

for Oneness and Jihad in West Africa, also known as Unity Movement for Jihad in West Africa, also known as Jamat Tawhid Wal Jihad Fi Garbi Afriqqiya, also known as Tawhid Wal Jihad in West Africa, also known as MUJWA, also known as MUJAO, also known TWJWA, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that “prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously,” I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: December 4, 2012.

**Hillary Rodham Clinton**,

*Secretary of State.*

[FR Doc. 2012–30125 Filed 12–12–12; 8:45 am]

**BILLING CODE 4710–10–P**

## DEPARTMENT OF STATE

[Public Notice 8116]

### In the Matter of the Designation of Ahmed el Tilemsi, Also Known as Ahmed Tilemsi, Also Known as Abderrahmane Ould el Amar, Also Known as Abderrahmane Toudji, Also Known as Abderrahmane Ouid Aneur, Also Known as Ahmed Telemsi as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the individual known as Ahmed el Tilemsi, also known as Ahmed Tilemsi, also known as Abderrahmane Ould el Amar, also known as Abderrahmane Toudji, also known as Abderrahmane Ouid Aneur, also known as Ahmed Telemsi, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or

the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that “prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously,” I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: December 4, 2012.

**Hillary Rodham Clinton**,

*Secretary of State.*

[FR Doc. 2012–30138 Filed 12–12–12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

### Federal Transit Administration

### Review of National Environmental Policy Act Categorical Exclusion Survey Posted on DOT/FHWA Web Site

**AGENCY:** Federal Highway Administration (FHWA), Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with section 1318(a)(2) of the *Moving Ahead for Progress in the 21st Century Act* (MAP–21) the FHWA and the FTA have surveyed the use of Categorical Exclusions (CE) by the Department in transportation projects since 2005, described the types of actions categorically excluded and any requests previously received by the Secretary for new CEs, and completed a solicitation of requests for new CEs from State departments of transportation (SDOT), transit authorities, metropolitan planning organizations (MPO), or other government agencies. This survey review captures the results of these activities.

The FHWA and FTA are issuing this notice to advise the public that the CE survey review is now available on the FHWA Web site, <http://www.fhwa.dot.gov/map21>, and FTA Web site, <http://www.fta.dot.gov/map21>.

**DATES:** These reports were posted on the Web site on December 7, 2012.

**ADDRESSES:** The CE survey review is posted on the FHWA Web site at: <http://www.fhwa.dot.gov/map21>.

**FOR FURTHER INFORMATION CONTACT:** Owen Lindauer, Ph.D., Office of Project Delivery and Environmental Review (HEPE), (202) 366–2655, or Jomar Maldonado, Office of the Chief Counsel (HCC), (202) 366–1373, Federal Highway Administration, 1200 New Jersey Ave. SE., Washington, DC 20590–0001. For the Federal Transit Administration: Megan Blum, Office of Planning and Environment (TPE), (202) 366–0463, or Dana Nifosi, Office of Chief Counsel (TCC), (202) 366–4011. Office hours are from 8:00 a.m. to 4:30 p.m. e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** Section 1318 of MAP–21 (112 Pub. L. 141, 126 Stat. 405) requires a survey of CE use for transportation projects since 2005, a description of CE actions and any requests for new CEs received by the Secretary since 2005, and a solicitation request for new CEs from a variety of stakeholders. The statute requires publication of the survey.

To comply with the survey requirement, the FHWA and FTA reviewed the administrative records of rulemakings for new FHWA and/or FTA CEs since 2005 and in the Department’s review of regulations in 2011. The administrative records for the rulemakings included Notice of Proposed Rulemakings (NPRM), public comments on these rulemakings, and as final rules associated with these NPRMs, as applicable (72 FR 44038 (Aug. 7, 2007), Docket No. FTA–2006–26604 and 77 FR 15310 (Mar. 15, 2012), Docket No. FTA–2011–0056). In addition, FHWA and FTA reviewed requests for new CEs received as a part of the assessment of Federal regulations in response to the President’s Executive Order 13563 (Improving Regulation and Regulatory Review, January 18, 2011). The request for new CEs was documented in the Retrospective Review and Analysis of Existing Rules (Department of Transportation, August 2011). Also, in September 2012, the Secretary sent a questionnaire, OMB Control No. 2125–0632, to SDOTs, transit authorities, MPOs, local public agencies, and federally recognized Tribal Governments asking for actions they request for consideration as new CEs through rulemaking.

The questionnaire asked SDOTs, transit authorities, MPOs, and federally recognized Tribal Governments to provide information on:

- CEs processed as a part of the NEPA for transportation projects since 2005;

- Types of actions categorically excluded;
- Requests previously received by the Secretary of Transportation for new CEs that are not currently in regulation; and
- Requests for new CEs.

The Secretary sent the invitation to participate in the survey electronically to 1,511 individuals from SDOTs, transit authorities, MPOs, and federally recognized Tribal Governments. The survey period ran from September 5, 2012, through October 9, 2012.

Responses were collected online and through email. Respondents were encouraged to provide electronic documents and other materials to supplement their answers. Five hundred twenty-two individuals responded to the questionnaire. The SDOT respondents represented 40 States, the District of Columbia, and Puerto Rico.

The FHWA and FTA have compiled the responses and completed the MAP-21 survey report. The purpose of this notice is to comply with the publication requirement for the survey report. The report is available online at [www.fhwa.dot.gov/map21](http://www.fhwa.dot.gov/map21) and <http://www.fta.dot.gov/map21>.

**Authority:** Sec. 1318(a)(2), Pub. L. 112-141, 126 Stat. 405 (2012).

Issued on: December 7, 2012.

**Victor Mendez,**

*Administrator, Federal Highway Administration.*

**Peter Rogoff,**

*Administrator, Federal Transit Administration.*

[FR Doc. 2012-30085 Filed 12-12-12; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2012-0309]

#### Agency Information Collection Activities; New Information Collection Request: Driver and Carrier Surveys Related to Electronic On-Board Recorders (EOBRs), and Potential Harassment Deriving From EOBR Use

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice and request for information.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval. The purpose of

this new ICR is to broadly examine by the collection of survey data, the issue of driver harassment and determine the extent to which Electric On-Board Recorders (EOBRs) used to document drivers' hours of service could also be used by motor carriers or enforcement personnel to harass drivers and/or monitor driver productivity. The survey will also collect information on the extent to which respondents believe that the use of EOBRs may result in coercion of drivers by motor carriers, shippers, receivers and transportation intermediaries. The proposed surveys for drivers and carriers collect information related to issues of EOBR harassment of drivers by carriers. FMCSA will publish a supplemental notice of proposed rulemaking on EOBRs and will consider survey results concerning the EOBR use by motor carriers including countermeasures or best practices to ensure that EOBRs are not used by carriers to harass or coerce drivers prior to the issuance of a final rule.

**DATES:** Comments must be received on or before February 11, 2013.

**ADDRESSES:** You may submit comments identified by Docket Number FMCSA-2012-0309 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery or Courier.* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001 between 9:00 a.m. and 5:00 p.m. e.t. Monday through Friday, except Holidays.

- Fax 1-202-493-2251.

To avoid duplication, please use only one of these four methods. Each submission must include the Agency name and the docket number for this Notice. Note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below.

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or to Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC 20590-0001 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal

holidays. The FDMS docket is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or post card or print the acknowledgement page that appears after submitting them on-line.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement for the Federal Docket Management System published in the **Federal Register** on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

#### FOR FURTHER INFORMATION CONTACT:

Albert Alvarez, Research Division, Office of Analysis, Research and Technology, Federal Motor Carrier Safety Administration, 1200 New Jersey Ave. SE., Washington, DC 20590. *Telephone:* (202 385-2387); email [albert.alvarez@dot.gov](mailto:albert.alvarez@dot.gov). Requests for additional information or copies of the information collection instrument and instructions should be directed to Gene Bergoffen, Principal, MaineWay Services, P.O. Box 166, Fryeburg, ME 04037. *Telephone:* 207 935-7948; email [bergoffen@roadrunner.com](mailto:bergoffen@roadrunner.com).

#### SUPPLEMENTARY INFORMATION:

##### Background

Motor carrier management and oversight of drivers' hours-of-service (HOS) is one of the fundamental concerns of FMCSA. Motor carriers began to look to automated methods of recording drivers' record of duty status (RODS) in the mid-1980s as a way to save drivers time and improve the efficiency of their compliance assurance procedures. In April 1985, the Federal Highway Administration (FHWA), the predecessor agency to FMCSA within the U.S. Department of Transportation (DOT), granted the first of 10 waivers to allow use of on-board computers in lieu of requiring drivers to complete handwritten RODS.

After conducting notice-and-comment on the rulemaking regarding automated methods of recording RODS, the Agency issued a final rule on September 30, 1988. The rule revised part 395 of the Federal Motor Carrier Safety Regulations (FMCSRs) by allowing motor carriers the flexibility to equip commercial motor vehicles (CMVs) with an automatic on-board recording device (AOBRD) in lieu of requiring drivers to