With certain exceptions, FTA’s Buy America requirements prevent FTA from obligating an amount that may be appropriated to carry out its program for a project unless “the steel, iron, and manufactured goods used in the project are produced in the United States.” 49 U.S.C. 5323(j)(1). For rolling stock procured with FTA funds, this means that “the cost of components and subcomponents produced in the United States [must] be more than 60 percent of the cost of all components of the rolling stock; and . . . final assembly of the rolling stock has occurred in the United States.” 49 U.S.C. 5323(j)(2)(C); 49 CFR 661.11(a). If, however, FTA determines that “the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality,” then FTA may issue a waiver (non-availability waiver). 49 U.S.C. 5323(j)(2)(B); 49 CFR 661.7(c).

On June 21, 2010, in response to formal requests from ElDorado National-Kansas (ElDorado) and the Chrysler Group LLC (Chrysler), FTA waived its Buy America final assembly requirement for minivans and minivan chassis after determining through notice and comment that no manufacturer of minivans or minivan chassis performed final assembly in the United States. 75 FR 35123.

Subsequently, on August 3, 2012, FTA issued a notice in the Federal Register seeking comments on a request by the Vehicle Production Group (VPG) for FTA to rescind the Buy America waiver for minivans and minivan chassis. 75 FR 35124. According to VPG, it was able to manufacture a wheelchair accessible vehicle, the Mobility Vehicle 1 (MV–1), substantially similar to a minivan and in a sufficient quantity that was, and still is, Buy America compliant with respect to both domestic content and final assembly.

On December 3, 2012, FTA rescinded the waiver for minivans and minivan chassis after determining that a blanket waiver was no longer necessary. 77 FR 71676. In this notice, FTA carefully considered all of the comments received by the various stakeholders through the United States in order to address concerns, including the differences between the MV–1’s accessibility features and traditional minivans, inadequate seating capacity when the vehicles are used for vanpool services, as well as others. FTA determined, however, that these concerns could be addressed with individual waiver requests on a case-by-case basis as the need arose and a blanket waiver was no longer necessary.

On July 1, 2013, FTA made two separate determinations that Braun Corporation (Braun) and ElDorado National-Kansas’ (ElDorado) manufacturing processes on incomplete Chrysler and Dodge minivans met FTA’s Buy America requirements for final assembly. These determinations on final assembly activities were made in response to formal requests by Braun and ElDorado pursuant to section (c) of Appendix D to 661.11 (of 49 CFR).

Now, FTA has received a request for a Buy America waiver for minivans from the North Front Range Metropolitan Planning Organization (NFRMPO). NFRMPO operates a vanpool (“VanGo”) program, which has 75 vans with routes connecting, among others, Fort Collins, Loveland, Greeley, Denver, and Boulder, Colorado. The VanGo program carries more than 420 commuters daily in the northern Colorado area at 93 percent occupancy. All of the vanpools in the VanGo program carry five to eight passengers. According to NFRMPO, this makes the large 10–15 passenger vans inefficient and too costly. In a recently issued request for proposals for minivans, NFRMPO received no qualified proposals for vehicles that meet Buy America requirements for rolling stock and seat at least seven passengers. Therefore, NFRMPO requests that FTA grant a Buy America waiver for its procurement of minivans based upon non-availability.

The purpose of this notice is to publish NFRMPO request and seek public comment from all interested parties in accordance with 49 U.S.C. 5323(j)(3)(A). Comments will help FTA understand completely the facts surrounding the request, including the effects of a potential waiver and the merits of the request. A full copy of the request has been placed in docket number FTA–2013–0027.

Issued on August 1, 2013.

Dorval R. Carter, Jr.,
Chief Counsel.
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its efforts to reduce traffic injuries and fatalities. Session participation would be voluntary and the focus group participants would receive remuneration for their involvement. Focus group topics will include: strategic messaging (e.g., slogans or advertisement concepts concerning seat belt use, impaired driving, driver distraction, tire pressure monitoring), problem identification (e.g., discussions with high-risk groups on beliefs, attitudes, driving behaviors, or reactions to interventions and countermeasures), and resource development (e.g., testing materials designed to communicate essential information about traffic safety issues such as vehicle or equipment performance rating systems). For each focus group project, NHTSA will submit an individual Information Collection Request (ICR) to the Office of Management and Budget (OMB) detailing the specific nature and methodology of planned focus group sessions prior to any collection activity covered under this generic clearance. Description of the Need for the Information and Proposed Use of the Information—NHTSA was established by the Highway Safety Act of 1970 (23 U.S.C. 101) to carry out a Congressional mandate to reduce the mounting number of deaths, injuries, and economic losses resulting from motor vehicle crashes on the Nation’s highways. In support of this mission, NHTSA anticipates the occasional need to conduct focus group sessions in order to develop and refine effective interventions and countermeasures. NHTSA will use the findings from focus group sessions to help focus current programs, interventions and countermeasures in order to achieve the greatest benefit in decreasing crashes and resulting injuries and fatalities, and provide informational support to States, localities, and law enforcement agencies that will aid them in their efforts to reduce traffic crashes. Description of the Likely Respondents (Including Estimated Number, and Proposed Frequency of Response to the Collection of Information)—Each year NHTSA anticipates conducting 140 focus groups, or 420 over the three year period under a renewed clearance. Likely respondents are licensed drivers 18 years of age and older who have not participated in a previous focus group session. In some cases, stakeholders such as law enforcement and health officials may participate in the focus groups. Each respondent would participate in one focus group. Estimation of the Total Annual Reporting and Record Keeping Burden Resulting from the Collection of Information—NHTSA estimates that the number of focus group participants will average 10 per group, and that average duration per focus group will be 80 minutes. Participants will be recruited by intercept or telephone using a brief screening questionnaire estimated to take no more than another 10 minutes. Therefore, over a three year period, NHTSA estimates that the total burden will be 6300 hours (420 focus groups × 10 participants × 90 minutes). Total annual burden will be 2100 hours (140 focus groups × 10 participants × 90 minutes).

The respondents would not incur any reporting cost from the information collection. The respondents also would not incur any record keeping burden or record keeping cost from the information collection.


Jeff Michael,
Associate Administrator, Research and Program Development.

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DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Unblocking of Specially Designated Nationals and Blocked Persons Pursuant to the Foreign Narcotics Kingpin Designation Act

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury’s Office of Foreign Assets Control (“OFAC”) is publishing the names of five individuals and seven entities whose property and interests in property have been unblocked pursuant to the Foreign Narcotics Kingpin Designation Act (“Kingpin Act”) (21 U.S.C. 1901–1908, 8 U.S.C. 1182). In addition, OFAC is publishing an amendment to the identifying information of one individual and ten entities previously designated, or identified as blocked property, pursuant to the Kingpin Act.

DATES: The unblocking and removal from the list of Specially Designated Nationals and Blocked Persons (“SDN List”) of the five individuals and seven entities identified in this notice whose property and interests in property were blocked pursuant to the Kingpin Act, is effective on July 30, 2013.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Sanctions