S.C. 1337(k)(1)). The Commission also finds that the requirements of Commission Rule 210.76(a) (19 CFR 210.76(a)) are satisfied. Accordingly, the Commission has determined to grant the petition to rescind the consent orders issued against the Consent Order Respondents. The Commission Order issued concurrently herewith rescinds those consent orders. The rescission proceeding is terminated.

The Commission vote for this determination took place on October 30, 2024.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: October 31, 2024.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2024–25694 Filed 11–4–24; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0027]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Semiannual Progress Report for Grantees From the Engaging Men and Youth Program

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Office on Violence Against Women, Department of Justice (DOJ), will be submitting the following

information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until January 6, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Catherine Poston, Attorney Advisor, Office on Violence Against Women, 145 N Street NE, Washington, DC 20530 at 202–514–5430 or *Catherine.poston@usdoj.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

-—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
-—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
-—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
-—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: The Children and Youth & Engaging Men (CYEM) Program supports comprehensive, community-based efforts that develop and expand prevention, intervention, treatment, and response strategies to address the needs of children and youth impacted by domestic violence, dating violence, sexual assault, and stalking. In addition, the CYEM Program focuses on boys' and men's roles in ending violence against women by supporting projects that create educational programming and community organizing to encourage men and boys to work as allies with women and girls to prevent domestic violence, dating violence, sexual assault, and stalking. Through its grant awards, the CYEM Program aims to build safe, supportive, and accountable communities by preventing physical and sexual violence.

The CYEM program releases two separate funding opportunities under one program: (1) Children and Youth (CY) and (2) Engaging Men (EM). The EM program supports efforts to develop and implement strategies that engage, mobilize, and empower men and boys at individual, group, relational, and societal levels to serve as role models, positive influencers, change agents, and mentors to address and prevent domestic violence, dating violence, sexual assault, and stalking.

Eligible applicants are: nonprofit, nongovernmental entities; tribal organizations; Indian tribal governments; and units of local government or agencies of units of local government in the United States or U.S. territories. Since FY 2012, this program has been authorized by federal appropriations acts, which consolidated four previously authorized and appropriated programs into one comprehensive program.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.

2. *The Title of the Form/Collection:* Semiannual Progress Report for Grantees from the Engaging Men and Youth Program.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* 1122–0027.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Grantees from the Engaging Men and Youth Program. The affected public includes the approximately 8 grantees of the CYEM Program who are implementing engaging men and youth projects. The CYEM Program creates a unique opportunity for communities to increase collaboration among non-profit victim service providers, violence prevention programs, and child and youth organizations serving victims ages 0–24. Additionally, it supports organizations and programs that promote boys' and men's role in combating violence against women and girls. Eligible applicants are nonprofit, nongovernmental entities, Indian tribes or tribal nonprofit organizations, and territorial, tribal or unit of local government entities.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that it will take the approximately 8 respondents (grantees from the CYEM Program who are implementing engaging men and youth projects) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of grantee activities.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 16 hours, that is 8 grantees completing a form twice a year with an estimated completion time for the form being one hour.

7. The total annual hour burden to complete the data collection forms is 16 hours, that is 8 grantees completing a form twice a year with an estimated completion time for the form being one hour.

8. *An estimate of the total annual cost burden associated with the collection, if applicable:* The annualized costs to the Federal Government resulting from the OVW staff review of the progress reports submitted by grantees are estimated to be

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency	Total annual responses	Time per response (hours)	Total annual burden (hours)
Progress Report Form	8	2/semiannually	16	1	16
Unduplicated Totals	8		16		16

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: October 31, 2024.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2024–25662 Filed 11–4–24; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0197]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; State Criminal Alien Assistance Program (SCAAP)

AGENCY: Bureau of Justice Assistance, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Bureau of Justice Assistance, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until January 6, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Joseph Husted, State Policy Advisor, Bureau of Justice Assistance, Department of Justice, 999 N Capitol St. NE, Washington, DC 20002; email: *SCAAP@usdoj.gov;* telephone: 202–598–3617.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Assistance, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: In response to the Violent Crime Control and Law Enforcement Act of 1994 section 130002(b) as amended in 1996, BJA administers the State Criminal Alien Assistance Program (SCAAP) and the Department of Homeland Security (DHS). SCAAP provides Federal payments to States and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of State or local law, and who are incarcerated for at least 4 consecutive days during the designated reporting period and for the following correctional purposes:

Salaries for corrections officers
Overtime costs
Performance based bonuses
Corrections work force recruitment and retention
Construction of corrections facilities
Training/education for offenders
Training for corrections officers related to offender population management
Consultants involved with offender population
Medical and mental health services
Vehicle rental/purchase for transport of offenders
Prison Industries
Pre-release/reentry programs
Technology involving offender management/inter agency information sharing
Disaster preparedness continuity of operations for corrections facilities

Overview of This Information Collection

1. *Type of Information Collection:* Extension.

2. *The Title of the Form/Collection:* State Criminal Alien Assistance Program (SCAAP) (Authorizing Legislation: Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)).

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The application process is managed through the internet, using the Office of Justice Programs' (OJP) SCAAP online application system at: *https://bja.ojp.gov/program/state-criminal-alien-assistance-program-scaap/overview?Program_ID=86.*

4. *Affected public who will be asked or required to respond, as well as the obligation to respond: Affected Public:* State, local and Tribal governments. The obligation to respond is required to obtain/retain a benefit.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The total or estimated number of respondents for SCAAP is 500.

The time per response is 90 minutes to complete the SCAAP application.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The total annual burden hours for this collection is 750 hours.

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* $0.

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency	Total annual responses	Time per response (min)	Total annual burden (hours)
SCAAP Application	500	1/annually	500	90	750
Unduplicated Totals	500		500		750

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Twon Constitution Square, 145 N Street NR, 4W–218, Washington DC.

Dated: October 31, 2024.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2024–25705 Filed 11–4–24; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0006]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Semiannual Progress Report for the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Office on Violence Against Women, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until January 6, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Catherine Poston, Attorney Advisor, Office on Violence Against Women, 145 N Street NE, Washington, DC 20530 at 202–514–5430 or *Catherine.poston@usdoj.gov*.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: Grants to Improve the Criminal Justice Response (ICJR Program) is designed to encourage partnerships among State, local, and Tribal governments, courts, victim service providers, coalitions, and rape crisis centers to improve the criminal justice response to domestic violence, sexual assault, dating violence, and stalking as serious violations of criminal law, and to seek safety and autonomy for victims.

The ICJR Program challenges communities to work collaboratively to identify problems and share ideas that will result in effective responses to ensure victim safety and offender accountability. A coordinated community response that brings together effective partners from the local government including law enforcement agencies, prosecutors' offices and courts, nonprofit organizations, and population specific organizations is critical to the ICJR Program.

Eligible applicants are States and territories, units of local government, Indian Tribal governments, State, local, Tribal, and territorial courts, victim service providers, State and Tribal coalitions, and government rape crisis centers. This program is authorized by 34 U.S.C. 10461–10465.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.

2. *The Title of the Form/Collection:* Semiannual Progress Report for the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* 1122–0006.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* The affected public includes 200 grantees from the ICJR Program which encourages State, local, and Tribal governments and State, local, and Tribal courts to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law requiring the coordinated involvement of the entire criminal justice system. Eligible applicants are States and territories, units of local government, Indian Tribal governments, coalitions, victim service providers and State, local, Tribal, and territorial courts.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that it will take the approximately 200 respondents (ICJR Program grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of activities in which grantees may engage. An ICJR Program grantee will only be required to complete the sections of the form that pertain to its own specific activities (victim services, law enforcement, training, etc.).

6. *An estimate of the total annual burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 400 hours, that is 200 grantees completing a form twice a year with an estimated completion time for the form being one hour.

7. The total annual hour burden to complete the data collection forms is 400 hours, that is 200 grantees completing a form twice a year with an estimated completion time for the form being one hour.

8. *An estimate of the total annual cost burden associated with the collection, if applicable:* The annualized costs to the Federal Government resulting from the OVW staff review of the progress reports submitted by grantees are estimated to be $11,200.

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency	Total annual responses	Time per response (hours)	Total annual burden (hours)
Progress Report Form	200	2/semiannually	400	1	400
Unduplicated Totals	200		400		400

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: October 31, 2024.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2024–25664 Filed 11–4–24; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2006–0040]

SGS North America, Inc.: Applications for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the applications of SGS North America, Inc., for expansion of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the applications.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before November 20, 2024.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at *https://www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2006–0040). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket (including this **Federal Register** notice) are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Extension of comment period: Submit requests for an extension of the comment period on or before November 20, 2024 to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–3653, Washington, DC 20210, or by fax to (202) 693–1644.

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor; phone: (202) 693–1911 or email: *robinson.kevin@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Notice of the Applications for Expansion

The Occupational Safety and Health Administration is providing notice that SGS North America, Inc. (SGS) is applying for an expansion of the current recognition as a NRTL. SGS requests the addition of six test sites and one test standard to the NRTL scope of recognition.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within the scope of recognition. Each NRTL's scope of recognition includes (1) the type of products the NRTL may test, with each type specified by the applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product-testing and product-certification activities for test standards within the NRTL's scope. Recognition is not a delegation or grant of government authority; however, recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The agency processes applications by a NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in appendix A to 29 CFR 1910.7. This appendix requires that the agency publish two notices in the **Federal Register** in processing an application. In the first notice, OSHA announces the application and provides a preliminary finding. In the second notice, the agency provides the final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including SGS, which details the NRTL's scope of recognition. These pages are available from the OSHA website at *https://www.osha.gov/dts/otpca/nrtl/index.html.*

SGS currently has nine facilities (sites) recognized by OSHA for product testing and certification, with the headquarters located at: SGS North America, Inc., 620 Old Peachtree Road,

Suwanee, Georgia 30024. A complete list of SGS's scope of recognition is available at *https://www.osha.gov/nationally-recognized-testing-laboratory-program/sgs.*

II. General Background on the Applications

SGS submitted five applications to OSHA to expand recognition as a NRTL. The first application was received on March 20, 2022 (OSHA–2006–0040–0084), requesting the addition of one test site in Brussels, Belgium. This application was revised on January 9, 2024 (OSHA–2006–0040–0089) to update the address on the original application. The second expansion application was received on March 29, 2022 (OSHA–2006–0040–0085), requesting the addition of one test site in Yokohama, Japan. This application was revised on May 9, 2024 (OSHA–2006–0040–0091) requesting an additional test standard in addition to the Yokohama site. The third expansion application was received on March 30, 2022 (OSHA–2006–0040–0086), requesting the addition of one test site in Munich, Germany. This application was revised on January 9, 2024 (OSHA–2006–0040–0090) to update the address on the application to Puchheim, Germany. The fourth (OSHA–2006–0040–0087) and fifth (OSHA–2006–0040–0088) applications were received on April 1, 2022, requesting the addition of two test sites in New Taipei City, Taiwan and one in Gunpo-si, Gyeonggi-do, Korea. In total, the applications requested the addition of six sites and one test standard to the NRTL scope of recognition.

OSHA staff performed a detailed analysis of the application packets and reviewed other pertinent information. OTPCA staff also performed on-site reviews of SGS's Korea site on April 25 and May 7, 2024; SGS's two Taiwan sites on February 29–March 1, 2024; SGS's Germany site on June 15–16, 2023; SGS's Belgium site on June 15–16, 2023; and SGS's Japan on May 9–10, 2024, in which the assessors found some nonconformances with the requirements of 29 CFR 1910.7. SGS addressed these issues sufficiently and OTPCA has preliminarily determined that OSHA should grant the application requests to add these six test sites and one test standard to SGS's NRTL scope of recognition.

Table 1 lists the six sites that SGS has requested for inclusion in the NRTL's expanded scope of recognition:

TABLE 1—LIST OF TEST SITES PROPOSED TO BE INCLUDED IN SGS'S NRTL SCOPE OF RECOGNITION

Site name	Address	Country
SGS Korea Co., Ltd	4, LS-ro 182 beon-gil Gunpo-si, Gyeonggi-do Republic of Korea 15807	Korea.
SGS Taiwan Ltd	No. 31 & 33, Wu Chyuan Road New Taipei Industrial Park Wu Ku District New Taipei City, Taiwan 248 Chinese Taipei.	Taiwan.
SGS Taiwan Ltd. Site 2	No. 17, Wu Chyuan 8th Road, New Taipei Industrial Park, Wu Ku District, New Taipei City, Taiwan 248 Chinese Taipei.	Taiwan.
SGS Germany GmbH	Benzstrasse 26/28 D–82178 Puchheim	Germany.
SGS Belgium N.V	Riverside Business Park Bld. Internationalelaan, 55/A BE–1070 Brussels	Belgium.
SGS Japan Inc	134, Good-cho, Hodogaya-ku Yokohama Business Park North Square I 3F Yokohama, 240–0005.	Japan.

Table 2 lists the one test standard included in SGS's applications for expansion for testing and certification of products under the NRTL Program.

TABLE 2—PROPOSED APPROPRIATE TEST STANDARD FOR INCLUSION IN SGS'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
ASME A17.5.	Elevator and Escalator Electrical Equipment.

III. Preliminary Findings on the Applications

OSHA has preliminarily determined that SGS has submitted acceptable applications for expansion of the scope of recognition. OSHA's review of the application files and pertinent documentation indicates that the applications meet the requirements prescribed by 29 CFR 1910.7 for expanding the recognition to include the addition of these six test sites and one test standard for NRTL testing and certification listed above. This preliminary finding does not constitute an interim or temporary approval of SGS's applications.

IV. Public Participation

OSHA welcomes public comment as to whether SGS meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor. These materials also are generally available online at *https://www.regulations.gov* under Docket No. OSHA–2006–0040 (for further information, see the ''*Docket*'' heading in the section of this notice titled **ADDRESSES**).

OSHA staff will review all comments to the docket submitted in a timely manner. After addressing the issues raised by these comments, staff will make a recommendation to the Assistant Secretary of Labor for Occupational Safety and Health on whether to grant SGS's applications for expansion of the scope of recognition. The Assistant Secretary will make the final decision on granting the applications. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of the final decision in the **Federal Register**.

V. Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393; Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on October 29, 2024.

James S. Frederick,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2024–25622 Filed 11–4–24; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2017–0012]

National Fall Safety Stand-Down To Prevent Falls in Construction; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Request for public comment.

SUMMARY: OSHA solicits public comments concerning the proposal extend to the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the National Fall Safety Stand-Down to Prevent Falls in Construction.

DATES: Comments must be submitted (postmarked, sent, or received) by January 6, 2025.

ADDRESSES:

Electronically: You may submit comments, including attachments, electronically at *https://www.regulations.gov,* the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Docket: To read or download comments or other material in the docket, go to *https://www.regulations.gov.* Documents in the docket are listed in the *https://www.regulations.gov* index; however, some information (*e.g.,* copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Instructions: All submissions must include the agency name and the OSHA docket number (OSHA–2017–0012) for the Information Collection Request (ICR). OSHA will place comments, including personal information, in the public docket, which may be available online. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates.

For further information on submitting comments, see the ''Public Participation'' heading in the section of this notice titled **SUPPLEMENTARY INFORMATION.**

FOR FURTHER INFORMATION CONTACT: Seleda Perryman, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, telephone (202) 693–2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of the continuing effort to reduce paperwork and respondent (*i.e.,* employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining information (29 U.S.C. 657).

The following sections describes who uses the information collection under each requirement, as well as how they use it. The purpose of these requirements is that falls are a leading cause of death for employees. According to 2022 Bureau of Labor Statistics (BLS) data, falls accounted for 395 of the 1,069 construction fatalities, and 700 of the 5,486 fatalities in all recorded industries. The National Fall Safety Stand-Down to Prevent Falls in Construction raises fall hazard awareness across the country in an effort to stop fall fatalities and injuries. The Stand-Down is the biggest safety outreach event ever conducted by the agency. OSHA has collaborated with countless industry leaders and employers over the last eight years to reach over 10 million workers during Stand-Downs.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply. For example, by using automated or other technological information collection and transmission techniques.

III. Proposed Actions

OSHA is requesting that OMB extend the approval of the information collection requirements contained in the National Fall Safety Stand-Down to Prevent Falls in Construction (29 U.S.C. 669). The agency is requesting that the burden of 750 hours remain the same.

OSHA will summarize the comments submitted in response to this notice and will include this summary in the request to OMB to extend the approval of the information collection requirements.

Type of Review: Extension of currently approved collection.

Title: National Fall Safety Stand-Down to Prevent Falls in Construction.

OMB Control Number: 1218–0271.

Affected Public: Business or other for-profits.

Number of Respondents: 4,500.

Number of Responses: 4,500.

Frequency of Responses: On occasion.

Average Time per Response: Varies.

Estimated Total Burden Hours: 750.

Estimated Cost (Operation and Maintenance): $0.

IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) Electronically at *https://www.regulations.gov,* which is the Federal eRulemaking Portal; (2) by facsimile (fax) at (202) 693–1648; or (3) by hard copy. All comments, attachments, and other materials must identify the agency name and the OSHA docket number for the ICR (Docket No. OSHA–2017–0012). You may

supplement electronic submissions by uploading document files electronically.

Comments and submissions are posted without change at *https://www.regulations.gov.* Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and date of birth.

Although all submissions are listed in the *https://www.regulations.gov* index, some information (*e.g.,* copyrighted material) is not publicly available to read or download through this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the *https://www.regulations.gov* website to submit comments and access the docket is available at the website's ''User Tips'' link.

Contact the OSHA Docket Office for information about materials not available through the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No 8–2020 (85 FR 58393).

Signed at Washington, DC, on October 30, 2024.

James S. Frederick,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2024–25621 Filed 11–4–24; 8:45 am]

BILLING CODE 4510–26–P

NUCLEAR REGULATORY COMMISSION

[NRC–2024–0181]

Application for Amendments to Facility Operating Licenses Involving Proposed No Significant Hazards Consideration Determination and Containing Sensitive Unclassified Non-Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information

AGENCY: Nuclear Regulatory Commission.

ACTION: License amendment request; notice of opportunity to comment, request a hearing, and petition for leave to intervene; order imposing procedures.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) received and is considering approval of a request to amend four licenses. The request is for Braidwood Station, Units 1 and 2, and Byron Station, Unit Nos. 1 and 2. For each license amendment, the NRC proposes to determine that it involves no significant hazards consideration (NSHC). Because the request contains sensitive unclassified non-safeguards information (SUNSI), an order imposes procedures to obtain access to SUNSI for contention preparation by persons who file a hearing request or petition for leave to intervene.

DATES: Comments must be received by December 5, 2024. A request for a hearing or petitions for leave to intervene must be filed by January 6, 2025. Any potential party as defined in section 2.4 of title 10 of the *Code of Federal Regulations* (10 CFR) who believes access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information (SUNSI) is necessary to respond to this notice must request document access by November 15, 2024.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0181. 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.
- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Angela Baxter, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–8209; email: *Angela.Baxter@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0181, facility name, unit numbers, docket numbers, application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0181.
- *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.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.
- *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.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2024–0181, facility name, unit numbers, docket numbers, application date, and subject, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at *https://www.regulations.gov* as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment

submissions available to the public or entering the comment into ADAMS.

II. Background

Pursuant to section 189a.(1)–(2) of the Atomic Energy Act of 1954, as amended (the Act), the NRC is publishing this notice. The Act requires the Commission to publish notice of any amendments issued or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves NSHC, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This notice includes notice of amendments containing SUNSI.

III. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following request involves NSHC. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown as follows.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendments until the expiration of 60 days after the date of publication of this notice. The Commission may issue any of these license amendments before expiration of the 60-day period provided that its final determination is that the amendments involve no significant hazards consideration. In addition, the Commission may issue any of these amendments prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. If the Commission takes action on any of these amendments prior to the expiration of either the comment period or the notice period, it will publish a notice of issuance in the **Federal Register**. If the Commission makes a final no significant hazards consideration determination for any of these amendments, any hearing on those amendments will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by any of these actions may file a request for a hearing and petition for leave to intervene (petition) with respect to that action. Petitions shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which will serve to establish when the hearing is held. If the final determination is that the request involves no significant hazards consideration, the Commission may issue the amendments and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendments. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendments unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (*https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053*) and on the NRC's public website at *https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate.*

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the ''Guidance for Electronic Submissions to the NRC'' (ADAMS Accession No. ML13031A056) and on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html.*

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *Hearing.Docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the proceeding if the

Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals/getting-started.html.* After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC's public website at *https://www.nrc.gov/site-help/electronic-sub-ref-mat.html.* A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public website at *https://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)–(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in 10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at *https://adams.nrc.gov/ehd,* unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click ''cancel'' when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants should not include copyrighted materials in their submission.

The following table provides the plant names, docket numbers, date of application, ADAMS accession number, and location in the application of the licensee's proposed NSHC determination. For further details with respect to this license amendment application, see the application for amendment, publicly available portions of which is available for public inspection in ADAMS. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2, Will County, IL; Byron Station, Unit Nos. 1 and 2, Ogle County, IL

Docket Nos	50–454, 50–455, 50–456, 50–457.
Application Date	May 28, 2024.
ADAMS Accession No	ML24149A125 (Package).
Location in Application of NSHC	Pages 29–32 of Attachment 1.
Brief Description of Amendments	The requested amendments would revise Braidwood Station, Units 1 and 2, and Byron Station, Unit Nos. 1 and 2, technical specifications to allow the use of Framatome GAIA fuel.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Jason Zorn, Associate General Counsel, Constellation Energy Generation, LLC, 4300 Winfield Road Warrenville, IL 60555.
NRC Project Manager, Telephone Number	Joel Wiebe, 301–415–6606.

Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information for Contention Preparation

Constellation Energy Generation, LLC; Braidwood Station, Units 1 and 2, Will County, IL; Byron Station, Unit Nos. 1 and 2, Ogle County, IL

A. This Order contains instructions regarding how potential parties to this proceeding may request access to documents containing Sensitive Unclassified Non-Safeguards Information (SUNSI).

B. Within 10 days after publication of this notice of hearing or opportunity for hearing, any potential party who believes access to SUNSI is necessary to respond to this notice may request access to SUNSI. A ''potential party'' is any person who intends to participate as a party by demonstrating standing and filing an admissible contention under 10 CFR 2.309. Requests for access to SUNSI submitted later than 10 days after publication of this notice will not be considered absent a showing of good cause for the late filing, addressing why the request could not have been filed earlier.

C. The requestor shall submit a letter requesting permission to access SUNSI to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, and provide a copy to the Deputy General Counsel for Licensing,

Hearings, and Enforcement, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. The expedited delivery or courier mail address for both offices is: U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852. The email addresses for the Office of the Secretary and the Office of the General Counsel are *Hearing.Docket@nrc.gov* and *RidsOgcMailCenter.Resource@nrc.gov,* respectively.[1] The request must include the following information:

(1) A description of the licensing action with a citation to this **Federal Register** notice;

(2) The name and address of the potential party and a description of the potential party's particularized interest that could be harmed by the action identified in C.(1); and

(3) The identity of the individual or entity requesting access to SUNSI and the requestor's basis for the need for the information in order to meaningfully participate in this adjudicatory proceeding. In particular, the request must explain why publicly available versions of the information requested would not be sufficient to provide the basis and specificity for a proffered contention.

D. Based on an evaluation of the information submitted under paragraph C, the NRC staff will determine within 10 days of receipt of the request whether:

(1) There is a reasonable basis to believe the petitioner is likely to establish standing to participate in this NRC proceeding; and

(2) The requestor has established a legitimate need for access to SUNSI.

E. If the NRC staff determines that the requestor satisfies both D.(1) and D.(2), the NRC staff will notify the requestor in writing that access to SUNSI has been granted. The written notification will contain instructions on how the requestor may obtain copies of the requested documents, and any other conditions that may apply to access to those documents. These conditions may include, but are not limited to, the signing of a Non-Disclosure Agreement or Affidavit, or Protective Order[2] setting forth terms and conditions to prevent the unauthorized or inadvertent disclosure of SUNSI by each individual who will be granted access to SUNSI.

F. Filing of Contentions. Any contentions in these proceedings that are based upon the information received as a result of the request made for SUNSI must be filed by the requestor no later than 25 days after receipt of (or access to) that information. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.

G. Review of Denials of Access.

(1) If the request for access to SUNSI is denied by the NRC staff after a determination on standing and requisite need, the NRC staff shall immediately notify the requestor in writing, briefly stating the reason or reasons for the denial.

(2) The requestor may challenge the NRC staff's adverse determination by filing a challenge within 5 days of receipt of that determination with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

(3) Further appeals of decisions under this paragraph must be made pursuant to 10 CFR 2.311.

H. Review of Grants of Access. A party other than the requestor may challenge an NRC staff determination granting access to SUNSI whose release would harm that party's interest independent of the proceeding. Such a challenge must be filed within 5 days of the notification by the NRC staff of its grant of access and must be filed with: (a) the presiding officer designated in this proceeding; (b) if no presiding officer has been appointed, the Chief Administrative Judge, or if this individual is unavailable, another administrative judge, or an Administrative Law Judge with jurisdiction pursuant to 10 CFR 2.318(a); or (c) if another officer has been designated to rule on information access issues, with that officer.

If challenges to the NRC staff determinations are filed, these procedures give way to the normal process for litigating disputes concerning access to information. The availability of interlocutory review by the Commission of orders ruling on such NRC staff determinations (whether granting or denying access) is governed by 10 CFR 2.311.[3]

I. The Commission expects that the NRC staff and presiding officers (and any other reviewing officers) will consider and resolve requests for access to SUNSI, and motions for protective orders, in a timely fashion in order to minimize any unnecessary delays in identifying those petitioners who have standing and who have propounded contentions meeting the specificity and basis requirements in 10 CFR part 2. The attachment to this Order summarizes the general target schedule for processing and resolving requests under these procedures.

It is so ordered.

Dated: October 10, 2024.

For the Nuclear Regulatory Commission.

Carrie Safford,

Secretary of the Commission.

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING

Day	Event/activity
0	Publication of **Federal Register** notice of hearing or opportunity for hearing, including order with instructions for access requests.

[1] While a request for hearing or petition to intervene in this proceeding must comply with the filing requirements of the NRC's ''E-Filing Rule,'' the initial request to access SUNSI under these procedures should be submitted as described in this paragraph.

[2] Any motion for Protective Order or draft Non-Disclosure Affidavit or Agreement for SUNSI must be filed with the presiding officer or the Chief Administrative Judge if the presiding officer has not yet been designated, within 30 days of the deadline for the receipt of the written access request.

[3] Requestors should note that the filing requirements of the NRC's E-Filing Rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562; August 3, 2012, 78 FR 34247, June 7, 2013) apply to appeals of NRC staff determinations (because they must be served on a presiding officer or the Commission, as applicable), but not to the initial SUNSI request submitted to the NRC staff under these procedures.

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING—Continued

Day	Event/activity
10	Deadline for submitting requests for access to Sensitive Unclassified Non-Safeguards Information (SUNSI) with information: (i) supporting the standing of a potential party identified by name and address; and (ii) describing the need for the information in order for the potential party to participate meaningfully in an adjudicatory proceeding.
60	Deadline for submitting petition for intervention containing: (i) demonstration of standing; and (ii) all contentions whose formulation does not require access to SUNSI (+25 Answers to petition for intervention; +7 petitioner/requestor reply).
20	U.S. Nuclear Regulatory Commission (NRC) staff informs the requestor of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and shows need for SUNSI. (NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing (preparation of redactions or review of redacted documents).
25	If NRC staff finds no ''need'' or no likelihood of standing, the deadline for petitioner/requestor to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds ''need'' for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30	Deadline for NRC staff reply to motions to reverse NRC staff determination(s).
40	(Receipt +30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Agreement or Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement or Affidavit for SUNSI.
A	If access granted: issuance of presiding officer or other designated officer decision on motion for protective order for access to sensitive information (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3	Deadline for filing executed Non-Disclosure Agreements or Affidavits. Access provided to SUNSI consistent with decision issuing the protective order.
A + 28	Deadline for submission of contentions whose development depends upon access to SUNSI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or notice of opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.
A + 53	(Contention receipt +25) Answers to contentions whose development depends upon access to SUNSI.
A + 60	(Answer receipt +7) Petitioner/Intervenor reply to answers.
>A + 60	Decision on contention admission.

[FR Doc. 2024–23822 Filed 11–4–24; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Chief Human Capital Officers (CHCO) Council; Virtual Public Meeting

AGENCY: Office of Personnel Management.

ACTION: Notice of meeting.

SUMMARY: The Chief Human Capital Officers (CHCO) Council plans to meet on Tuesday, December 10, 2024. The meeting will start at 9:00 a.m. EST and will be held on Zoom.

FOR FURTHER INFORMATION CONTACT: Bridget Patterson, Administrative Support Specialist, *CHCOCouncil@opm.gov,* 202–936–0321.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is for the CHCO Council to host their annual public meeting per *Public Law 107–296.*

The CHCO Council is the principal interagency forum to advise and coordinate the activities of the agencies of its members on such matters as modernization of human resources systems, improved quality of human resources information and legislation affecting human resources operations and organizations.

Persons desiring to attend this public meeting of the Chief Human Capital Officers Council should contact OPM at least 5 business days in advance of the meeting date at the email address shown below. *Note:* If you require an accommodation, please contact *chcocouncil@opm.gov* no later than December 3, 2024.

Office of Personnel Management.

Kayyonne Marston,

Federal Register Liaison.

[FR Doc. 2024–25692 Filed 11–4–24; 8:45 am]

BILLING CODE 6325–46–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–212 and K2025–210; MC2025–213 and K2025–211; MC2025–214 and K2025–212; MC2025–215 and K2025–213; MC2025–216 and K2025–214; MC2025–217 and K2025–215; MC2025–218 and K2025–216; MC2025–219 and K2025–217; MC2025–220 and K2025–218; MC2025–221 and K2025–219; MC2025–222 and K2025–220; MC2025–223 and K2025–221; MC2025–224 and K2025–222; MC2025–225 and K2025–223; MC2025–226 and K2025–224; MC2025–227 and K2025–225; MC2025–228 and K2025–226; MC2025–229 and K2025–227]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* November 7, 2024.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit

comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

II. Public Proceeding(s)

1. *Docket No(s).:* MC2025–212 and K2025–210; *Filing Title:* USPS Request to Add Priority Mail Express International, Priority Mail International & First-Class Package International Service Contract 48 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Katalin Clendenin; *Comments Due:* November 7, 2024.

2. *Docket No(s).:* MC2025–213 and K2025–211; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 418 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* November 7, 2024.

3. *Docket No(s).:* MC2025–214 and K2025–212; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 419 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* November 7, 2024.

4. *Docket No(s).:* MC2025–215 and K2025–213; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 420 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jennaca Upperman; *Comments Due:* November 7, 2024.

5. *Docket No(s).:* MC2025–216 and K2025–214; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 421 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Samuel Robinson; *Comments Due:* November 7, 2024.

6. *Docket No(s).:* MC2025–217 and K2025–215; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 422 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Samuel Robinson; *Comments Due:* November 7, 2024.

7. *Docket No(s).:* MC2025–218 and K2025–216; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 423 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* November 7, 2024.

8. *Docket No(s).:* MC2025–219 and K2025–217; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 580 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jana Slovinska; *Comments Due:* November 7, 2024.

9. *Docket No(s).:* MC2025–220 and K2025–218; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 581 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Jana Slovinska; *Comments Due:* November 7, 2024.

10. *Docket No(s).:* MC2025–221 and K2025–219; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 582 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:*

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

Jana Slovinska; *Comments Due:* November 7, 2024.

11. *Docket No(s).:* MC2025–222 and K2025–220; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 583 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* November 7, 2024.

12. *Docket No(s).:* MC2025–223 and K2025–221; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 584 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* November 7, 2024.

13. *Docket No(s).:* MC2025–224 and K2025–222; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 585 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* November 7, 2024.

14. *Docket No(s).:* MC2025–225 and K2025–223; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 586 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory Stanton; *Comments Due:* November 7, 2024.

15. *Docket No(s).:* MC2025–226 and K2025–224; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 587 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory Stanton; *Comments Due:* November 7, 2024.

16. *Docket No(s).:* MC2025–227 and K2025–225; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 588 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* November 7, 2024.

17. *Docket No(s).:* MC2025–228 and K2025–226; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 589 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* November 7, 2024.

18. *Docket No(s).:* MC2025–229 and K2025–227; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 590 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* October 30, 2024; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Almaroof Agoro; *Comments Due:* November 7, 2024.

III. Summary Proceeding(s)

None. *See* Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Jennie L. Jbara,

Primary Certifying Official.

[FR Doc. 2024–25680 Filed 11–4–24; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101479; File No. SR–CboeBZX–2024–102]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fees Applicable to Certain Exchange-Traded Products Listed on the Exchange, Which Are Set Forth in BZX Rule 14.13, Company Listing Fees

October 30, 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 October 18, 2024, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to amend the fees applicable to certain exchange-traded products listed on the Exchange, which are set forth in BZX Rule 14.13, Company Listing Fees. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/BZX/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange submits this proposal [3] to adopt new Rule 14.13(b)(2)(E)(v) in order to adopt a new annual fee applicable to exchange-traded products (''ETPs'') [4] that consist only of an American Depository Receipt (''ADR'') and instruments designed to hedge the ETP's foreign currency exposure in the

[3] The Exchange initially filed the proposed fee change on September 26, 2024 (SR–CboeBZX–2024–092). On October 4, 2024, the Exchange withdrew that filing and submitted SR–CboeBZX–2024–096. On October 16, 2024, the Exchange withdrew that filing and submitted SR–CboeBZX–2024–100. On October 18, 2024 the Exchange withdrew that filing and submitted this proposal.

[4] As defined in Rule 11.8(e)(1)(A), the term ''ETP'' means any security listed pursuant to Exchange Rule 14.11.

ADR (an ''ADR Hedge'').[5] The Exchange is also proposing to make a corresponding non-substantive numbering change to make current Rule 14.13(b)(2)(E)(v) become 14.13(b)(2)(E)(vi) and to add language to proposed Rule 14.13(b)(2)(E)(vi) in order to make clear that ETPs that are subject to the new pricing for an ADR Hedge would not be subject to the standard annual fees applicable under Rule 14.13(b)(2)(E)(vi)[6] in the same way that Legacy Listings,[7] New Listings,[8] an Outcome Strategy ETP[9] subject to Rule 14.13(b)(2)(E)(iii), a Defined Distribution Strategy ETP[10] subject to Rule 14.13(b)(2)(E)(iv), and Transfer Listings[11] are not subject to such fees.

Annual fees for ETPs (not including Legacy Listings, New Listings, an Outcome Strategy ETP subject to Rule 14.13(b)(2)(E)(iii), a Defined Distribution Strategy ETP subject to Rule 14.13(b)(2)(E)(iv), and Transfer Listings) are generally based on the consolidated average daily volume (''CADV'') of the ETP in the fourth quarter of the preceding calendar year and range from $5,000 up to $7,000 per ETP.[12]

Now, the Exchange proposes to adopt an annual fee of $9,000 for ADR Hedges. The Exchange is proposing to adopt this fee in in order to provide uniform pricing for all ADR Hedges listed on the Exchange. The Exchange believes that these higher proposed fees are appropriate for this new product type because of the higher Exchange costs associated with issuer services, listing administration, and product development that have historically come along with the introduction of new product types on the Exchange. Specifically, based on prior experience with listing new product types, the Exchange believes that these could include adding ADR Hedge products to a liquidity incentive program, *e.g.* the Liquidity Enhancement Program,[13] educating market participants about the product type, and any other unanticipated needs, each of which would require time and/or Exchange resources to accommodate. Without the ability to increase its fees in such instances, the Exchange will be less able to support innovation and changes in the marketplace. The Exchange also notes that this proposed fee is only $2,000 more than the highest tier of the Exchange's standard fee schedule and is significantly less than the standard fees charged by another exchange.[14] To the extent that any issuer finds the Exchange's fees to be excessive, they could choose to list the ADR Hedge product on another national securities exchange.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[15] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[16] requirements that the rules of an exchange be 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. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[17] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers as well as Section 6(b)(4)[18] as it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities.

The Exchange also notes that its ETP listing business operates in a highly-competitive market in which ETP issuers can readily transfer their listings if they deem fee levels or any other factor at a particular venue to be insufficient or excessive. The proposed rule changes reflect a competitive pricing structure designed to incentivize issuers to list new products and transfer existing products to the Exchange, which the Exchange believes will enhance competition both among ETP issuers and listing venues, to the benefit of investors.

The Exchange believes that it is reasonable to charge higher annual fees for an ADR Hedge because the proposed fees better correlate with the anticipated higher Exchange costs associated with issuer services, listing administration, and product development that generally come along with the introduction of any new product type. Specifically, based on prior experience with listing new product types, the Exchange believes that these could include adding ADR Hedge products to a liquidity incentive program, *e.g.,* the Liquidity

[5] An ADR Hedge is an ETP designed to provide investors with exposure to individual international companies without the currency exposure associated with traditional means of individual international company investing. Therefore, an ADR Hedge consists of a U.S.-listed ADR on an underlying international company (*e.g.,* Toyota Motors) and a currency contract designed to mitigate the currency risk resulting from variable foreign exchange rates between the local currency of the international shares (*e.g.,* Japanese Yen) and the U.S. Dollar. Three ADR Hedges are listed on the Exchange under Exchange Rule 14.11(l) (Exchange-Traded Fund Shares). Exchange Rule 14.11(l) is applicable to ETPs that are eligible to operate in reliance on Rule 6c–11 under the Investment Company Act of 1940 (''Rule 6c–11'').

[6] Instead, these products are assessed annual fees as provided under Rules 14.13(b)(2)(E)(i) through (v), as applicable.

[7] A ''Legacy Listing'' is an ETP that was listed on the Exchange prior to January 1, 2019. *See* Exchange Rule 14.13(b)(2)(E)(i).

[8] A ''New Listing'' is an ETP that first lists on the Exchange or has been listed on for fewer than three calendar months on the ETP's first trading day of the year. *See* Exchange Rule 14.13(b)(2)(E)(ii).

[9] An ''Outcome Strategy Series'' are multiple ETPs listed by the same issuer that are each designed to provide (i) a pre-defined set of returns; (ii) over a specified outcome period; (iii) based on the performance of the same underlying instruments; and (iv) each employ the same outcome strategy for achieving the pre-defined set of returns (each an ''Outcome Strategy ETP'' and, collectively, an ''Outcome Strategy Series''). *See* Exchange Rule 14.13(b)(2)(E)(iii).

[10] A ''Defined Distribution Strategy Series'' are multiple ETPs listed by the same issuer that are each designed to provide (i) pre-defined set of cash distributions; (ii) over two specified periods with the first period beginning at inception until a pre-defined date and the second period beginning at that pre-defined date until another pre-defined date by which the ETP intends to distribute substantially all of its assets and liquidate the fund; (iii) where the first period defined distributions are based on the market conditions at the beginning of the first period, and the second period defined distributions are based on the market conditions at the beginning of the second period; and (iv) each employ the same strategy for achieving the pre-defined distributions (each a ''Defined Distribution Strategy ETP'' and, collectively, a ''Defined Distribution Strategy Series''). *See* Exchange Rule 14.13(b)(2)(E)(iv).

[11] A ''Transfer Listing'' is an ETP that transfers listing from another national securities exchange to the Exchange. *See* Exchange Rule 14.13(b)(1)(B)(v)(b).

[12] *See* Exchange Rule 14.13(b)(2)(E)(v).

[13] *See* LEP Tier 1 under Footnote 13 of the BZX Fee Schedule; Securities Exchange Act No. 99147 (December 12, 2023) 88 FR 87476 (December 18, 2023) (SR–CboeBZX–2023–099) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule Applicable to Members and Non-Members of the Exchange Pursuant to BZX Rules 15.1(a) and (c) in Order To Adopt a New Tier Under Footnote 13 (Tape B Volume and Quoting) Specific to Single-Stock Exchange Traded Funds (''Single-Stock ETFs'').The Exchange would not add ADR Hedges to the Liquidity Enhancement Program without first submitting an exchange rule filing to the SEC.

[14] *See* NYSE Arca, Inc. (''Arca'') Schedule of Fees and Charges for Exchange Services as of January 10, 2024, Annual Fees, Item 6. If an ADR Hedge listed on Arca, the listing fee would be between $10,000 and $35,000, depending on the number of shares outstanding.

[15] 15 U.S.C. 78f(b).

[16] 15 U.S.C. 78f(b)(5).

[17] *Id.*

[18] 15 U.S.C. 78f(b)(4).

Enhancement Program,[19] educating market participants about the product type, and any other unanticipated needs, each of which would require time and/or Exchange resources to accommodate. Without the ability to increase its fees in such instances, the Exchange will be less able to support innovation and changes in the marketplace. The Exchange also notes that this proposed fee is only $2,000 more than the highest tier of the Exchange's standard fee schedule and is significantly less than the standard fees charged by another exchange.[20] The Exchange also notes that another exchange charges a higher annual fee for certain sub-categories of ETPs that are eligible to operate in reliance on Rule 6c–11 citing the higher costs associated with issuer services, listing administration, product development and regulatory oversight.[21] As such, the Exchange believes it is reasonable to charge a higher annual fee for ADR Hedges than other ETPs because such a fee better correlates with costs associated with the listing and supporting of ADR Hedges and the inability to increase its fees in such instances would leave the Exchange less able to both support innovation and changes in the marketplace and to compete with other venues that already have disparate pricing arrangements.

The Exchange believes its proposal equitably allocates its fees among its market participants. In the prevailing competitive environment, issuers can readily favor competing venues or transfer listings if they deem fee levels at a particular venue to be excessive, or discount opportunities available at other venues to be more favorable. The proposed annual fee for ADR Hedges is only $2,000 more than the highest tier of the Exchange's standard fee schedule and is significantly less than the standard fees charged by Arca, that charge up to $35,000.[22] The proposed annual fees for ADR Hedges are equitable because the proposed increased annual fees would apply uniformly to all issuers. As noted above, the Exchange is proposing to adopt this fee in in order to provide uniform pricing for all ADR Hedges listed on the Exchange.

The Exchange believes that the proposal is not unfairly discriminatory. In the prevailing competitive environment, issuers are free to list elsewhere if they believe that alternative venues offer them better value. The Exchange believes it is not unfairly discriminatory to apply a higher annual fee to ADR Hedges because the proposed fee would be offered on an equal basis to all issuers listing an ADR Hedge on the Exchange. Even though the proposed annual fee for ADR Hedges is higher than the standard ETP annual fee, the Exchange believes that the proposal is not unfairly discriminatory because of the higher Exchange costs associated with issuer services, listing administration, and product development that have historically come along with the introduction of new product types on the Exchange. As discussed above, based on prior experience with listing new product types, the Exchange believes that these could include potentially adding ADR Hedge products to a liquidity incentive program, *e.g.,* the Liquidity Enhancement Program, educating market participants about the product type, and any other unanticipated needs, each of which would require time and/or Exchange resources to accommodate. Without the ability to increase its fees in such instances, the Exchange will be less able to support innovation and changes in the marketplace. Finally, the Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition.

For the foregoing reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposal ensures that the fees charged by the Exchange accurately reflect the services provided and benefits realized by listed issuers. The market for listing services is extremely competitive. Issuers have the option to list their securities on these alternative venues based on the fees charged and the value provided by each listing exchange. Because issuers have a choice to list their securities on a different national securities exchange, the Exchange does not believe that the proposed fee changes impose a burden on competition.

Intramarket Competition. The Exchange's listing fees are designed to attract additional listings to the Exchange. The Exchange believes that the proposed changes would continue to incentivize issuers to develop and list new products, transfer existing products to the Exchange, and maintain listings on the Exchange. The proposed fees would be applicable to all issuers that list ADR Hedges on the Exchange, and, as such, the proposed change would not impose a disparate burden on competition among market participants listing ADR Hedges on the Exchange. Further, the Exchange is proposing to adopt this fee in in order to provide uniform pricing for all ADR Hedges listed on the Exchange.

While the proposed annual fee for ADR Hedges is higher than the standard annual ETP fee, 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. As discussed above, the Exchange believes that these higher proposed fees are appropriate for this new product type because of the higher Exchange costs associated with issuer services, listing administration, and product development that have historically come along with the introduction of new product types on the Exchange. Based on prior experience with listing new product types, the Exchange believes that these could include potentially adding ADR Hedge products to a liquidity incentive program, *e.g.* the Liquidity Enhancement Program, educating market participants about the product type, and any other unanticipated needs, each of which would require time and/or Exchange resources to accommodate. Without the ability to increase its fees in such instances, the Exchange will be less able to support innovation and changes in the marketplace.

Intermarket Competition. The Exchange operates in a highly competitive listings market in which issuers can readily choose alternative

[19] *See* LEP Tier 1 under Footnote 13 of the BZX Fee Schedule; Securities Exchange Act No. 99147 (December 12, 2023) 88 FR 87476 (December 18, 2023) (SR–CboeBZX–2023–099) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule Applicable to Members and Non-Members of the Exchange Pursuant to BZX Rules 15.1(a) and (c) in Order To Adopt a New Tier Under Footnote 13 (Tape B Volume and Quoting) Specific to Single-Stock Exchange Traded Funds (''Single-Stock ETFs'').

[20] *See* Arca Schedule of Fees and Charges for Exchange Services as of January 10, 2024, Annual Fees, Item 6. If an ADR Hedge listed on Arca, the listing fee would be between $10,000 and $35,000, depending on the number of shares outstanding.

[21] *See* Arca Schedule of Fees and Charges for Exchange Services as of January 10, 2024, Annual Fees, Item 6b. Specifically, Arca differentiates its annual listing fee for ETPs based on whether the ETP tracks an index, regardless of whether the ETP may rely on Rule 6c–11. *See e.g.,* Securities Exchange Act No. 90988 (January 26, 2021) 86 FR 7754 (February 1, 2021) (SR–NYSEArca–2021–04) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Its Schedule of Fees and Charges To Establish Annual Fees for Exchange Traded Products).

[22] *See* Arca Schedule of Fees and Charges for Exchange Services as of January 10, 2024, Annual Fees, Item 6b.

listing venues. In such an environment, the Exchange must adjust its fees and discounts to remain competitive with other exchanges competing for the same listings. Because competitors are free to modify their own fees and discounts in response, and because issuers may readily adjust their listing decisions and practices, the Exchange does not believe its proposed fee change can impose any burden on intermarket competition. As such, the proposal is a competitive proposal designed to enhance pricing competition among listing venues and implement pricing for Fund Shares to reflect the revenue and expenses associated with listing on the Exchange.

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) of the Act [23] and paragraph (f) of Rule 19b–4 [24] 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 will 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–CboeBZX–2024–102 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–CboeBZX–2024–102. 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–CboeBZX–2024–102 and should be submitted on or before November 26, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–25635 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

[23] 15 U.S.C. 78s(b)(3)(A).

[24] 17 CFR 240.19b–4(f).

[25] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101476; File No. SR–CboeEDGA–2024–042]

Self-Regulatory Organizations; Cboe EDGA Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Remove Certain Routing Options and Amend Certain Order Types

October 30, 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 October 28, 2024, Cboe EDGA Exchange, Inc. (the ''Exchange'' or ''EDGA'') 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 Exchange. The Exchange filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [3] and Rule 19b–4(f)(6) thereunder.[4] 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 move EDGA from its current inverted fee model to a maker-taker fee model, by remove certain routing options from the EDGA rulebook, and amending certain order type rules to align their behavior with the EDGX rule text, and the maker-taker functionality that currently exists on EDGX.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/edga/*), at the Exchange's Office of the Secretary, 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

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to move EDGA from its current inverted [5] fee model to a maker-taker fee model.[6] The Exchange anticipates that this transition will take effect on November 1, 2024. In order to move EDGA to a maker-taker fee model, the Exchange seeks to amend Rule 11.11(g)(3)(D), Rule 11.11(g)(3)(E), 11.11(g)(12)(A), 11.11(g)(12)(B), to remove the routing options ROBB, ROCO, RMPT, and RMPL, respectively, from the EDGA rulebook, as well as amend Rule 11.11(g)(14) to remove references to ROBB and ROCO. The Exchange also seeks to align certain EDGA order type functionality with how such orders behave on EDGX (a maker-taker exchange). These functionality changes will require amendments to EDGA Rules 11.8(d)(5), 11.8(e)(5), and 11.6(d), to fully align them with EDGX Rules, 11.8(d)(5), 11.8(g)(5), and 11.6(d), respectively.[7] The Exchange believes these changes are non-controversial because they are identical [8] to existing EDGX rules which were immediately effective upon filing [9] and are already codified in the EDGX rulebook. In this regard, the proposed rule changes present no new or novel issues for consideration. Moreover, because the proposed functionality will mirror exactly the order behavior as it exists on EDGX, today, Users [10] will already be familiar with the new EDGA functionality.[11] In addition to the filing of this proposal, the Exchange has provided Users with advance notice of these proposed changes, via a Trade Desk Notice and client letter on October 1, 2024 (*i.e.,* one full month prior to the proposed changes), thereby providing Users with as much advanced notice of the proposed changes as possible and giving Users additional time to make any technological and operational changes necessary, on their end. Importantly, various Users have verbally expressed their support for this proposal and have verbally indicated they will be ready to trade on EDGA under a maker-taker fee model.

Rule 11.11(g)—Routing Options

The Exchange proposes to amend Rule 11.11(g)(3)(D), Rule 11.11(g)(3)(E), 11.11(g)(12)(A), 11.11(g)(12)(B), to remove the routing options ROBB, ROCO, RMPT, and RMPL, respectively, from the EDGA rulebook, as well as amend Rule 11.11(g)(14) to remove references to ROBB and ROCO. These routing options are strategies that specifically target certain equities exchanges that provide low-cost executions or rebates to liquidity *removing* orders, and route to those venues after trading with the EDGA Book—*i.e.,* ROBB, ROCO, RMPT, and RMPL are routing options applicable only to an *inverted* market. More specifically, these routing options are targeting Users that want low-cost executions. In this regard, each of these routing options first seek liquidity from the Exchange, which is currently inverted. However, once the Exchange transitions to a maker-taker fee model, these strategies will no longer be useful for Users targeting a low-cost execution, since the first trading venue these routing options would check—EDGA—will now assess Users a full remove fee. Therefore, given the proposal to convert EDGA to a maker-taker fee structure, these routing options are no longer necessary.

EDGA Rule 11.6(d)—Order With a Discretionary Range

Current Functionality

Currently, EDGA Rule 11.6(d) provides that Discretionary Range [12] is an instruction that a User may attach to an order to buy (sell) a stated amount of a security at a specified, displayed or non-displayed ranked price with discretion to execute up (down) to another specified, non-displayed price. Moreover, resting orders with a Discretionary Range instruction will be executed at a price that uses the minimum amount of discretion necessary to execute the order against an incoming order. When an incoming order also contains a Discretionary Range instruction, an order with a Discretionary Range instruction resting on the EDGA Book will execute at its least aggressive price when it matches against such incoming order. Any contra-side order that executes against a resting order with a Discretionary Range instruction at its displayed or non-displayed ranked price, or a price in the discretionary range, will remove liquidity against the order with a Discretionary Range instruction. Furthermore, where an incoming order with a Post Only [13] instruction does not remove liquidity on entry pursuant to Rule 11.6(n)(4) against a resting order with a Discretionary Range instruction, the discretionary range of the resting order with a Discretionary Range instruction will be shortened to equal the limit price of the incoming contra-side order with a Post Only instruction. As such, resting orders with a Discretionary Range instruction do not perform a liquidity swap against

[5] The inverted fee model is a pricing structure in which a market, such as an exchange, charges its participants a fee to provide liquidity in securities, and provides a rebate to participants that remove liquidity in securities. *See* SEC Market Structure Advisory Committee, Memorandum on ''Maker-Taker Fees on Equities Exchanges,'' October 20, 2015, available at: *https://www.sec.gov/spotlight/emsac/memo-maker-taker-fees-on-equities-exchanges.pdf.*

[6] The maker-taker fee model is a pricing structure in which a market, such as an exchange, generally pays its members a per share rebate to provide (*i.e.,* ''make'') liquidity in securities and assesses on them a fee to remove (*i.e.,* ''take'') liquidity. *Id.*

[7] The Exchange notes that it has also made a related EDGA fee filing, effective November 1, 2024, to reflect EDGA's new maker-taker fee model. *See* SR–CboeEDGA–2024–045.

[8] These rules will be substantively identical, absent the EDGA Rules' references to the ''EDGA Book'', and the EDGX Rules' references to the ''EDGX Book.''

[9] *See* Securities Exchange Act Release No. 75479 (July 17, 2015), 80 FR 43810 (July 23, 2015) (SR–EDGX–2015–33) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Rules 11.6, 11.8, 11.9, 11.10 and 11.11 to Align With Similar Rules of the BATS Exchange, Inc.) (*i.e.,* Rule 11.6(D) and Rule 11.8(d)(5)); *see also* Securities Exchange Act Release No. 90713 (December 17, 2020), 85 FR 84065 (December 23, 2020) (SR–CboeEDGX–2020–063) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend EDGX Rule 11.8(g), Which Describes the Handling of MidPoint Discretionary Orders Entered on the Exchange) (*i.e.,* Rule 11.6(e)(5)).

[10] The term ''User'' shall mean any Member or Sponsored Participant who is authorized to obtain access to the System pursuant to Rule 11.3. *See* Rule 1.5(ee).

[11] The Exchange notes that many EDGA Users are also EDGX Users. In this regard, the Exchange's transition to a maker-taker fee model and to EDGX functionality will not present any new or novel issues for such EDGA Users to consider, as they are already familiar with EDGX's maker-taker fee model, and EDGX's order behavior.

[12] *See* Rule 11.6(d).

[13] Post Only is ''[a]n instruction that may be attached to an order that is to be ranked and executed on the Exchange pursuant to Rule 11.9 and Rule 11.10(a)(4) or cancelled, as appropriate, without routing away to another trading center except that the order will not remove liquidity from the EDGA Book, except as described below. An order with a Post Only instruction will remove contra-side liquidity from the EDGA Book if the order is an order to buy or sell a security priced below $1.00 or if the value of such execution when removing liquidity equals or exceeds the value of such execution if the order instead posted to the EDGA Book and subsequently provided liquidity, including the applicable fees charged or rebates provided. To determine at the time of a potential execution whether the value of such execution when removing liquidity equals or exceeds the value of such execution if the order instead posted to the EDGA Book and subsequently provided liquidity, the Exchange will use the highest possible rebate paid and highest possible fee charged for such executions on the Exchange.'' *See* EDGA Rule 11.6(n)(4).

incoming orders (including those with a Post Only instruction), such that incoming orders always act as takers of liquidity, and the resting order with a Discretionary Range instruction always acts as the maker of liquidity, thereby ensuring that the incoming order is the taker of liquidity and is paid the applicable rebate rather than charged an unexpected fee.

Proposed Functionality

The Exchange proposes to add rule text to EDGA Rule 11.6(d) to align it with the rule text of EDGX Rule 11.6(d). As proposed, the EDGA and EDGX rule text will be identical.[14] Moreover, by aligning the EDGA rule text with EDGX rule text, the behavior of EDGA orders with a Discretionary Range will be identical to how such orders behave on the maker-taker exchange, EDGX. Specifically, the Exchange proposes that a resting order with a Discretionary Range instruction would remove liquidity against: (1) an incoming Post Only order at its displayed or non-displayed ranked price that does not remove liquidity on entry pursuant to Rule 11.6(n)(4), and (2) an incoming order with a time-in-force (''TIF'') other than Immediate-or-Cancel (''IOC'') [15] or Fill-or-Kill (''FOK'') [16] that is priced within its Discretionary Range. All other orders follow normal handling for the execution of an incoming order and remove liquidity when trading with a resting order with a Discretionary Range instruction.[17]

Accordingly, the Exchange proposes to amend its current Rule by adding language to 11.6(d) discussing how an order with a Discretionary Range instruction would interact with an order with a Post Only instruction. Specifically, when an order with a Post Only instruction that is entered at the displayed or non-displayed ranked price of an order with a Discretionary Range instruction that does not remove liquidity on entry pursuant to Rule 11.6(n)(4), the order with a Discretionary Range instruction would be converted to an executable order and will remove liquidity against such incoming order.

Since an order with a Discretionary Range instruction contains a more aggressive price at which it is willing to execute, the Exchange proposes to treat orders with a Discretionary Range instruction as aggressive orders that would prefer to execute rather than forego an execution, due to applicable fees or rebates. In such instances, Users of orders with Discretionary Range instructions, willing to execute at more aggressive prices, would expect to pay a fee to remove liquidity. Similarly, for example, a User who has entered a Post-Only order onto a maker-taker exchange, would not expect to immediately remove liquidity against a resting order with a Discretionary Range, and would expect instead to be treated as an adder of liquidity and receive a rebate. Accordingly, the proposed amendments align EDGA rule text with Users' expectations.

Examples—Order With a Discretionary Range Instruction Executes Against an Order With a Post Only Instruction

- Assume that the National Best Bid or Offer (''NBBO'') is $10.00 by $10.05, and the Exchange's BBO is $9.99 by $10.06.
- Assume that the Exchange receives a non-routable order to buy 100 shares at $10.00 per share designated with discretion to pay up to an additional $0.05 per share. Assume further that an order would not remove any liquidity upon entry pursuant to the Exchange's economic best interest functionality.[18]
- Assume that the next order received by the Exchange is an order with a Post Only instruction to sell 100 shares of the security priced at $10.03 per share. The order with a Post Only instruction would not remove any liquidity upon entry and would post to the EDGA Book at $10.03. This would, in turn, trigger the discretion of the resting buy order with a Discretionary Range instruction and an execution would occur at $10.03. The order with a Post Only instruction to sell would be treated as the adder of liquidity and the buy order with discretion would be treated as the remover of liquidity.
- Assume the same facts as above, but that the incoming order with a Post Only instruction is priced at $10.00 instead of $10.03. As is true in the example above, the order with a Post Only instruction would not remove any liquidity upon entry. Rather than cancelling the incoming order, with a Post Only instruction to sell, back to the User, particularly when the resting order with a Discretionary Range instruction is willing to buy the security for up to $10.05 per share, the Exchange proposes to execute at $10.00 the order with a Post Only instruction against the resting buy order with a Discretionary Range instruction. As is also true in the example above, the order with a Post Only instruction to sell would be treated as the liquidity adder and the buy order with discretion would be treated as the liquidity remover. As set forth in more detail below, if the incoming order was not an order with a Post Only instruction to sell, the incoming order could be executed at the ranked price of the order with a Discretionary Range instruction without restriction and would therefore be treated as the liquidity remover.

Furthermore, the Exchange proposes to modify the description of the process by which it handles incoming orders that interact with orders with a Discretionary Range instruction. The Exchange proposes to specify in Rule 11.6(d) its proposed handling of a contra-side order that executes against a resting order with a Discretionary Range instruction at its displayed or non-displayed ranked price or that contains a time-in-force of IOC or FOK and a price in the discretionary range by stating that such an incoming order will remove liquidity against the order with a Discretionary Range instruction. The Exchange also proposes to specify in Rule 11.6(d) its handling of orders that are intended to post to the EDGA Book [19] at a price within the discretionary range of an order with a Discretionary Range instruction. This includes, but is not limited to, an order with a Post Only instruction. Specifically, the Exchange proposes to specify in Rule 11.6(d) that any contra-

[14] *Supra* note 8.

[15] The term ''Immediate-or-Cancel (''IOC'') shall mean, ''An instruction the User may attach to an order stating the order is to be executed in whole or in part as soon as such order is received. The portion not executed immediately on the Exchange or another trading center is treated as cancelled and is not posted to the EDGA Book. An order with an IOC instruction that does not include a Book Only instruction and that cannot be executed in accordance with Rule 11.10(a)(4) on the System when reaching the Exchange will be eligible for routing away pursuant to Rule 11.11.'' *See* Rule 11.6(q)(1).

[16] The term Fill-or-Kill (''FOK'') shall mean, ''An instruction the User may attach to an order stating that the order is to be executed in its entirety as soon as it is received and, if not so executed, cancelled. An order with a FOK instruction is not eligible for routing away pursuant to Rule 11.11.'' *See* Rule 11.6(q)(3).

[17] For example, an incoming order that executes at the ranked price of the Discretionary Range order, or an IOC or FOK order that executes at a price within the Discretionary Range would execute as the liquidity remover.

[18] See EDGA Rule 11.6(n), which in relevant part, provides, ''. . . An order with a Post Only instruction will remove contra-side liquidity from the EDGA Book if the order is an order to buy or sell a security priced below $1.00 or if the value of such execution when removing liquidity equals or exceeds the value of such execution if the order instead posted to the EDGA Book and subsequently provided liquidity, including the applicable fees charged or rebates provided. To determine at the time of a potential execution whether the value of such execution when removing liquidity equals or exceeds the value of such execution if the order instead posted to the EDGA Book and subsequently provided liquidity, the Exchange will use the highest possible rebate paid and highest possible fee charged for such executions on the Exchange.''

[19] The term ''EDGA Book'' shall mean the System's electronic file of orders. *See* Rule 1.5(d).

side order with a time-in-force other than IOC or FOK and a price within the discretionary range but not at the displayed or non-displayed ranked price of an order with a Discretionary Range instruction will be posted to the EDGA Book and then the order with a Discretionary Range instruction would remove liquidity against such posted order.

Examples—Order With a Discretionary Instruction Executes Against an Order Without a Post Only Instruction

- Assume that the NBBO is $10.00 by $10.05, and the Exchange's BBO is $9.99 by $10.06. Assume that the Exchange receives an order to buy 100 shares of a security at $10.00 per share designated with discretion to pay up to an additional $0.05 per share.
- Assume that the next order received by the Exchange is an order with a Book Only [20] instruction to sell 100 shares of the security with a TIF other than IOC or FOK priced at $10.03 per share. The order with a Book Only instruction would not remove any liquidity upon entry and would post to the EDGA Book at $10.03. This would, in turn, trigger the discretion of the resting buy order and an execution would occur at $10.03. The order with a Book Only instruction to sell would be treated as the adder of liquidity and the buy order with discretion would be treated as the remover of liquidity.
- Assume the same facts as above, but that the incoming order with a Book Only instruction is priced at $10.00 instead of $10.03. The order with a Book Only instruction would remove liquidity upon entry at $10.00 per share pursuant to the Exchange's order execution rule. Contrary to the examples set forth above, the order with a Book Only instruction to sell would be treated as the liquidity remover and the resting buy order with discretion would be treated as the liquidity adder. The Exchange notes that this example operates the same whether an order contains a TIF of IOC, FOK or any other TIF.

EDGA Rule 11.8(d)(5)—MidPoint Peg Order, Routing and Posting

Current Functionality

Pursuant to EDGA Rule 11.8(d), a MidPoint Peg Order [21] may include a Book Only or Post Only instruction. MidPoint Peg Orders are not eligible for routing pursuant to Rule 11.11 unless routed utilizing the RMPT,[22] RMPL,[23] or Destination Specific [24] routing strategy as defined in Rule 11.11(g)(13). A MidPoint Peg Order may include a Non-Displayed Swap (''NDS'') [25] instruction, however, when such instruction is included, a MidPoint Peg Order is not eligible for routing pursuant to Rule 11.11.

Currently, RMPL and RMPT are routing strategies under which a MidPoint Peg Order checks the System for available shares and any remaining shares are then sent to destinations on the System routing table that support midpoint eligible orders. If any shares remain unexecuted after routing, they are posted on the EDGA Book as a MidPoint Peg Order, unless otherwise instructed by the User.

Proposed Functionality

The Exchange proposes to amend EDGA Rule 11.8(d)(5)'s rule text to align with the rule text of EDGX Rule 11.8(d)(5).[26] As proposed, the EDGA and EDGX rule text will be identical,[27] and the routing and posting behavior of MidPoint Peg Orders on EDGA will now be identical to how such orders behave on EDGX. Specifically, as is the case under both the current EDGA and EDGX rules, MidPoint Peg Orders may contain a Book Only, Post Only, or NDS instruction. However, pursuant to the proposed EDGA Rule 11.8(d)(5), MidPoint Peg Orders entered onto EDGA will no longer be routable, thereby aligning the rule text with EDGX's rule text.

By fully adopting the EDGX Rule 11.8(d)(5) language, the Routing and Posting behavior for MidPoint Peg Order's will be identical to that of MidPoint Peg Order's entered onto EDGX, thereby aligning functionality on affiliated exchanges, EDGA and EDGX. Typically, MidPoint Peg Orders are entered with a Post Only or Book Only instruction,[28] which result in orders seeking to either execute on the Exchange or post to the EDGA Book, but not route to an away market. Users often prefer to use these types of instructions to help them manage trading fees they may incur when their orders are routed away from EDGA and access other markets. In this regard, the Exchange believes that the alignment of EDGA's rule text with EDGX's rule text—particularly removing the routing of EDGA MidPoint Peg Orders—will help to make MidPoint Peg Order behavior consistent with Users' expectations, as well as increase liquidity at the midpoint on EDGA.

EDGA Rule 11.8(e)(5)—MidPoint Discretionary Order (''MDO'') [29] Functionality

Current Functionality

Today, EDGA Rule 11.8(e)(5), Routing, provides only that MDOs are

[20] The term Book Only shall mean ''An order instruction stating that an order will be matched against an order on the EDGA Book or posted to the EDGA Book, but will not route to an away Trading Center.'' *See* Rule 11.6(n)(3).

[21] A MidPoint Peg Order is ''[a] non-displayed Market Order or Limit Order with an instruction to execute at the midpoint of the NBBO, or, alternatively, pegged to the less aggressive of the midpoint of the NBBO or one minimum price variation inside the same side of the NBBO as the order. A MidPoint Peg Order with a limit price that is more aggressive than the midpoint of the NBBO will execute at the midpoint of the NBBO or better subject to its limit price. A MidPoint Peg Order may execute at its limit price or better when its limit price is less aggressive than the midpoint of the NBBO. A MidPoint Peg Order will be ranked at the midpoint of the NBBO where its limit price is equal to or more aggressive than the midpoint of the NBBO. A MidPoint Peg Order will not be eligible for execution when an NBBO is not available. In such case, a MidPoint Peg Order would rest on the EDGA Book and would not be eligible for execution in the System until an NBBO is available. The MidPoint Peg Order will receive a new time stamp when an NBBO becomes available and a new midpoint of the NBBO is established. In such case, pursuant to Rule 11.9, all MidPoint Peg Orders that are ranked at the midpoint of the NBBO will retain their priority as compared to each other based upon the time such orders were initially received by the System. A MidPoint Peg Order will be ranked at its limit price where its limit price is less aggressive than the midpoint of the NBBO. Notwithstanding that a MidPoint Peg Order may be a Market Order or a Limit Order, its operation and available modifiers are limited to this Rule 11.8(d).'' *See* Rule 11.8(d).

[22] *See* Rule 11.11(g)(12)(A).

[23] *See* Rule 11.11(g)(12)(B).

[24] *See* Rule 11.11(g)(13).

[25] A Non-Displayed Swap (''NDS'') Non-Displayed Swap (''NDS'') is ''[a]n instruction that may be attached to an order with a Non-Displayed instruction that when such order is resting on the EDGA Book and is locked by an incoming order with a Post Only instruction that does not remove liquidity pursuant to paragraph (4) of this rule, the order with an NDS instruction is converted to an executable order and will remove liquidity against such incoming order. An order with an NDS instruction is not eligible for routing pursuant to Rule 11.11.'' *See* Rule 11.6(n)(7).

[26] Note the Exchange proposes to remove the RMPT and RMPL routing strategies from the EDGA rulebook. While the Exchange does not propose to entirely remove the Destination Specific routing option from the rulebook, EDGA does propose to prohibit the routing of Midpoint Peg Orders utilizing the Destination Specific routing option, just as it does on EDGX, today.

[27] *Supra* note 8.

[28] *See* Rule 11.8(d)(5).

[29] A MidPoint Discretionary Order (''MDO'') is ''[a] limit order to buy that is pegged to the NBB, with or without an offset, with discretion to execute at prices up to and including the midpoint of the NBBO, or a limit order to sell that is pegged to the NBO, with or without an offset, with discretion to execute at prices down to and including the midpoint of the NBBO. An MDO's pegged price and Discretionary Range are bound by its limit price. An MDO to buy or sell with a limit price that is less (higher) than its pegged price, including any offset, is posted to the EDGA Book at its limit price. The pegged prices of an MDO are derived from the NBB or NBO, and cannot independently establish or maintain the NBB or NBO. An MDO in a stock priced at $1.00 or more can only be executed in sub-penny increments when it executes at the midpoint of the NBBO or against a contra-side order

not eligible for routing pursuant to Rule 11.11. As such, MDOs entered onto EDGA today will typically exercise discretion and remove liquidity against eligible contra-side orders upon arrival or execute against contra-side MDOs at the NBBO midpoint and will not act as providers of liquidity. MDOs may also be entered with a Quote Depletion Protection (''QDP'') [30] instruction that Users may include on their MDOs to limit their orders' ability to exercise discretion in certain circumstances. QDP restricts the exercise of discretion on MDOs in circumstances where applicable market conditions indicate that it may be less desirable to execute within an order's Discretionary Range.[31]

Proposed Functionality

While the non-routable restriction will remain in place, the Exchange now seeks to add additional rule text to EDGA 11.8(e)(5) to align it with EDGX Rule 11.8(g)(5). As proposed, the EDGA and EDGX rule text will be identical,[32] and the posting behavior of MDOs on EDGA will now be identical to how such orders behave on EDGX. Specifically, the Exchange seeks to add rule text to provide that MDOs entered onto the Exchange will, by default, act as liquidity providers. However, by adding rule text that allows MDOs entered with a QDP instruction to remove liquidity, by default, unless a User chooses to require an MDO act only as a liquidity provider, MDOs with a QDP instruction will be able to act as a liquidity provider or remover.

In addition, the Exchange seeks to add rule text to EDGA Rule 11.8(e)(5) that would provide that if the instructions included on an MDO do not permit the order to remove liquidity, the MDO will only execute on entry against resting orders that include a Super Aggressive [33] instruction priced at the MDO's pegged price if the MDO also contains a Displayed [34] instruction, and against orders with an NDS instruction priced at the MDO's pegged price or within its Discretionary Range.

The Exchange also proposes to add language to EDGA Rule 11.8(e)(5) stating that if a resting contra-side order that does not include an NDS instruction is priced within the discretionary range of an incoming MDO that is not permitted to remove liquidity, then the incoming MDO will be placed on the EDGA Book and its discretionary range will be shortened to equal the limit price of the resting contra-side order.

Finally, the Exchange seeks to add language to Rule 11.8(e)(5) which provides that where an incoming order with a Post Only instruction does not remove liquidity on entry pursuant to EDGA Rule 11.6(n)(4) against a resting MDO, the discretionary range of the resting MDO will be shortened to equal the limit price of the incoming contra-side order with a Post Only instruction.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[35] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [36] requirements that the rules of an exchange be 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. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5) [37] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the proposed changes are designed to align the economics of executing under the pending EDGA maker-taker fee model, with that of the EDGX maker-taker fee model. In order to do so, though, certain amendments to EDGA order type behavior are necessary, such that EDGA adders of liquidity and removers of liquidity, receive rebates and pay fees, as expected, *i.e.,* receive rebate to add liquidity, and pay a fee to remove liquidity. The proposed changes appropriately treat aggressive order types that would prefer to immediately execute, favoring immediate executions over rebates. The Exchange believes that such Users would naturally expect to pay a fee to immediately remove liquidity. In this regard, the proposed changes are designed to promote just and equitable principles of trade, and facilitate 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.

Additionally, the proposed changes are necessary to align EDGA rules 11.6(d), 11.8(d)(5), and 11.8(e)(5), with EDGX rules 11.6(d), 11.8(d)(5), and 11.8(g)(5), respectively, thereby making the EDGA rule text [38] and order behavior identical to that of EDGX, a maker-taker exchange.

Rule 11.11(g)—Routing Options

The Exchange believes that the deletion of the routing options ROBB, ROCO, RMPT, and RMPL from the EDGA rulebook are consistent with the Act and these requirements because

pursuant to Rule 11.10(a)(4)(D). Notwithstanding that an MDO Order may be a Limit Order, its operation and available modifiers are limited to this Rule 11.8(e). *See* EDGA Rule 11.8(e).

[30] Quote Depletion Protection (''QDP'') is an optional instruction that a User may include on an MDO to limit the order's ability to exercise discretion in certain circumstances. A ''QDP Active Period'' will be enabled or refreshed for buy (sell) MDOs if the best bid (offer) displayed on the EDGA Book is executed below one round lot. During the QDP Active Period, an MDO entered with a QDP instruction will not exercise discretion, and is executable only at its ranked price. When a QDP Active Period is initially enabled, or refreshed by a subsequent execution or cancellation of the best bid (offer) then displayed on the EDGA Book, it will remain enabled for two milliseconds. Unless the User chooses otherwise, an MDO to buy (sell) entered with a QDP instruction will default to a Non-Displayed instruction and will include an Offset Amount equal to one Minimum Price Variation below (above) the NBB (NBO). *See* Rule 11.8(e)(10).

[31] For instance, a QDP instruction would provide Users with protective features that would limit the order's ability to exercise discretion in certain circumstances that may be indicative of a quotation that is moving against the resting MDO—*i.e.,* a buy quotation that is moving to a lower price for MDOs to buy, or a sell quotation that is moving to a higher price for MDOs to sell.

[32] *Supra* note 8.

[33] Super Aggressive is ''[a]n order instruction that directs the System to route the order if an away Trading Center locks or crosses the limit price of the order resting on the EDGA Book. A User may instruct the Exchange to apply the Super Aggressive instruction solely to routable orders posted to the EDGA Book with remaining size of an Odd Lot. When any order with a Super Aggressive instruction is locked by an incoming order with a Post Only instruction that does not remove liquidity pursuant to Rule 11.6(n)(4) below, the order with a Super Aggressive instruction is converted to an executable order and will remove liquidity against such incoming order. Notwithstanding the foregoing, if an order that does not contain a Super Aggressive instruction maintains higher priority than one or more Super Aggressive eligible orders, the Super Aggressive eligible order(s) with lower priority will not be converted, as described above, and the incoming order with a Post Only instruction will be posted or cancelled in accordance with Rule 11.6(n)(4) below.'' *See* Rule 11.6(n)(2).

[34] Displayed is ''[a]n instruction the User may attach to an order stating that the order is to be displayed by the System on the EDGA Book. Unless the User elects otherwise, all orders eligible to be displayed on the EDGA Book will be automatically defaulted by the System to Displayed. *See* Rule 11.6(e)(1).

[35] 15 U.S.C. 78f(b).

[36] 15 U.S.C. 78f(b)(5).

[37] *Id.*

[38] *Supra* note 8.

doing so will remove impediments to the mechanism of a free and open market, thereby protecting investors and the public interest. As stated, ROBB, ROCO, RMPT, and RMPL are routing options designed for an inverted fee schedule. Because EDGA is transitioning to a maker-taker fee model, these routing options are no longer necessary. Additionally, these routing options are targeting Users that want low-cost executions. In this regard, each of these routing options first seek liquidity from the Exchange, which is currently inverted. However, once the Exchange transitions to a maker-taker fee model, these strategies will no longer be useful for Users targeting a low-cost execution, since the first trading venue these routing options would check—EDGA—will now assess Users a full fee for removing liquidity. Therefore, the Exchange is discontinuing these routing options. The Exchange notes that routing through the Exchange is voluntary and alternative routing options offered by the Exchange as well as other methods remain available to Users that wish to route to other trading centers. By removing references to routing options that will no longer be offered by the Exchange, the Exchange believes the proposed rule change will remove impediments to the mechanism of a free and open market and protect investors by providing investors with rules that accurately reflect routing options currently available on the Exchange. The Exchange does not believe that this proposal will permit unfair discrimination among customers, brokers, or dealers because the ROBB, ROCO, RMPT, and RMPL routing options will no longer be available to any User.

EDGA Rule 11.6(d)—Order With a Discretionary Range; EDGA Rule 11.8(d)(5)—MidPoint Peg Order, Routing and Posting; EDGA Rule 11.8(e)(5)—MidPoint Discretionary Order (''MDO'') Routing and Posting

In general, these proposed amendments to EDGA Rule 11.6(d) are intended to better align certain Exchange rules and System [39] functionality with that currently offered by EDGX in order to provide a consistent functionality across the Exchange and EDGX and to align the economics of these order types and executions with that of a maker-taker model (*i.e.,* receive a rebate to add liquidity, and pay a fee to remove liquidity). Consistent functionality between the EDGA and EDGX will reduce complexity and streamline duplicative functionality, thereby resulting in simpler technology implementation, and changes and maintenance by Users of the Exchange that are also participants on EDGX.

The proposed rule changes also do not propose to implement new or unique functionality that has not been previously filed with the Commission or is not available on EDGX. The Exchange notes that the proposed rule text is based on applicable EDGX rule text, and that the proposed language of the Exchange's Rules differs only to extent necessary to conform to existing Exchange rule text or to account for minor differences, such as references to EDGA and EDGX. Where possible, the Exchange has mirrored EDGX rules, because consistent rules will simplify the regulatory requirements and increase the understanding of the Exchange's operations for Users of the Exchange that are also participants on EDGX. As such, 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. Moreover, these changes are not designed to permit unfair discrimination because they apply equally to all Users, and Users are not required to utilize the described functionality.

EDGA Rule 11.6(d)—Order With a Discretionary Range Executes Against an Order With a Post Only Instruction; EDGA Rule 11.6(d)—Order With a Discretionary Range Executes vs. an Order Without a Post Only Instruction

The Exchange believes that aligning EDGA Rule 11.6(d) with EDGX Rule 11.6(d) will provide additional clarity and specificity regarding the functionality of the System and provide Users with consistent rules between EDGA and its affiliated exchange, EDGX. In this regard, the proposed amendments would promote just and equitable principles of trade and remove impediments to a free and open market.

In particular, the Exchange believes it is consistent with the Act to execute orders with a Discretionary Range instruction against marketable liquidity (*e.g.,* order with a Post Only instruction) when an execution would not otherwise occur is consistent with both: (i) the Act, by facilitating executions, removing impediments and perfecting the mechanism of a free and open market and national market system; and (ii) a User's instructions, which have evidenced a willingness by the User to pay applicable execution fees and/or execute at more aggressive prices than they are currently ranked in favor of an execution. As noted above, because Users of orders with Discretionary Range instructions are willing to execute at more aggressive prices, they typically expect to pay a fee to remove liquidity. Similarly, a User who has entered a Post Only order onto a maker-taker exchange, would not expect to immediately remove liquidity against a resting order with a Discretionary Range, and would expect instead to be treated as an adder of liquidity and receive a rebate. Accordingly, in order to facilitate transactions consistent with the instructions and expectations of its Users, the Exchange proposes to execute resting orders with a Discretionary Range instruction against incoming orders, when such incoming orders would otherwise forego an execution.

Moreover, the proposed rule change to Rule 11.6(d) is not designed to permit unfair discrimination amongst Users because the proposed amendment is applicable to all Users, and the use of a Discretionary Range instruction is not required.

EDGA Rule 11.8(d)(5)—MidPoint Peg Order, Routing and Posting

The proposed amendments to Rule 11.8(d)(5) are consistent with the Act and its requirements because the MidPoint Peg Order would now operate in exactly the same fashion as the MidPoint Peg Order available on EDGX, thereby further aligning functionality across affiliated exchanges. In addition, the Exchange believes that by eliminating the routing of MidPoint Peg Orders entered on EDGA will help to increase liquidity at the midpoint of the National Best Bid or National Best Offer on EDGA, thereby improving both the potential for price improvement and execution on the Exchange. Accordingly, the Exchange believes that the proposed amendments to Rule 11.8(d)(5) would promote just and equitable principles of trade, remove impediments to, and perfect the mechanism of, a free and open market and a national market system.

Finally, the Exchange also notes that there are minor differences between EDGA Rule 11.8(d), MidPoint Peg Order, and EDGX Rule 11.8(d), MidPoint Peg Order. Importantly, however, these differences are minor and do not change how Midpoint Peg Orders behave on EDGX and how MidPoint Peg Orders will behave on EDGA post implementation of the

[39] The term ''System'' shall mean the electronic communications and trading facility designated by the Board through which securities orders of Users are consolidated for ranking, execution and, when applicable, routing away. *See* Rule 1.5(cc).

proposed changes. As such, the Exchange believes the proposed conforming changes to be appropriate.

EDGA Rule 11.8(e)(5)—MidPoint Discretionary Order (''MDO'') Functionality

As noted above, the Exchange seeks to add rule text to provide that MDOs entered onto the Exchange will, by default, act as liquidity providers. However, by adding rule text that allows MDOs entered with a QDP instruction to remove liquidity, by default, unless a User chooses to require an MDO act only as a liquidity provider, MDOs with a QDP instruction will be able to act as a liquidity provider or remover.

The addition of rule text providing that MDOs will act only as adders of liquidity makes sense under a maker-taker fee model, as such amendment will now align the rule text with the expectations of such Users—*i.e.,* Users of MDOs can use MDOs to post displayed or non-displayed liquidity at the NBB or NBO with or without an offset, with a Discretionary Range extending to and including the NBBO midpoint, and receive a rebate for providing liquidity. Additionally, the proposed operation of the EDGA MDO enables Users to act as liquidity providers while increasing its opportunities to rest on the EDGA Book and potentially execute at prices more favorable than the midpoint whenever contra-side orders are priced more aggressively than the NBBO midpoint.

Therefore, the proposed operation of the EDGA MDO promotes just and equitable principles of trade and would facilitate transactions in securities and improve trading within the national market system by increasing the potential price improvement opportunities for incoming orders that may execute against a resting MDO within its discretionary range.

Additionally, as noted above, by adding rule text that allows MDOs entered with a QDP instruction to remove liquidity, by default, unless a User chooses to require an MDO act only as a liquidity provider, MDOs with a QDP instruction will be able to act as a liquidity provider or remover. The Exchange believes adding this rule text makes sense under a maker-taker fee model because Users that enter MDOs with a QDP instruction would expect to potentially pay a remove fee if they permit their orders to remove liquidity, and to receive a rebate should they permit their orders only to add liquidity. A User that enters a MDO with a QDP instruction, and permits their order only to add liquidity, is prioritizing the provision of liquidity and receipt of a rebate, rather than maximizing execution opportunities. Conversely, a User that enters a MDO with a QDP instruction, and permits their order to remove liquidity, would value the opportunity to improve their fill rates.

Moreover, the addition of such rule text will help to increase price improvement opportunities to incoming orders, while at the same time limit the exercise of discretion in circumstances where an execution within the MDOs Discretionary Range may be undesirable. The Exchange therefore believes that the addition of the rule text regarding MDOs entered with a QDP instruction would remove impediments to and perfect the mechanism of a free and open market and a national market system. Furthermore, while the QDP instruction would be available to all Users, use of this instruction would be voluntary, meaning that Users could choose to use this instruction, or not, based on their specific needs.

As a result of the proposed changes, MDOs entered on the Exchange without a QDP instruction will only execute on entry in limited circumstances where the resting order includes a Super Aggressive or NDS instruction that allows for a liquidity swap with the incoming MDO. The Exchange believes it is reasonable to execute resting orders with an NDS instruction within the incoming MDO's discretionary range but not execute orders with a Super Aggressive instruction within the incoming MDO's discretionary range due to the different purposes of each order instruction. Users of the Super Aggressive instruction tend to use it for best execution purposes because the order instruction enables the order to be routed away or executed locally when an order is displayed at a price equal to or better than the order's limit price. Conversely, an order with an NDS instruction is not routable and only executes against an incoming order that would lock it. The User of the NDS instruction is generally agnostic to whether the order is displayed on an away market or priced at the NBBO. It simply seeks to execute against an order that is priced at its limit price and engages in a liquidity swap to do so, even if the contra-side interest contains a NDS instruction.

Finally, the Exchange also notes that there are minor differences between EDGA Rule 11.8(e), MidPoint Discretionary Orders, and EDGX Rule 11.8(g), MidPoint Discretionary Orders. Importantly, however, these differences are minor and do not change how MDOs behave on EDGX and how MDOs will behave on EDGA post implementation of the proposed changes. As such, the Exchange believes the proposed conforming changes to be appropriate.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule changes will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The elimination of the routing options ROBB, ROCO, RMPT, and RMPL is due to the fact that these routing options are not viable on a maker-taker exchange and are therefore obsolete. Additionally, the proposed changes to Discretionary Ranges, MidPoint Peg Orders, and MDOs, will provide consistent functionality between the Exchange and EDGX, thereby reducing complexity and streamlining duplicative functionality, resulting in simpler technology implementation, as well as changes and maintenance by Users of the Exchange that are also participants on EDGX. Thus, the Exchange believes this proposed rule change is necessary to permit fair competition among national securities exchanges. In addition, the Exchange believes the proposed rule change will benefit Exchange participants in that it is designed to achieve a consistent technology offering by affiliated exchanges.

Furthermore, the Exchange does not believe that the proposed rule changes will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the act, because the proposed changes to order type functionality, and the modification of the fee model from inverted to maker-taker, will apply equally to all Users. Users are not required to continue to trade on the Exchange following the implementation of the proposed changes, and should they wish to continue to trade on an inverted exchange, Users may continue to access the Exchange's affiliated inverted exchange, BYX, as well as other inverted exchanges offered by the Exchange's competitors.

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 written comments on 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) of the Act[40] and Rule 19b–4(f)(6)[41] 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[42] and Rule 19b–4(f)(6)[43] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[44] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[45] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately. According to the Exchange, waiver of the 30-day operative delay would assist the Exchange in transitioning from an inverted exchange to a maker-taker exchange, as well as harmonize its rules with its affiliate, EDGX. Further, the Exchange has alerted Users of these changes as well as its anticipated implementation date of November 1, 2024, so that Users had additional time to make the requisite changes.[46] Based on the foregoing, the Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission designates the proposed rule change to be operative on November 1, 2024.[47]

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.

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–CboeEDGA–2024–042 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–CboeEDGA–2024–042. 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–CboeEDGA–2024–042 and should be submitted on or before November 26, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[48]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–25633 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

[40] 15 U.S.C. 78s(b)(3)(A).

[41] 17 CFR 240.19b–4(f)(6).

[42] 15 U.S.C. 78s(b)(3)(A).

[43] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[44] 17 CFR 240.19b–4(f)(6).

[45] 17 CFR 240.19b–4(f)(6)(iii).

[46] *See supra* notes 10–11 and accompanying text.

[47] 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).

[48] 17 CFR 200.30–3(a)(12), (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101483; File No. SR–NASDAQ–2024–059]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing of Proposed Rule Change To Modify the Package of Complimentary Services Provided to Certain Eligible Switches and To Modify the Definition of an Eligible Switch

October 30, 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 17, 2024, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to modify the package of complimentary services provided to certain Eligible Switches and to modify the definition of an Eligible Switch.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

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

Nasdaq offers complimentary services under Listing Rule IM–5900–7 to Eligible New Listings [3] and Eligible Switches [4] newly listing on Nasdaq.[5] Nasdaq believes that the complimentary service program offers valuable services to newly listing companies, designed to help ease the transition of becoming a public company or switching markets, and makes listing on Nasdaq more attractive to these companies. The services offered include a whistleblower hotline, investor relations website, disclosure services for earnings or other press releases, webcasting, market analytic tools, environmental, social and governance services, and may include market advisory tools such as stock surveillance (collectively the ''Service Package'').[6] Based on Nasdaq's experience with the program and given the competitive landscape, Nasdaq is filing this proposed rule change to modify the manner in which Market Advisory Tools are offered to Eligible Switches that have a market capitalization of $750 million or more, as described below. Nasdaq is also proposing to modify the definition of an Eligible Switch to include a company (other than a company listed under Listing Rule IM–5101–2) switching its listing to the Global or Global Select Market not only from the New York Stock Exchange, as currently provided by Listing Rule IM–5900–7(a)(2), but also from any other national securities exchange. Similarly, Nasdaq is proposing to modify the definition of an Eligible Switch to also include a company that switched its listing from another national securities exchange and listed on Nasdaq under Listing Rule IM–5101–2 after the company publicly announced that it entered into a binding agreement for a business combination and that subsequently satisfies the conditions in Listing Rule IM–5101–2(b) and lists on the Global or Global Select Market in conjunction with that business combination.[7]

Currently, an Eligible Switch that has a market capitalization of $750 million or more but less than $5 billion receives the following complimentary services for four years: Whistleblower Hotline, Investor Relations website, $20,000 per year of Disclosure Services, Audio Webcasting, Media Monitoring/Social Listening, Market Analytic Tools for three users, the Core ESG Software Solution, ESG Education & Sector Benchmarking Services, and the choice of one Market Advisory Tool.[8] Instead of the choice of one of the three Market Advisory Tools (*e.g.,* Stock Surveillance, Global Targeting, or an Annual Perception Study) for four years,[9] Nasdaq proposes to modify Listing Rule IM–5900–7(d)(2) to provide an Eligible Switch that has a market capitalization of $750 million or more but less than $5 billion with one Annual Perception Study during the four-year period and the choice of the remaining two Market Advisory Tools (*i.e.,* Stock Surveillance or Global Targeting) for four years.

Nasdaq also proposes to modify Listing Rule IM–5900–7(d)(2) to reflect that an Eligible Switch that had a market capitalization of $750 million or more but less than $5 billion that listed on Nasdaq prior to the effective date of this proposed rule change is not eligible for the one Annual Perception Study during the four-year period but received, upon listing (as provided by the rules in effect at that time), the choice of Stock Surveillance, Global Targeting or Annual Perception Study.

Currently, an Eligible Switch that has a market capitalization of $5 billion or more receives the following complimentary services for four years: Whistleblower Hotline, Investor Relations website, $20,000 per year of Disclosure Services, Audio Webcasting, Media Monitoring/Social Listening, Market Analytic Tools for four users, the Advanced ESG Software Solution, ESG Education & Sector Benchmarking Service, $60,000 per year of ESG Advisory Services, and the choice of two Market Advisory Tools.[10] Instead of the choice of two of the three Market Advisory Tools (*e.g.,* Stock Surveillance, Global Targeting, or Annual Perception Study) for four years, Nasdaq proposes to modify Listing Rule IM–5900–7(d)(3) to provide an Eligible Switch that has a market capitalization of $5 billion or more with one Annual Perception Study during the four-year period and with both of the remaining Market Advisory Tools (*i.e.,* Stock Surveillance and Global Targeting) for four years.

Nasdaq also proposes to modify Listing Rule IM–5900–7(d)(3) to reflect that an Eligible Switch that had a market capitalization of $5 billion or more that listed on Nasdaq prior to the effective date of this proposed rule change is not eligible for the one Annual Perception Study during the four-year period but received, upon listing (as provided by the rules in effect at that time), the choice of two of the following three services: Stock Surveillance, Global Targeting or Annual Perception Study.

Nasdaq believes that these changes will increase the value of the Service Package to the companies affected by this proposal because the perception study will be provided in addition to the Stock Surveillance and/or Global Targeting, whereas currently some companies may choose services that have higher value without benefiting

[3] IM–5900–7 defines an Eligible New Listing as ''a Company listing on the Global or Global Select Market in connection with: (i) an initial public offering in the United States, including American Depository Receipts (other than a Company listed under IM–5101–2), (ii) upon emerging from bankruptcy, (iii) in connection with a spin-off or carve-out from another Company, (iv) in connection with a Direct Listing as defined in IM–5315–1 (including the listing of American Depository Receipts), or (v) in conjunction with a business combination that satisfies the conditions in IM–5101–2(b).''

[4] IM–5900–7 defines an Eligible Switch as ''a Company: (i) (other than a Company listed under IM–5101–2) switching its listing from the New York Stock Exchange to the Global or Global Select Markets, or (ii) that has switched its listing from the New York Stock Exchange and listed on Nasdaq under IM–5101–2 after the Company publicly announced that it entered into a binding agreement for a business combination and that subsequently satisfies the conditions in IM–5101–2(b) and lists on the Global or Global Select Market in conjunction with that business combination.''

[5] IM–5900–7A describes the Service Package available to companies that listed before March 12, 2021, the effective date of SR–Nasdaq–2021–002. *See* Securities Exchange Act Release No. 91318 (March 12, 2021), 86 FR 14774 (March 18, 2021) (modifying the package of complimentary services provided to eligible companies and memorializing as IM–5900–7A the services offered to eligible companies that listed before the effective date of the change).

[6] In addition, all companies listed on Nasdaq receive other standard services from Nasdaq, including Nasdaq Online and the Market Intelligence Desk.

[7] The definition of an Eligible Switch already includes such a company that was previously listed on the New York Stock Exchange.

[8] The total retail value of these services is up to approximately $220,200 per year. The company also receives one Virtual Event during the four-year period, which has a retail value of approximately $11,700. In addition, one-time development fees of approximately $6,000 to establish the services in the first year is waived. *See* Listing Rule IM–5900–7(d)(2).

[9] Once the Company elects a service it cannot subsequently change to a different alternative, including in a subsequent year. *See* Listing Rule IM–5900–7(e).

[10] The total retail value of these services is up to approximately $373,700 per year. The company also receives one Virtual Event during the four-year period, which has a retail value of approximately $11,700. In addition, one-time development fees of approximately $26,500 to establish the services in the first year is waived. *See* Listing Rule IM–5900–7(d)(3).

from the perception study.[11] Nasdaq also believes these changes will streamline the offering of services to Eligible Switches because Eligible Switches with a market capitalization of $750 million or more, generally, would benefit from a perception study that leverages extensive capital markets relationships and benchmark data amplifying the company's efforts to elevate their story, enhance stakeholder engagement, identify risk and attract new capital. Accordingly, Nasdaq believes these changes will make the package more attractive to the affected companies.

Finally, Nasdaq proposes to modify the definition of an Eligible Switch to include a company (other than a company listed under Listing Rule IM–5101–2) switching its listing to the Global or Global Select Market not only from the New York Stock Exchange, as currently provided by Listing Rule IM–5900–7(a)(2), but also from any other national securities exchange. Similarly, Nasdaq proposes to modify the definition of an Eligible Switch to include a company that switched its listing from another national securities exchange and listed on Nasdaq under Listing Rule IM–5101–2 after the company publicly announced that it entered into a binding agreement for a business combination and that subsequently satisfies the conditions in Listing Rule IM–5101–2(b) and lists on the Global or Global Select Market in conjunction with that business combination.[12] Nasdaq believes that given the competitive landscape and the increasing number of listing venues, issuers switching its listing to the Global or Global Select Market from other national securities exchanges will likely bring greater future value to Nasdaq than will other issuers by listing on its market.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[13] in general, and furthers the objectives of Section 6(b)(5) of the Act,[14] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest. It is also consistent with this provision because it is not designed to permit unfair discrimination between issuers. Nasdaq also believes that the proposed rule change is consistent with the provisions of Sections 6(b)(4)[15] and 6(b)(8),[16] in that the proposal is designed, among other things, to provide for the equitable allocation of reasonable dues, fees, and other charges among Exchange members and issuers and other persons using its facilities and that the rules of the Exchange do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Exchange Act.

Nasdaq faces competition in the market for listing services,[17] and competes, in part, by offering valuable services to companies. Nasdaq believes that it is reasonable to offer complimentary services to attract and retain listings as part of this competition. All similarly situated companies are eligible for the same package of services. Nasdaq believes that the proposed changes to the manner in which Market Advisory Tools are offered to Eligible Switches that have a market capitalization of $750 million or more will help eligible companies leverage extensive capital markets relationships and benchmark data amplifying the company's efforts to elevate their story, enhance stakeholder engagement, identify risk and attract new capital. While the proposed changes will affect services that will be available only to Eligible Switches with a market capitalization of $750 million or more, Nasdaq does not believe that it is unfairly discriminatory to offer different services based on a company's market capitalization given that larger companies generally will need more and different Market Advisory Tools, and that those issuers will likely bring greater future value to Nasdaq than will other issuers with lower market capitalization by switching to its market.[18]

Nasdaq believes that the proposal to modify the definition of an Eligible Switch to include companies (including companies listed under Listing Rule IM–5101–2) switching their listing to the Nasdaq Global or Global Select Market not only from the New York Stock Exchange, as currently provided by Listing Rule IM–5900–7(a)(2), but also from any other national securities exchange is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among Exchange members and issuers and other persons using its facilities and does not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Exchange Act because the proposal is, in part, designed to enhance competition with other national securities exchanges. Nasdaq believes that given the competitive landscape and the increasing number of listing venues, issuers switching its listing to the Global or Global Select Market from other national securities exchanges will likely bring greater future value to Nasdaq than will other issuers by listing on its market.

Nasdaq represents, and this proposed rule change will help ensure, that individual listed companies are not given specially negotiated packages of products or services to list, or remain listed, which the Commission has previously stated would raise unfair discrimination issues under the Exchange Act.[19]

[11] Stock Surveillance, Global Targeting, and Annual Perception Study have a retail value of approximately $56,500, $48,000, and $45,000 per year, respectively. In describing the value of the services in the rule text, Nasdaq presumed that a company would use stock surveillance and global targeting, where there is the choice of two services; and that a company would use the Stock Surveillance, where there is the choice of one service.

[12] Listing Rule IM–5101–2 imposes additional listing requirements on a company whose business plan is to complete an initial public offering (''IPO'') and engage in a merger or acquisition with one or more unidentified companies within a specific period of time (''Acquisition Companies''). An Acquisition Company does not have an operating business and tends to trade infrequently and in a tight range until the company completes an acquisition. Therefore, these Acquisition Companies do not generally need shareholder communication services, market analytic tools or market advisory tools and, upon listing (whether as an IPO or when switching from another market), these Acquisition Companies do not receive complimentary services from Nasdaq under Listing Rule IM–5900–7. However, a company completing a business combination with a Nasdaq-listed Acquisition Company is eligible to receive services under Listing Rule IM–5900–7 when it lists on the Nasdaq Global or Global Select Market in conjunction with a business combination that satisfies the conditions in Listing Rule IM–5101–2(b). At this point, the Acquisition Company transitions to being an operating company and has a similar need as other companies for shareholder communication services, market analytic tools and market advisory tools.

[13] 15 U.S.C. 78f(b).

[14] 15 U.S.C. 78f(b)(5).

[15] 15 U.S.C. 78f(4).

[16] 15 U.S.C. 78f(8).

[17] The Justice Department has noted the intense competitive environment for exchange listings. *See* ''NASDAQ OMX Group Inc. and Intercontinental Exchange Inc. Abandon Their Proposed Acquisition Of NYSE Euronext After Justice Department Threatens Lawsuit'' (May 16, 2011), available at *http://www.justice.gov/atr/public/press_releases/2011/271214.htm*.

[18] *See* Securities Exchange Act Release No. 65963 (December 15, 2011), 76 FR 79262 at 79265 (December 21, 2011).

[19] *See* Exchange Act Release No. 79366, 81 FR 85663 at 85665 (citing Securities Exchange Act Release No. 65127 (August 12, 2011), 76 FR 51449, 51452 (August 18, 2011) (approving NYSE–2011–20)).

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. As noted above, Nasdaq faces competition in the market for listing services, and competes, in part, by offering valuable services to companies. Nasdaq believes that it is reasonable to offer complimentary services to attract and retain listings as part of this competition. The proposed rule changes reflect that competition, but do not impose any burden on the competition with other exchanges. Other exchanges can also offer similar services to companies, thereby increasing competition to the benefit of those companies and their shareholders.

Further, all similarly situated companies are eligible for the same package of services. While the proposed changes will affect services that will be available only to Eligible Switches with a market capitalization of $750 million or more, Nasdaq does not believe that it is unfairly discriminatory to offer different services based on a company's market capitalization given that larger companies generally will need more and different Market Advisory Tools, and that those issuers will likely bring greater future value to Nasdaq by switching to its market than would other issuers.

Nasdaq also believes that the proposal to modify the definition of an Eligible Switch to include companies switching their listing not only from the New York Stock Exchange, as currently provided by Listing Rule IM–5900–7(a)(2), but also from any other national securities exchange will eliminate a potential existing burden on competition between companies listed on different exchanges, in that it will treat exchange-listed companies in a uniform manner, regardless of which national securities exchange they are currently listed on. Further, this change is designed to increase competition with other national securities exchanges.

Accordingly, Nasdaq does not believe the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Exchange Act, as amended.

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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission shall: (a) by order approve or disapprove such proposed rule change, or (b) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–NASDAQ–2024–059 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NASDAQ–2024–059. 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–NASDAQ–2024–059 and should be submitted on or before November 26, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[20]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–25639 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101477; File No. SR–NYSE–2024–58]

Self-Regulatory Organizations; New York Stock Exchange LLC; Order Approving a Proposed Rule Change To Amend NYSE Rule 7.13

October 30, 2024

I. Introduction

On September 12, 2024, New York Stock Exchange LLC (''NYSE'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend NYSE Rule 7.13 to remove references to the Chair of the Board of Directors of the Exchange (''Board''). The proposed rule change was published in the **Federal Register** on September 30, 2024.[3] The Commission received no comments on the proposal. This order approves the proposed rule change.

II. Description of the Proposal

The Exchange has proposed amending NYSE Rule 7.13 (Trading Suspensions) to remove references to the Chair of the Board. Under current NYSE Rule 7.13, the Chair or the chief executive officer of the Exchange (''CEO''), or the officer designee of the Chair or the CEO, has the power to suspend trading on any and all securities trading on the Exchange whenever in his or her

[20] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 101150 (September 24, 2024), 89 FR 79664.

opinion such suspension would be in the public interest. No such action would continue longer than two days or as soon thereafter as a quorum of Directors can be assembled, unless the Board approves the continuation of such suspension. According to the Exchange, the Chair has not acted under NYSE Rule 7.13 since the rule was adopted.[4]

Pursuant to the proposed rule change, the CEO or the officer designee of the CEO would continue to have the power to suspend trading in any and all securities trading on the Exchange whenever in his or her opinion such suspension would be in the public interest. Further, the requirement that no such action continue longer than two days or as soon thereafter as a quorum of Directors can be assembled, unless the Board approves the continuation of such suspension, would remain.

III. Discussion and Commission Findings

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[5] In particular, the Commission finds that the proposed rule change is consistent with Section 6(b) of the Act,[6] in general, and furthers the objectives of Section 6(b)(5) of the Act,[7] which requires, among other things, that the rules of a national securities exchange be 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.

The Commission finds that the proposed rule change is consistent with the Act in that it removes references to the Chair, who is currently not required to act under NYSE Rule 7.13, while still preserving the ability of the CEO or his or her officer designee the authority to act under the rule when it would be in the public interest. As noted above, the Chair has not acted under NYSE Rule 7.13 since the rule was adopted and therefore, the proposed rule change more accurately reflects Exchange practice. Moreover, the Commission notes that the Chair and the Board would continue to have an oversight role, since the requirement would remain that no suspension of trading continue longer than two days, or as soon thereafter as a quorum of Directors can be assembled, unless the Board approves the continuation of such suspension.

Based on the foregoing, the Commission finds that the proposed rule change is consistent with the Act.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[8] that the proposed rule change (SR–NYSE–2024–58) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–25634 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

[4] *Id.* at 79665.

[5] In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78s(b)(2).

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–264, OMB Control No. 3235–0341]

Submission for OMB Review; Comment Request; Extension: Rule 17Ad–4(b) & (c)

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 17Ad–4(b) & (c) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Exchange Act'').

Rule 17Ad–4(b) & (c) (17 CFR 240.17Ad–4) is used to document when transfer agents are exempt, or no longer exempt, from the minimum performance standards and certain recordkeeping provisions of the Commission's transfer agent rules. Pursuant to Rule 17Ad–4(b), if the Commission or the Office of the Comptroller of the Currency (''OCC'') is the appropriate regulatory agency (''ARA'') for an exempt transfer agent, that transfer agent is required to prepare and maintain in its possession a notice certifying that it is exempt from certain performance standards and recordkeeping and record retention provisions of the Commission's transfer agent rules. This notice need not be filed with the Commission or OCC. If the Board of Governors of the Federal Reserve System (''Fed'') or the Federal Deposit Insurance Corporation (''FDIC'') is the transfer agent's ARA, that transfer agent must prepare a notice and file it with the Fed or FDIC.

Rule 17Ad–4(c) sets forth the conditions under which a registered transfer agent loses its exempt status. Once the conditions for exemption no longer exist, the transfer agent, to keep the appropriate ARA apprised of its current status, must prepare, and file if the ARA for the transfer agent is the Fed or the FDIC, a notice of loss of exempt status under paragraph (c). The transfer agent then cannot claim exempt status under Rule 17Ad–4(b) again until it remains subject to the minimum performance standards for non-exempt transfer agents for six consecutive months.

ARAs use the information contained in the notices required by Rules 17Ad–4(b) and 17Ad–4(c) to determine whether a registered transfer agent qualifies for the exemption, to determine when a registered transfer agent no longer qualifies for the exemption, and to determine the extent to which that transfer agent is subject to regulation.

The Commission estimates that approximately 10 registered transfer agents each year prepare or file notices in compliance with Rules 17Ad–4(b) and 17Ad–4(c). The Commission estimates that each such registered transfer agent spends approximately 1.5 hours to prepare or file such notices for an aggregate total annual burden of 15 hours (1.5 hours times 10 transfer agents). The Commission staff estimates that compliance staff work at registered transfer agents results in an internal cost of compliance, at an estimated hourly wage of $319, of $478.50 per year per transfer agent (1.5 hours × $319 per hour = $478.50 per year). Therefore, the aggregate annual internal cost of compliance for the approximate 10 transfer agents annually preparing or filing notices pursuant to Rules 17Ad–4(b) and 17Ad–4(c) is approximately $4,785 ($478.50 × 10 = $4,785). This reflects an increase in the aggregate annual internal cost of compliance of $540 due to the increase in the hourly wage of transfer agents from $283 to $319.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following website: *www.reginfo.gov.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by December 5, 2024 to (i) *www.reginfo.gov/public/do/PRAMain* or *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov,* and (ii) Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: October 31, 2024.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2024–25670 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101482; File No. SR–Phlx–2024–56]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Adopt New Rules at Options 6 and 6C

October 30, 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 18, 2024, Nasdaq PHLX LLC (''Phlx'' 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 adopt a new rule titled ''Letters of Guarantee'' in Options 6, Options Trade Administration, and a new rule entitled ''Margin Required Is Minimum'' in Options 6C, Margins.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/phlx/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt a new rule titled ''Letters of Guarantee'' in Options 6, Options Trade Administration and a new rule entitled ''Margin Required Is Minimum'' in Options 6C, Margins. Each proposed change is described below.

Options 6

The Exchange proposes to adopt a new rule titled, ''Letters of Guarantee,'' at Options 6, Section 4, which is currently reserved. The adoption of Options 6, Section 4 is not intended to expand the current requirements imposed on members and member organizations, rather it is intended to make clear the current requirement to maintain a letter of guarantee. By way of background, the letter of guarantee provides that the Clearing Member [3] accepts financial responsibility for all Exchange transactions made by the Phlx member organization on whose behalf the Clearing Member submits the letter of guarantee. Clearing Members guarantee all transactions on behalf of a member and member organizations, and therefore bear the risk associated with those transactions.

Today, all Phlx members and member organizations are required to have a membership in, or access arrangement with a participant of a clearing agency registered with the Commission that maintains facilities through which compared trades may be settled.[4] Further, today, Phlx Options 6D, Section 1 makes clear that each member organization referred to in paragraph (iii) [5] shall at all times maintain positive net liquid assets and, in its clearing account(s), positive equity, provided that said organization has filed with the Exchange a letter of guarantee issued on its behalf by a clearing member organization of this Exchange which is also a clearing member of The Options Clearing Corporation.[6] At this time, the Exchange proposes to adopt a ''Letters of Guarantee'' rule at Options 6, Section 4, which is substantively identical to Nasdaq ISE, LLC (''ISE'') Options 6, Section 4, to make clear that member organizations have an obligation to obtain a letter of guarantee.

Similar to ISE, the Exchange proposes to specifically note at Options 6, Section 4(a) that no Phlx Market Maker shall make any transactions on the Exchange unless a letter of guarantee has been issued for such member organization by a Clearing Member and filed with the Exchange, and unless such letter of guarantee has not been revoked pursuant to paragraph (c) of Options 6, Section 4. This language is consistent with Phlx General 3, Rule 1032 and Phlx Options 6D, Section 1(a)(iv), and the language is substantively identical to ISE Options 6, Section 4(a). Further, the Exchange proposes to state at Options 6, Section 4(b) that a letter of guarantee shall provide that the issuing Clearing Member accepts financial responsibilities for all Exchange transactions made by the guaranteed member organization. This language is consistent with Phlx Options 6D, Section 1(a)(iv), and the language is substantively identical to ISE Options 6,

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The term ''Clearing Member'' means a member organization which has been admitted to membership in The Options Clearing Corporation pursuant to the provisions of the rules of The Options Clearing Corporation. *See* Options 1, Section 1(b)(10).

[4] *See* Nasdaq General 3, Rule 1032. Phlx General 3 Rules are incorporated by reference to Nasdaq General 3 Rules. *See also* Nasdaq's membership form (*https://www.nasdaqtrader.com/content/marketregulation/membership/NASDAQSROMembershipApplicationFinal.pdf*) which states that all options participants must provide an executed clearing letter of guarantee.

[5] *See* Phlx Options 6D, Section 1(a)(iii) provides that each member organization or foreign currency options participant organization exempt from SEC Rule 15c3–1 and whose principal business is as a registered options trader on the Exchange, shall, subject to subparagraph (iv) below, at all times maintain a minimum of $25,000 in net liquid assets.

[6] *See* Phlx Options 6D Section 1(a)(iv). This rule is intended to make clear that member organizations or other participants that are exempt from SEC Rule 15c3–1 must also have a letter of guarantee.

Section 4(b). Finally, the Exchange proposes to state at Options 6, Section 4(c) that a letter of guarantee filed with the Exchange shall remain in effect until a written notice of revocation has been filed with the Exchange. A revocation shall in no way relieve a Clearing Member of responsibility for transactions guaranteed prior to the effective date of such revocation. This language is consistent with Phlx Options 6D, Section 1(a)(iv), and the language is substantively identical to ISE Options 6, Section 4(c).

The proposed rule creates a new rule, separate and apart from the financial responsibility rules, which makes clear a Market Maker's obligation to obtain a letter of guarantee. Further, the rule will further harmonize the Exchange's rule with that of other Nasdaq affiliated exchanges.[7]

Options 6C

The Exchange proposes to adopt a new rule titled, ''Margin Required Is Minimum,'' at Options 6C, Section 5, which is currently reserved. By way of background, margin requirements help to offset the risk that brokers take when allowing investors to use margin. There are two types of margin requirements: initial margin and maintenance margin. Initial margin is the minimum amount of equity required to open a new margin position and maintenance margin is the minimum amount of equity that must be maintained in the account at all times. This proposed rule would be substantively identical to Nasdaq BX, Inc. (''BX'') and The Nasdaq Options Market LLC (''NOM'') Options 6C, Section 5.

The Exchange proposes to provide at Phlx Options 6C, Section 5(a) that the amount of margin prescribed by Options 6C is the minimum which must be required initially and subsequently maintained with respect to each account affected thereby; but nothing in these Rules shall be construed to prevent a member organization from requiring margin in an amount greater than that specified. Further, the Exchange proposes to provide at Phlx Options 6C, Section 5(b) that the Exchange may at any time impose higher margin requirements with respect to such positions when it deems such higher margin requirements to be advisable.

Today, Phlx Options 6C, Section 3(a) provides that no member organization shall effect a transaction or accept or carry an account for a customer, whether a member or non-member of the Exchange, without proper and adequate margin in accordance with the Margin Rules set forth in Options 6C, Sections 3 and 7 and Regulation T. The Exchange also proposes to amend Phlx Options 6C, Section 3(a) to note compliance with proposed Section 5.

With this rule, Phlx, similar to BX and NOM, would be able to impose higher margin requirements. This rule will further harmonize the Exchange's rule with that of other Nasdaq affiliated exchanges.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[8] in general, and furthers the objectives of Section 6(b)(5) of the Act,[9] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

Options 6

The Exchange's proposal to adopt a new rule titled, ''Letters of Guarantee,'' at Options 6, Section 4, is consistent with the Act because it will create a new rule, separate and apart from the financial responsibility rules, that makes clear a Market Maker's current obligation to obtain a letter of guarantee. Additionally, the proposed rule will harmonize Phlx's rule text with other Nasdaq affiliated exchanges [10] with respect to requirements to obtain a letter of guarantee. The proposed rule makes clear that Market Makers are required to obtain a letter of guarantee from a Clearing Member. Similar to Phlx General 3, Rule 1032, which specifies membership requirements, and Phlx Options 6D, Section 1(a)(iv), which govern financial responsibilities, each Market Maker must obtain a letter of guarantee from a Clearing Member, and such letter must be filed with the Exchange. Additionally, the letter of guarantee shall provide that the issuing Clearing Member accepts financial responsibilities for all Exchange transactions made by the guaranteed member organization. Finally, the letter of guarantee shall remain in effect until a written notice of revocation has been filed with the Exchange and specifies that it in no way relieves a Clearing Member of responsibility for transactions guaranteed prior to the effective date of such revocation. The proposed rule will further harmonize the Exchange's rule with that of other Nasdaq affiliated exchanges.[11]

Options 6C

The Exchange's proposal to adopt a new rule, titled ''Margin Required Is Minimum,'' at Options 6C, Section 5 is consistent with the Act as it would permit Phlx to impose higher margin requirements [12] similar to other options markets; the proposed rule would be substantively identical to BX and NOM Options 6C, Section 5. As proposed in Options 6C, Section 5(a), the amount of margin prescribed by Options 6C would be the minimum which must be required initially and subsequently with respect to each account affected thereby; but nothing in these Rules shall be construed to prevent a member organization from requiring margin in an amount greater than that specified. As proposed in Options 6C, Section 5(b), the Exchange may at any time impose higher margin requirements with respect to such positions when it deems such higher margin requirements to be advisable. Today, Phlx Options 6C, Section 3(a) provides that no member organization shall effect a transaction or accept or carry an account for a customer, whether a member or non-member of the Exchange, without proper and adequate margin in accordance with the Margin Rules set forth in Options 6C, Sections 3 and 7 and Regulation T. The Exchange's proposal to amend Phlx Options 6C, Section 3(a) to note compliance with proposed Section 5 will make clear the applicable margin rules that a member organization must comply with when trading on Phlx. This rule will further harmonize the Exchange's rule with that of other Nasdaq affiliated exchanges.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

Options 6

The Exchange's proposal to adopt a new rule titled, ''Letters of Guarantee,'' at Options 6, Section 4, does not impose an intra-market burden on competition because all Market Makers will have to uniformly comply with this proposed rule which makes clear the current requirement that each member organization must provide a letter of

[7] Nasdaq GEMX, LLC (''GEMX'') and Nasdaq MRX, LLC (''MRX'') incorporate by reference ISE's Options 6 rules.

[8] 15 U.S.C. 78f(b)

[9] 15 U.S.C. 78f(b)(5).

[10] GEMX and MRX incorporate by reference ISE's Options 6 rules.

[11] *Id.*

[12] The Exchange notes that higher margin requirements would be imposed in times of market volatility and with respect to a particular product(s).

guarantee from a Clearing Member as specified in the membership requirements [13] and Options 6D, Section 1.[14] The Exchange notes that this rule would apply the same standards to Market Makers similar to ISE.

The Exchange's proposal to adopt a new rule titled, ''Letters of Guarantee,'' at Options 6, Section 4, does not impose an inter-market burden on competition because other options exchanges may adopt a similar rule. Today, ISE has substantively identical rule at Options 6, Section 4.

Options 6C

The Exchange's proposal to adopt a new rule titled, ''Margin Required Is Minimum,'' at Options 6C, Section 5 does not impose an intra-market burden on competition because all member organizations would be subject to the proposed rule and the application of the rule would apply uniformly to all member based on the affected product. The proposed rule is substantively identical to BX and NOM Options 6C, Section 5.

The Exchange's proposal to adopt a new rule titled, ''Margin Required Is Minimum,'' at Options 6C, Section 5 does not impose an inter-market burden on competition because other options exchanges may adopt a similar rule. Today, BX and NOM have a substantively identical rule at Options 6C, Section 5.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act [15] and subparagraph (f)(6) of Rule 19b–4 thereunder.[16]

[13] *See supra* note 4.

[14] *See supra* note 6.

[15] 15 U.S.C. 78s(b)(3)(A)(iii).

[16] 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.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–Phlx–2024–56 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–Phlx–2024–56. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–Phlx–2024–56 and should be submitted on or before November 26, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–25638 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101480; File No. SR–BOX–2024–25]

Self-Regulatory Organizations; BOX Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule for Trading on the BOX Options Market LLC Facility (''BOX'')

October 30, 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 October 15, 2024, BOX Exchange LLC (the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Exchange filed the proposed rule change pursuant to Section 19(b)(3)(A)(ii) of the Act,[3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposal effective upon filing with 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 the Substance of the Proposed Rule Change

The Exchange is filing with the Securities and Exchange Commission (''Commission'') a proposed rule change to amend the Fee Schedule to assess a $0.00 Complex Surcharge for certain Complex Order transactions on the BOX Options Market LLC (''BOX'') options

[17] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

facility. The text of the proposed rule change is available from the principal office of the Exchange, at the Commission's Public Reference Room and also on the Exchange's internet website at *https://rules.boxexchange.com/rulefilings.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule for trading on BOX to assess a $0.00 Complex Surcharge for certain Complex Order transactions.

Currently, BOX assesses a Complex Surcharge of $0.12 per contract to any electronic non-Public Customer Complex Order that executes against an electronic Public Customer Complex Order.[5]

The Exchange now proposes that a $0.00 per contract Complex Surcharge will be applied for transactions in SPY, QQQ, and IWM when the Public Customer Complex Order is entered by an affiliate or Appointed OFP.[6] Section VI.A. of the Fee Schedule currently provides, in relevant part, ''A $0.12 per contract Complex Surcharge will be applied to any electronic non-Public Customer Complex Order that executes against an electronic Public Customer Complex Order.'' The Exchange now proposes to add text to Section VI.A. providing, ''The Complex Surcharge will not be applied for transactions in SPY, QQQ, and IWM when the Public Customer Complex Order is entered by an affiliate or Appointed OFP.''

For example, currently, if a Public Customer submitted a SPY order to the Complex Order Book (making liquidity) that interacted with a Market Maker's SPY order (taking liquidity), the Market Maker would be charged $0.62.[7] Under the proposal, if the Public Customer SPY order was entered by an affiliate or Appointed OFP of the Market Maker, then the Market Maker would only be charged the taker fee of $0.50 and not the $0.12 Complex Surcharge. The proposed change would effectively decrease the Complex Surcharge assessed in this case from $0.12 to $0.00.

The Exchange does not believe that the proposed rule change is novel as a similar discount structure currently exists at another exchange.[8] Further, the Exchange believes that the proposal will encourage Participants to send increased SPY, QQQ, and IWM Complex Order flow to BOX because this proposal will decrease the cost of certain transactions. Specifically, Participants with an affiliate or an Appointed OFP will not be assessed the Complex Surcharge for transactions in SPY, QQQ, and IWM when the Public Customer Complex Order that they trade with is entered by their affiliate or Appointed OFP.

2. Statutory Basis

The Exchange believes that the proposal is consistent with the requirements of Section 6(b) of the Act, in general, and Section 6(b)(4) and 6(b)(5) of the Act,[9] in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among BOX Participants and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers. Specifically, the Exchange's proposal to not apply the Complex Surcharge for transactions in SPY, QQQ, and IWM when the Public Customer Complex Order is entered by an affiliate or Appointed OFP is reasonable because this discount will incentivize BOX Participants to send their SPY, IWM, and QQQ order flow to BOX which would increase Complex Order liquidity and benefit all market participants (including those market participants that are not currently affiliates and/or opt not to become an Appointed OFP) by providing more trading opportunities and tighter spreads in SPY, QQQ, and IWM.

The Exchange believes that this proposal is reasonable, equitable, and not unfairly discriminatory as it is consistent with the discount structure at another exchange.[10] Specifically, ISE currently provides a taker fee discount in Select Symbols [11] when entered against Priority Customer [12] Complex Orders [13] by an Affiliated Member [14] or Affiliated Entity.[15] The Exchange believes that its proposal is similar to the discount structure in place at Nasdaq ISE in that it is proposing to apply a Complex Surcharge of $0.00 (an effective $0.12 discount) to certain transactions in a subset of symbols when the Public Customer Complex Order is entered by an affiliate or Appointed OFP.[16]

The Exchange further believes that this proposal is reasonable, equitable, and not unfairly discriminatory because all non-Public Customers would not be assessed a Complex Surcharge for transactions in SPY, QQQ, and IWM when executing against a Public

[5] *See* BOX Fee Schedule Section VI.A (All Complex Orders).

[6] For purposes of the Exchange Fee Schedule, the term ''affiliate'' of a Participant shall mean any Participant under 75% common ownership or control of that Participant. An ''Appointed OFP'' is an OFP that has been designated by a BOX Market Maker. *See* BOX Fee Schedule Section IX.A (Aggregate Billing).

[7] A $0.50 fee plus the $0.12 Complex Surcharge.

[8] *See* Nasdaq ISE, LLC (''Nasdaq ISE'') Rules Options 7, Section 4, footnote 3 (Taker Fee discounted from $0.50 to $0.38 per contract when executed against Priority Customer Complex Orders in Select Symbols entered by an Affiliated Member or Affiliated Entity, excluding Complex Orders executed in the Facilitation Mechanism, Solicited Order Mechanism, and Price Improvement Mechanism). The Exchange believes that Nasdaq ISE's taker fee discount structure is similar to the proposal in that it applies to a subset of symbols entered by affiliated or assigned firms. The Exchange notes that while ISE offers a discounted fee, the Exchange is proposing to not apply a surcharge, which similarly results in a decreased fee.

[9] 15 U.S.C. 78f(b)(4) and (5).

[10] *See supra* note 8.

[11] The Nasdaq ISE Options Pricing Schedule defines ''Select Symbols'' as options overlying all symbols listed on the Nasdaq ISE that are in the Penny Interval Program. *See* Nasdaq ISE Rules Options 7, Section 1(c).

[12] The Nasdaq ISE Options Pricing Schedule provides that 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). *See* Nasdaq ISE Rules Options 7, Section 1(c).

[13] The Nasdaq ISE Options Pricing Schedule defines a ''Complex Order'' as any order involving the simultaneous purchase and/or sale of two or more different options series in the same underlying security, as provided in Nasdaq ISE Options 3, Section 14, as well as Stock-Option Orders. *See* Nasdaq ISE Rules Options 7, Section 1(c).

[14] The Nasdaq ISE Options Pricing Schedule defines an ''Affiliated Member'' as a Member that shares at least 75% common ownership with a particular Member as reflected on the Member's Form BD, Schedule A. *See* Nasdaq ISE Rules Options 7, Section 1(c).

[15] The Nasdaq ISE Options Pricing Schedule provides that an ''Affiliated Entity'' is a relationship between an Appointed Market Maker and an Appointed OFP for purposes of qualifying for certain pricing specified in the Schedule of Fees. *See* Nasdaq ISE Rules Options 7, Section 1(c).

[16] *See supra* note 8. The Exchange further notes that it is proposing to not apply the Complex Surcharge to transactions in SPY, QQQ, and IWM, while the Nasdaq ISE discount is applicable to all options within their Penny Interval Program.

Customer Complex Order that was entered by an affiliate or Appointed OFP. Additionally, the criteria for not applying the Complex Surcharge for transactions in SPY, QQQ, and IWM that execute against Public Customer Complex Orders that were entered by an affiliate or Appointed OFP would be uniformly applied for all Participants.

The Exchange also believes that offering Participants the opportunity to not be assessed the Complex Surcharge for transactions in SPY, QQQ, and IWM when they execute against Public Customer Complex Orders that were entered by an affiliate or Appointed OFP is equitable and not unfairly discriminatory as it relates to Participants who are not affiliates or Appointed OFPs because any Participant may enter into such a relationship for the purpose of aggregating volume executed on the Exchange.

The Exchange believes further that discounting the Complex Surcharge when the Public Customer Complex Order is entered by an affiliate or Appointed OFP is reasonable because the discount is designed to increase SPY, QQQ, and IWM order flow to BOX, which would benefit all market participants.

The Exchange believes its proposal to establish different pricing for SPY, QQQ, and IWM Complex Order in this case is reasonable, equitable, and not unfairly discriminatory because pricing by symbol is a common practice on many U.S. options exchanges as a means to incentivize order flow to be sent to an exchange for execution in the most actively traded options classes. The Exchange notes that separate fees and rebates for SPY, QQQ, and IWM and currently assessed for non-auction electronic transactions and Complex Orders.[17] The Exchange notes further that other exchanges design fee structures to compete specifically for volume in these (and other high volume) symbols.[18] SPY, QQQ, and IWM are among the most actively traded options [19] and therefore the Exchange believes that not assessing the Complex Surcharge on qualifying Complex Orders for these classes is appropriate to more effectively attract order flow to BOX. The Exchange further believes that assessing different pricing for SPY, QQQ and IWM, as compared to other symbols, is reasonable because SPY, QQQ and IWM are highly liquid symbols, have higher volumes, and other exchanges design fee structures to specifically compete for executions in these symbols. The Exchange believes that creating a separate category within the fee structure for these classes is appropriate to more effectively attract order flow to BOX in these classes.

The Exchange believes the proposal will create an incentive for Participants to bring Complex Orders in SPY, QQQ, and IWM to BOX. The Exchange believes that if the proposed incentive is effective, then an ensuing increase in trading activity on BOX will improve the quality of the market to the benefit of all market participants. Further, to the extent this proposal attracts new Participant volume to BOX, all market participants will benefit through increased liquidity and more trading opportunities.

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 proposal does not impose an undue burden on intermarket competition. The Exchange believes its proposal remains competitive with other options markets and will offer market participants with another choice of where to transact its business. 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 and rebates to remain competitive with other exchanges. Because competitors are free to modify their own fees and rebates in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

The Exchange believes that the proposed discount will encourage market participants to send greater amounts of Complex Orders in SPY, QQQ, and IWM to BOX for execution in order to take advantage of the proposed discount and lower their costs. The Exchange believes that the additional liquidity in SPY, QQQ, and IWM will enhance the quality of BOX's Complex Order market and increase related trading opportunities on BOX. Accordingly, the Exchange believes that the proposed changes may increase intermarket and intra-market competition by incentivizing Participants to direct their SPY, QQQ, and IWM orders to the Exchange, thereby increasing the volume of contracts traded on BOX and enhancing the quality of the market in these classes. Enhanced market quality and increased transaction volume that result from the anticipated increase in SPY, QQQ, and IWM order flow directed to BOX would benefit all market participants and improve competition on BOX in SPY, QQQ, and IWM.

The Exchange further believes that its proposal will not place any category of market participant at a competitive disadvantage and therefore does not impose an undue burden on intra-market competition because all non-Public Customers would be assessed a Complex Surcharge of $0.00 for transactions in SPY, QQQ, and IWM when executing against a Public Customer Complex Order that was entered by an affiliate or Appointed OFP. Additionally, the criteria for applying a Complex Surcharge of $0.00 for transactions in SPY, QQQ, and IWM that execute against Public Customer Complex Orders that were entered by an affiliate or Appointed OFP would be uniformly applied for all Participants.

Additionally, offering Participants the opportunity to not be assessed the Complex Surcharge for transactions in SPY, QQQ, and IWM that execute against Public Customer Complex Orders that were entered by an affiliate or Appointed OFP does not impose an undue burden on competition as it relates to Participants who are not affiliates or Appointed OFPs because any Participant may enter into such a relationship for the purpose of aggregating volume executed on BOX . Finally, the criteria for assessing a Complex Surcharge of $0.00 would be uniformly applied to all Participants.

The Exchange again notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and rebates to remain competitive with other exchanges. For the reasons discussed above, the Exchange believes that the proposed change reflects this competitive environment.

[17] *See* BOX Fee Schedule Sections IV.A (Electronic Transaction Fees) and VI (Complex Order Transaction Fees).

[18] *See e.g.,* Cboe C2 Exchange, Inc. Options Fee Schedule (''Transaction Fees'' applicable to SPY, QQQ, and IWM among 9 other symbols); MIAX PEARL, LLC Options Fee Schedule (''Transaction Rebates/Fees'' for Priority Customer SPY, QQQ, and IWM Taker).

[19] *See https://www.optionseducation.org/toolsoptionquotes/today-s-most-active-options* (providing a daily list of the most active options by type).

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 Exchange Act [20] and Rule 19b–4(f)(2) thereunder,[21] because it establishes or changes a due, or fee.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend the rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or would otherwise further 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–BOX–2024–25 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–BOX–2024–25. 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–BOX–2024–25 and should be submitted on or before November 26, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[22]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–25636 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

[20] 15 U.S.C. 78s(b)(3)(A)(ii).

[21] 17 CFR 240.19b–4(f)(2).

[22] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–101481; File No. SR–IEX–2024–22]

Self-Regulatory Organizations; Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify the Implementation Timeline for Its Planned Data Center Migration, Which Was Set Forth in a Recent Rule Filing

October 30, 2024

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that on October 16, 2024, the Investors Exchange LLC (''IEX'' 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.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the provisions of Section 19(b)(1) under the Act,[4] and Rule 19b–4 thereunder,[5] the Exchange is filing with the Commission a proposal to modify the implementation timeline for its planned data center migration, which was set forth in a recent rule filing. The Exchange has designated this proposal as non-controversial and is requesting a waiver of the notice required by Rule 19b–4(f)(6)(iii) under the Act.[6]

The text of the proposed rule change is available at the Exchange's website at *www.iextrading.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 the 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 these statements may be examined at the places specified in Item IV below. The self-regulatory organization 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 the Statutory Basis for, the Proposed Rule Change

1. Purpose

On September 4, 2024, in connection with IEX's planned migration of its System [7] from a data center located in Weehawken, New Jersey to a data center located in Secaucus, New Jersey, IEX filed with the Commission an immediately effective proposed rule change.[8] The Data Center Migration Filing provided that IEX would implement the data center migration through a phased approach over several weeks. The Data Center Migration Filing amended IEX Rules 11.190 and 11.510 to remove references to the latency applicable to outbound communications from IEX's System (''outbound latency'')

[4] 15 U.S.C. 78s(b)(1).

[5] 17 CFR 240.19b–4.

[6] 17 CFR 240.19b–4(f)(6)(iii).

[7] *See* IEX Rule 1.160(nn).

[8] *See* Securities Exchange Act Release No. 101018 (September 12, 2024), 89 FR 76526 (September 18, 2024) (SR–IEX–2024–17) (''Data Center Migration Filing'').

to its Users [9] (defined as Members [10] and Sponsored Participants [11]), Data Recipients,[12] and Service Bureaus [13] (collectively, ''Participants'' [14]); the filing also added Temporary Supplementary Material .01 to IEX Rule 11.510(a) to describe the minor temporary change in inbound latency [15] during the data center migration. The Data Center Migration Filing included a representation that IEX would issue a Trading Alert at least 30 days in advance of the migration ''describing the transition, schedule, and impact.'' [16]

On September 18, 2024, IEX filed with the Commission an immediately effective proposed rule change that specified that the data center migration start date would be October 14, 2024, and also relatedly modified the advance notice period in the Data Center Migration Filing from 30 to 28 days.[17] The Updated Data Center Migration Filing also provided that if, for an unforeseen reason, IEX must further delay the data center migration start date, IEX will issue an additional Trading Alert providing at least 10 days' notice of the new start date for the migration.[18]

IEX issued several Trading Alerts informing market participants about the planned data center migration—the first three Trading Alerts, issued on August 29, 2024, September 9, 2024, and September 16, 2024, provided relevant information about the data center migration that was scheduled to occur on a phased basis beginning on October 14, 2024 and concluding on October 31, 2024.[19] The September 16, 2024 Trading Alert provided the requisite 28 days' prior notice of the planned October 14, 2024 migration start date.[20]

IEX has been conducting ongoing testing in preparation for the data center migration, and recently determined that it would be optimal for the full migration to occur on a single day, following robust weekend preparation, rather than on a phased basis over several weeks. IEX believes that this approach will streamline the data center migration transition and thereby reduce burdens on Members and market participants as well as reduce any potential risks thereto. It will also eliminate the temporary minor increase in inbound latency that would have been in effect during the phased migration, as described in the Data Center Migration Filing and Temporary Supplementary Material .01 to IEX Rule 11.510(a).

On October 4, 2024, IEX issued a fourth Trading Alert announcing that the migration would occur on Monday, October 21, 2024,[21] following preparation over the preceding weekend. However, in order to provide time for additional testing and optimization, IEX now proposes to extend the migration date beyond October 21, 2024. The Exchange will announce the new migration date by Trading Alert with at least 10 days' notice (consistent with the Updated Data Center Migration Filing). The Exchange plans to announce the new migration date as soon as possible, thereby providing more than 10 days' notice of the scheduled migration date to market participants.

For the reasons stated above, IEX also proposes to modify the description of the migration set forth in the Data Center Migration Filing, to clarify that the full data center migration will occur on a single day following preparation during the preceding weekend. Thus, IEX also proposes to delete Temporary Supplementary Material .01 to IEX Rule 11.510(a) which describes the minor temporary change in inbound latency that would have occurred during the previously planned phased data center migration.

2. Statutory Basis

IEX believes that its proposal is consistent with the provisions of Section 6(b) of the Act [22] in general, and with Section 6(b)(5) of the Act [23], in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. Specifically, the proposal is consistent with the Act because it is designed to streamline the data center migration transition and thereby reduce burdens on Members and market participants as well as reduce any potential risks thereto, as described in the Purpose section, while providing appropriate transparency and clarity to market participants and the Commission regarding the data center migration and the related rule changes.

As noted in the Data Center Migration Filing and Updated Data Center Migration Filing, Participants will not need to make any configuration changes to accommodate the reduction in IEX's outbound latency set forth in the Data Center Migration Filing or other aspects of the migration. Nevertheless, IEX understands that Members that use arrival-time routing strategies may choose to update their routing logic to account for the reduction in IEX's outbound latency following the migration. IEX believes that the notices already provided regarding the migration, combined with the pending Trading Alert that will provide greater than 10 days' advance notice of the migration date, collectively provide sufficient notice to remove impediments to and perfect the mechanism of a free and open market and to protect investors and the public interest.

Furthermore, IEX believes that the revised migration approach is consistent with the Act because it enables IEX to conduct an orderly migration during a single weekend, and thus without impacting normal trading. Moreover, as described in the Updated Data Center Migration Filing, IEX has already provided, and will continue to provide, market participants with sufficient time to fully test the data center migration before IEX announces the migration start date. Thus, this approach is designed to allow IEX to maintain a functioning market without interruption prior to and after the migration, which is consistent with the requirements of the Act that a rule change should remove impediments to and perfect the mechanism of a free and open market and protect investors.

Finally, IEX believes that conducting the migration over a single weekend, with no transitional period while the Exchange is open for trading, will minimize any potential impact on Members that use arrival-time routing strategies, because they will no longer need to consider updating their routing logic to reflect the temporary changes to IEX's inbound latencies that would have applied during any trading days while the data center migration was in progress. Thus, IEX believes this rule change is consistent with the Act, because it should remove impediments to and perfect the mechanism of a free and open market and protect investors.

[9] *See* IEX Rule 1.160(qq).

[10] *See* IEX Rule 1.160(s).

[11] *See* IEX Rule 1.160(ll).

[12] *See* IEX Rule 11.130(c).

[13] *See* IEX Rule 11.130(d).

[14] *See* IEX Rule 11.130(a).

[15] *See* IEX Rule 11.510(b)(1).

[16] *See supra* note 8.

[17] *See* Securities Exchange Act Release No. 101192 (September 25, 2024), 89 FR 79988 (October 1, 2024) (SR–IEX–2024–18) (''Updated Data Center Migration Filing'').

[18] *Id.*

[19] *See* IEX Trading Alert #2024—024, *https://iextrading.com/alerts/#/263;* IEX Trading Alert #2024–027, *https://iextrading.com/alerts/#/256;* IEX Trading Alert #2024–028, *https://iextrading.com/alerts/#/266.*

[20] *See* IEX Trading Alert #2024–028, *https://iextrading.com/alerts/#/266.*

[21] *See* IEX Trading Alert #2024–031, *https://iextrading.com/alerts/#/269.*

[22] 15 U.S.C. 78f(b).

[23] 15 U.S.C. 78f(b)(5).

B. Self-Regulatory Organization's Statement on Burden on Competition

IEX 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 explained above, the purpose of this proposal is to modify the manner in which IEX will migrate its data center, as described in the Data Center Migration Filing. As described in the Purpose and Statutory Basis section, the Exchange does not believe that this change will place any burden on competition and will reduce burdens on Members and market participants. Moreover, the proposed change is not designed for any competitive purpose.

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

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) [24] of the Act and Rule 19b–4(f)(6) [25] thereunder. 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 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 and Rule 19b–4(f)(6) thereunder. The Exchange has requested the Commission waive the five-day prefiling requirement for this filing to enable IEX to conduct an orderly migration of its data center in the coming weeks, while providing a minimum of 10 days' notice of the migration date. Further, and as described in the Purpose and Statutory Basis sections, the proposal is designed to streamline the data center migration and thereby reduce burdens on Members and market participants as well as reduce any potential risks thereto, while providing appropriate transparency and clarity to market participants and the Commission regarding the data center migration and the related rule changes.

A proposed rule change filed under Rule 19b–4(f)(6) [26] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[27] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay to enable the proposed rule change to become operative upon filing. Waiving the 30-day delay in this manner would permit the Exchange to implement the proposed rule change during the weekend prior to the migration date, and thus without impacting normal trading.

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 under Section 19(b)(2)(B) [28] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–IEX–2024–22 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–IEX–2024–22. 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–IEX–2024–22 and should be submitted on or before November 26, 2024.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[29]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2024–25637 Filed 11–4–24; 8:45 am]

BILLING CODE 8011–01–P

[24] 15 U.S.C. 78s(b)(3)(A).

[25] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the self-regulatory organization to give the Commission written notice of the self-regulatory organization's 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. IEX has satisfied this requirement.

[26] 17 CFR 240.19b–4(f)(6).

[27] 17 CFR 240.19b–4(f)(6)(iii).

[28] 15 U.S.C. 78s(b)(2)(B).

[29] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice: 12573]

Determination Under Section 7012 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 Relating to Assistance to Zimbabwe

Pursuant to the authority vested in me by section 7012 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (Div. F, Pub. L. 118–47) (SFOAA); Executive Order 12163, as amended by Executive Order 13346; and Delegation of Authority 513, 1 hereby determine that targeted assistance to Zimbabwe in the areas of health, good governance and respect for human rights, education, leadership, agriculture/food security,

poverty reduction, livelihoods, family planning and reproductive health, macroeconomic growth (including anti-corruption efforts), helping victims of trafficking and combatting trafficking, and advancing biodiversity and wildlife conservation, as well as the continuation of assistance that would have a significant adverse effect on vulnerable populations if suspended, is in the national interest of the United States. I thereby waive with respect to Zimbabwe the application of section 7012 of the FY 2024 SFOAA with respect to such assistance.

This determination shall be published in the **Federal Register** and, along with the accompanying memorandum of justification, shall be transmitted to Congress.

Dated: August 28, 2024.

Richard R. Verma,

Deputy Secretary of State for Management and Resources, Department of State.

[FR Doc. 2024–25687 Filed 11–4–24; 8:45 am]

BILLING CODE 4710–26–P

DEPARTMENT OF STATE

[Public Notice: 12577]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''The Dead Sea Scrolls'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to an agreement with their foreign owner or custodian for temporary display in the exhibition ''The Dead Sea Scrolls'' at the Ronald Reagan Presidential Library and Museum, Simi Valley, California; the Museum of the Bible, Washington, District of Columbia; and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

The action of the United States in this matter, and the immunity based on the application of the provisions of law involved, does not imply any view of the United States concerning the ownership of the exhibit objects.

FOR FURTHER INFORMATION CONTACT: Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW, (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Nicole L. Elkon,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2024–25659 Filed 11–4–24; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 12574]

Determination Under Section 7012 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 Relating to Assistance to Yemen

Pursuant to the authority vested in me by section 7012 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (Div. F, Pub. L. 118–47) (FY 2024 SFOAA), Executive Order 12163, as amended by Executive Order 13346, and Department of State Delegation of Authority 513, I hereby determine that assistance for Yemen is in the national interest of the United States and thereby waive the application of section 7012 of the FY 2024 SFOAA with respect to such assistance to Yemen.

This determination shall be published in the **Federal Register** and, along with the accompanying Memorandum of Justification, shall be reported to Congress.

Dated: April 30, 2024.

Richard R. Verma,

Deputy Secretary of State for Management and Resources, Department of State.

Editorial Note: This document was received for publication by the Office of the Federal Register on October 31, 2024.

[FR Doc. 2024–25685 Filed 11–4–24; 8:45 am]

BILLING CODE 4710–31–P

DEPARTMENT OF STATE

[Public Notice: 12567]

Exchange Visitor Program

ACTION: Notice of an agreement between the Government of the United States and the Swiss Federal Council and modification of certain regulatory requirements.

SUMMARY: In accordance with the requirements of the Exchange Visitor Program (EVP) regulations, the Principal Deputy Assistant Secretary for Educational and Cultural Affairs (ECA), U.S. Department of State, has modified certain regulatory provisions to permit Swiss citizens aged 18 to 35 who are enrolled in or have graduated from a technical, vocational (apprenticeship), or professional training program or post-secondary institution to participate in the EVP's Intern and Trainee categories. The Swiss Federal Council has established a reciprocal program for U.S. citizens aged 18 to 35 who wish to obtain further training in their field.

DATES: This action is effective November 30, 2024.

FOR FURTHER INFORMATION CONTACT: Rebecca Pasini, Deputy Assistant Secretary for Private Sector Exchange at 2200 C Street NW, SA–5, 5th Floor, Washington, DC 20522 via telephone: (202) 826–4364, or via email at *jexchanges@state.gov*.

SUPPLEMENTARY INFORMATION: The Bureau of Educational and Cultural Affairs has concluded an agreement between the United States and the Swiss Federal Council in accordance with existing EVP regulations (22 CFR part 62), including regulations applying to the Intern and Trainee categories (22 CFR 62.22). The program supports the purposes of the Fulbright-Hays Act by increasing Swiss J-visa participants' understanding of U.S. culture and society and enhancing U.S citizens' knowledge of Swiss culture and society through an open interchange of ideas. A key goal of the Fulbright-Hays Act, which authorizes the Intern and Trainee categories, is that exchange visitors will return to their home countries and share their experiences in the United States.

The goals of the agreement, signed on October 11, 2024, are to give eligible Swiss and U.S. citizens the opportunity to acquire hands-on professional experience in their field of study; improve their knowledge of U.S and Swiss languages, cultures, and skills; and encourage participant mobility at the start of their careers in order to foster mutual understanding between the two countries. Permitting Swiss

citizens enrolled in or graduated from technical, vocational (apprenticeship), or professional training programs to participate in a J-visa intern/trainee program provides an opportunity to expand the diversity of exchange visitors and is representative of efforts to ensure J-visa programs are more inclusive. The agreement intends to open the EVP Intern and Trainee categories to a new demographic of exchange visitors and educational institutions.

The Exchange Visitor Program (EVP) currently offers hundreds of Swiss exchange visitors the opportunity to teach, study, train, and conduct research in the United States. However, some Swiss graduates of technical, vocational (apprenticeships), or professional training programs are currently ineligible to participate in the Intern and Trainee categories of the EVP. Under current EVP regulations (22 CFR 62.22(d)(2)), trainees must be foreign nationals who have either a degree or professional certificate from a foreign post-secondary academic institution and at least one year of prior related work experience in their occupational field acquired outside the United States, or five years of work experience in their occupational field acquired outside the United States. Under current regulations (22 CFR 62.22(d)(3)), intern exchange visitors must be enrolled in an accredited foreign degree- or certificate-granting post-secondary academic institution or have recently graduated (within 12 months of program start date) from such an institution.

Switzerland offers vocational education and training programs for approximately 250 different professions. Swiss vocational education and training are predominantly based on a dual education system: practical training (apprenticeships) on three to four days per week at a training institution supplemented by theoretical classes on one to two days per week. In addition, such students attend inter-company courses. These programs would not meet existing education and training regulatory requirements for the Intern and Trainee categories of the EVP.

Under the agreement between the United States and Switzerland, Swiss participants who have a technical, vocational, or professional training (apprenticeship) or a post-secondary background may conduct a four to 18 month-long internship or training program in the United States under the EVP. Under the reciprocal agreement, U.S. participants may train under a work contract in Switzerland for four and 18 months.

Under the agreement, exchange visitors in the U.S. program must be citizens of Switzerland between the ages of 18 and 35. They must wish to obtain training in their field in order to support their career development through a pre-arranged placement at a U.S. private sector or non-profit organization. Under the agreement, participants in the Swiss program must be U.S. citizens aged 18 to 35 and wish to obtain further training in their field through a contract of employment in Switzerland.

Interns from Switzerland on the U.S. program must be enrolled in or have graduated within 12 months of their program start date from a technical, vocational, or professional training (apprenticeship) program or post-secondary institution located outside the United States. Trainees from Switzerland must have graduated from a technical, vocational, or professional training (apprenticeship) program located outside the United States *and* have at least one year of prior related work experience in their occupational field acquired outside the United States *or* have five years of work experience in their occupational field acquired outside the United States. U.S. participants on the Swiss program must be enrolled for at least two years in or graduated from a technical, vocational, or professional training (apprenticeship) program or post-secondary institution in the United States or have graduated from a technical, vocational, or professional training (apprenticeship) program or post-secondary institution in the United States.

Scott D. Weinhold,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2024–25658 Filed 11–4–24; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Availability of the Finding of No Significant Impact for the I–84/US–89 Interchange Reconstruction in Utah and Final Federal Agency Actions

AGENCY: Federal Highway Administration (FHWA), Department of Transportation.

ACTION: Notice of availability and notice of limitations on claims for judicial review of actions.

SUMMARY: The FHWA, on behalf of UDOT, is issuing this notice to announce the availability of the Finding of No Significant Impact (FONSI) for the Interstate 84 (I–84)/US–89 Interchange Reconstruction in South Weber City, Uintah City, and South Ogden City, in Weber and Davis Counties, Utah. In addition, this notice is being issued to announce actions taken by UDOT that are final Federal agency actions related to the project referenced above. Those actions grant licenses, permits and/or approvals for the project. The Finding of No Significant Impact (FONSI) provides details on the Selected Alternative for the proposed improvements.

DATES: This decision became operative on October 11, 2024. By this notice, FHWA, on behalf of UDOT, is advising the public of final agency actions subject to 23 U.S.C. 139(*l*)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before April 4, 2025. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: Tyler Allen, Environmental Program Manager, UDOT Environmental Services, P.O. Box 143600, Salt Lake City, UT 84114; (801) 997–0080; email: *tylerallen@utah.gov.* UDOT's normal business hours are 8 a.m. to 5 p.m. (mountain time zone), Monday through Friday, except State and Federal holidays.

SUPPLEMENTARY INFORMATION: The environmental review, consultation, and other actions required by applicable Federal environmental laws for this action are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding (MOU) dated May 26, 2022, and executed by FHWA and UDOT. Actions taken by UDOT on FHWA's behalf pursuant to 23 U.S.C. 327 constitute Federal agency actions for purposes of Federal law. Notice is hereby given that UDOT has taken final agency actions subject to 23 U.S.C. 139(*l*)(1) by issuing licenses, permits, and/or approvals for the I–84/US–89 Interchange Reconstruction project in the State of Utah.

The project proposes to reconstruct and reconfigure the I–84/US–89 interchange, constructing a bypass route on US–89 from South Weber Drive (SR–60) to Skyline Drive, constructing a flyover for southbound Harrison Boulevard (SR–203) to US–89, and to improve multimodal transportation networks in the area. The purpose of the project is to provide better mobility by addressing current and future travel demand, improve safety and operations, improve multimodal connectivity routes

and support the local economy by preserving local access.

These improvements were identified in the Environmental Assessment (EA) prepared for the project by UDOT as the Proposed Action. The project is identified in UDOT's adopted 2025–2030 State Transportation Improvement Program as project number 19507 with funding identified for final design and construction. The project is also included in the Wasatch Front Regional Council (WFRC) 2023–2050 Regional Transportation Plan approved in May 2024 (latest amendment August 2024) and the WFRC 2024–2029 Transportation Improvement Plan.

The actions by UDOT, and the laws under which such actions were taken, are described in the EA approved on November 21, 2023, and the FONSI (Finding of No Significant Impact for I–84/US–89 Interchange Reconstruction Road in Weber and Davis Counties, Utah, Project No. S–I84–6(146)87) approved on October 11, 2024, and other documents in the project records. The EA and FONSI are available for review by contacting UDOT at the address provided above. In addition, these documents can be viewed and downloaded from the project website at *https://udotinput.utah.gov/84-89interchange.* This notice applies to the EA, the FONSI, the section 4(f) determination, the NHPA section 106 review, the Endangered Species Act determination, the noise review and noise abatement determination, and all other UDOT and federal agency decisions and other actions with respect to the project as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to the following laws (including their implementing regulations):

1. *General:* National Environmental Policy Act [42 U.S.C. 4321–4370m–12]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128]; 23 U.S.C. 139.

2. *Air:* Clean Air Act [42 U.S.C. 7401–7671(q)].

3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers) [23 U.S.C. 319].

4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531–1544], Fish and Wildlife Coordination Act [16 U.S.C. 661–667d]; Migratory Bird Treaty Act [16 U.S.C. 703–712]; Bald and Golden Eagle Protection Act [16 U.S.C. 668–668d].

5. *Historic and Cultural Resources:* National Historic Preservation Act of 1966, as amended [54 U.S.C. 300101–307108]; Archaeological Resources Protection Act of 1979 [16 U.S.C. 470aa–470mm]; Archeological and Historic Preservation Act [54 U.S.C. 312501–312508]; Native American Grave Protection and Repatriation Act [25 U.S.C. 3001–3013].

6. *Social and Economic:* Title VI of Civil Rights Act of 1964 [42 U.S.C. 2000d–2000d–7]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act [7 U.S.C. 4201–4209].

7. *Wetlands and Water Resources:* Clean Water Act [33 U.S.C. 1251–1389]; Coastal Zone Management Act [16 U.S.C. 1451–1465]; Land and Water Conservation Fund Act [54 U.S.C. 200301–200310]; Safe Drinking Water Act [42 U.S.C. 300(f)–300(j)(6)]; Rivers and Harbors Appropriation Act of 1899, as amended [33 U.S.C. 401–418]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Flood Disaster Protection Act [42 U.S.C. 4001–4128].

8. *Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 [42 U.S.C. 9671–9675]; Resource Conservation and Recovery Act [42 U.S.C. 6901–6992k].

9. *Noise:* Noise Control Act of 1972 [42 U.S.C. 4901–4918].

10. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species; E.O. 13985 Advancing Racial Equity and Support for Underserved Communities Through the Federal Government; E.O. 13990 Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis; E.O. 14008 Tackling the Climate Crisis at Home and Abroad.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139 (*l*)(1).

Ivan Marrero,

Division Administrator, Federal Highway Administration, Salt Lake City, Utah.

[FR Doc. 2024–25632 Filed 11–4–24; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF THE TREASURY

Fiscal Service

Bureau of the Fiscal Service

Notice of Rate To Be Used for Federal Debt Collection, and Discount and Rebate Evaluation

AGENCY: Bureau of the Fiscal Service, Fiscal Service, Treasury.

ACTION: Notice of rate to be used for Federal debt collection, and discount and rebate evaluation.

SUMMARY: The Secretary of the Treasury is responsible for computing and publishing the percentage rate that is used in assessing interest charges for outstanding debts owed to the Government (The Debt Collection Act of 1982, as amended). This rate is also used by agencies as a comparison point in evaluating the cost-effectiveness of a cash discount. In addition, this rate is used in determining when agencies should pay purchase card invoices when the card issuer offers a rebate. Notice is hereby given that the applicable rate for calendar year 2025 is 5.00 percent.

DATES: January 1, 2025, through December 31, 2025.

FOR FURTHER INFORMATION CONTACT: Department of the Treasury, Bureau of the Fiscal Service, Disbursing and Debt Management, Alternative Payments Division (LC–RM 349B), 3201 Pennsy Drive, Building E, Landover, MD 20785 (Telephone: 202–874–9428).

SUPPLEMENTARY INFORMATION: The rate reflects the current value of funds to the Treasury for use in connection with Federal Cash Management systems and is based on investment rates set for purposes of Public Law 95–147, 91 Stat. 1227 (October 28, 1977), as calculated by the Department of the Treasury's Office of Debt Management. The annual Interest Rate Factors used in determining the Current Value of Funds Rate are based on weekly average Fed funds less 25 basis points for the 12-month period ending every September 30, rounded to the nearest whole percentage, for applicability effective each January 1. Quarterly revisions are made if the annual average, on a moving basis, changes by 2 percentage points.

The rate for calendar year 2025 reflects the average investment rates for the 12-month period that ended September 30, 2024.

Authority: 31 U.S.C. 3717.

Linda Claire Chero,

Assistant Commissioner, Disbursing & Debt Management and Chief Disbursing Officer.

[FR Doc. 2024–25697 Filed 11–4–24; 8:45 am]

BILLING CODE 4810–AS–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them. OFAC is additionally updating the identifying information of two persons currently included in the SDN List.

DATES: This action was issued on October 31, 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 31, 2024, OFAC determined that the persons identified below meet one or more of the criteria for the imposition of sanctions set forth in section 1(a)–(c) of Executive Order 14059 of December 15, 2021, ''Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,'' 86 FR 71549 (December 17, 2021) (E.O. 14059). OFAC has selected to impose blocking sanctions pursuant to section 2(a)(i) of E.O. 14059 on the persons identified below.

Individuals

1. CARRASCO LEYVA, Josefa Yadira (a.k.a. ''LA WERA''; a.k.a. ''LA WERA PALENQUE''), Mexico; DOB 14 Nov 1978; POB Chihuahua, Mexico; nationality Mexico; Gender Female; C.U.R.P. CALJ781114MCHRYS03 (Mexico) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section (1)(a)(i) of Executive Order 14059 of December 15, 2021, ''Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,'' 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of contributing to, the international proliferation of illicit drugs or their means of production.

2. NIETO FIERRO, Heber (a.k.a. ''EVER NIETO''), Mexico; DOB 28 Sep 1975; POB Chihuahua, Mexico; nationality Mexico; Gender Male; C.U.R.P. NIFH750928HCHTRB04 (Mexico) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section (1)(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of contributing to, the international proliferation or illicit drugs or their means of production.

3. ORTEGA GALLEGOS, Jorge Adrian (a.k.a. ''EL NARANJAS''; a.k.a. ''NARANJAS''), Mexico; DOB 07 Jul 1983; POB Chihuahua, Mexico; nationality Mexico; Gender Male; C.U.R.P. OEGJ830707HCHRLR00 (Mexico) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section (1)(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of contributing to, the international proliferation or illicit drugs or their means of production.

4. AGUAYO, Adrian (a.k.a. ''Adrian AGUAYO SALAS''; a.k.a. ''LA ROBERTA''; a.k.a. ''ROBERTA''), Chihuahua, Mexico; DOB 29 Jul 1980; POB Chihuahua, Mexico; nationality Mexico; Gender Male; C.U.R.P. AUXA800729HCHGXD02 (Mexico) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section (1)(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of contributing to, the international proliferation or illicit drugs or their means of production.

5. SALAS AGUAYO, Jesus (a.k.a. ''CHUY''; a.k.a. ''CHUYIN''; a.k.a. ''EL CHUYIN''), Mexico; DOB 29 May 1976; POB Chihuahua, Mexico; nationality Mexico; Gender Male; C.U.R.P. SAAJ760529HCHLGS03 (Mexico) (individual) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section (1)(a)(i) of E.O. 14059 for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of contributing to, the international proliferation or illicit drugs or their means of production.

Entities

1. R.Y H. EL REMATE, SOCIEDAD ANONIMA DE CAPITAL VARIABLE, Chihuahua, Mexico; Organization Established Date 13 Sep 2007; Organization Type: Real estate activities on a fee or contract basis; Folio Mercantil No. 23967 (Mexico) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section (1)(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Heber Nieto Fierro, a person sanctioned pursuant to E.O. 14059.

2. SOLUCIONES TECNOLOGICAS Y PAQUETERIA TRES, SOCIEDAD ANONIMA DE CAPITAL VARIABLE, Zapopan, Jalisco, Mexico; Organization Established Date 21 Nov 2023; Organization Type: Transportation and storage; Folio Mercantil No. N–2023100783 (Mexico) [ILLICIT–DRUGS–EO14059].

Designated pursuant to section (1)(b)(iii) of E.O. 14059 for being owned, controlled, or directed by, or having acted or purported to act for or on behalf of, directly or indirectly, Heber Nieto Fierro, a person sanctioned pursuant to E.O. 14059.

On October 31, 2024 OFAC updated the entries on the SDN List for the following persons, whose property and interests in property subject to U.S. jurisdiction continue to be blocked under the relevant sanctions authorities listed below.

Entities

1. TOTAL LOOK (a.k.a. ''OUTLET_TLOOK''; f.k.a. ''TOTAL_LOOKCLN''), Culiacan, Sinaloa, Mexico; website *www.totallook.mx;* Organization Type: Retail sale of clothing, footwear and leather articles in specialized stores [ILLICIT–DRUGS–EO14059] (Linked To: ROBLEDO ARREDONDO, Adilene Mayre).

The listing for the entity now appears as follows:

TOTAL LOOK (a.k.a. ''OUTLET_TLOOK''; a.k.a. ''OUTLETTLOOK''; f.k.a. ''TOTAL_LOOKCLN''), Culiacan, Sinaloa, Mexico; website *www.totallook.mx;* Organization Type: Retail sale of clothing, footwear and leather articles in specialized stores [ILLICIT–DRUGS–EO14059] (Linked To: ROBLEDO ARREDONDO, Adilene Mayre).

2. MUNSA INTERNATIONAL INVESMENTS S.A., Panama City, Panama; RUC #155608664–2–2015 (Panama) [SDNTK].

The listing for the entity now appears as follows:

MUNSA INTERNATIONAL INVESMENTS S.A., Panama City, Panama; RUC #931597–1–521773 (Panama) [SDNTK].

Lisa M. Palluconi,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2024–25710 Filed 11–4–24; 8:45 am]

BILLING CODE 4810–AL–P

Reader Aids

Federal Register

Vol. 89, No. 214

Tuesday, November 5, 2024

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids **202–741–6000**

Laws **741–6000**

Presidential Documents

Executive orders and proclamations **741–6000**

The United States Government Manual **741–6000**

Other Services

Electronic and on-line services (voice) **741–6020**

Privacy Act Compilation **741–6050**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: **www.govinfo.gov.**

Federal Register information and research tools, including Public Inspection List and electronic text are located at: **www.federalregister.gov.**

E-mail

FEDREGTOC (Daily Federal Register Table of Contents Electronic Mailing List) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to **https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new**, enter your email address, then follow the instructions to join, leave, or manage your subscription.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to **http://listserv.gsa.gov/archives/publaws-l.html and select** *Join or leave the list (or change settings);* then follow the instructions.

FEDREGTOC and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: **fedreg.info@nara.gov**

The Federal Register staff cannot interpret specific documents or regulations.

FEDERAL REGISTER PAGES AND DATE, NOVEMBER

87259–87460 1
87461–87762 4
87763–87930 5

CFR PARTS AFFECTED DURING NOVEMBER

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:
10845 87259
10846 87763
10847 87765
10848 87767
10849 87769
10850 87771
10851 87773
10852 87775
10853 87777
10854 87781

Administrative Orders:
Memorandums:
Memorandum of October 16, 2024 87461
Memorandum of October 21, 2024 87463
Notices:
Notice of November 1, 2024 87761

7 CFR

Proposed Rules:
3565 87801

10 CFR

Proposed Rules:
430 87803

12 CFR

Proposed Rules:
1239 87730
1261 87730
1273 87730

14 CFR

71 ..... 87465, 87466

Proposed Rules:
39 ..... 87311, 87314, 87317, 87821

15 CFR

734 87783
740 87783
742 87783
744 ..... 87261, 87279, 87783
746 ..... 87279, 87783
774 87783

Proposed Rules:
734 87825
740 87825
742 87825
744 87825
746 87825
774 87825

16 CFR

1112 87467
1130 87467
1243 87467

23 CFR

630 87282

24 CFR

Proposed Rules:
5 87518
902 87518

26 CFR

301 87784

33 CFR

100 87787
117 87498
165 ..... 87299, 87789, 87791

39 CFR

Proposed Rules:
3050 87319

40 CFR

52 ..... 87500, 87505
180 87509
271 87512

Proposed Rules:
52 ..... 87320, 87826, 87828
81 87828
180 87321

44 CFR

61 87299
62 87299

47 CFR

8 87309
54 87516

Proposed Rules:
76 87322

49 CFR

40 87792

Proposed Rules:
386 87532
387 87532

50 CFR

648 87309
679 ..... 87798, 87799

Proposed Rules:
229 87322
665 87838

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List October 8, 2024

Public Laws Electronic Notification Service (PENS)

PENS is a free email notification service of newly enacted public laws. To subscribe, go to *https://portalguard.gsa.gov/__layouts/PG/register.aspx*.

Note: This service is strictly for email notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.