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U.S. GOVERNMENT
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FEDERAL REGISTER

Vol. 79 Wednesday,
No. 141 July 23, 2014

Pages 42647–42972

OFFICE OF THE FEDERAL REGISTER

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0226; Directorate Identifier 2014–CE–009–AD; Amendment 39–17884; AD 2014–13–08]

RIN 2120–AA64

Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes

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

ACTION: Final rule.

SUMMARY: We are superseding Airworthiness Directive (AD) 2013–24–14 for Diamond Aircraft Industries GmbH Models DA40 and DA40F airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as the fatigue strength found in the aft main spar not ensuring unlimited lifetime structural integrity. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of certain other publications listed in this AD as of January 7, 2014 (78 FR 72568; December 3, 2013).

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0226; or in person at the Docket Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

For service information identified in this AD, contact Diamond Aircraft Industries GmbH, N.A. Otto-Str.5, A–2700 Wiener Neustadt, Austria; telephone: +43 2622 26700; fax: +43 2622 26780; email: *office@diamond-air.at*; Internet: *http://www.diamondaircraft.com/contact/technical.php*. You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

FOR FURTHER INFORMATION CONTACT: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; fax: (816) 329–4090; email: *mike.kiesov@faa.gov*.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to add an AD that would apply to Diamond Aircraft Industries GmbH Model DA 40 airplanes. That NPRM was published in the **Federal Register** on April 14, 2014 (79 FR 20827), and proposed to supersede AD 2013–24–14, Amendment 39–17689 (78 FR 72568; December 3, 2013) (''AD 2013–24–14'').

Since we issued AD 2013–24–14, the inspections required by AD 2013–24–14 are tied to calendar time and the major structural inspection (MSI) identified in Chapter 5 of the airplane maintenance manual (AMM). This compliance time mirrors the mandatory continuing airworthiness information (MCAI) issued by the State of Design for these products. However, U.S. operators are not required to comply with the requirement to inspect before the next MSI since the Limitations in Chapter 4 of the AMM are mandatory, and the MSI in Chapter 5 of the AMM is not mandatory.

The NPRM proposed to correct an unsafe condition for the specified products and was based on MCAI originated by an aviation authority of another country. The MCAI states that:

> Structural fatigue testing of the DA 40 aeroplane carried out for an extension of the Major Structural Inspection (MSI) interval has shown that the fatigue strength of the aft main spar in the cabin area does not ensure unlimited lifetime.
>
> This condition, if not corrected, could adversely affect the structural integrity of the aeroplane.
>
> Diamond Aircraft Industries (DAI) issued Mandatory Service Bulletin (MSB) 40–074/MSB D4–094/MSB F4–028, including Work Instruction (WI) WI–MSB 40–074/WI–MSB D4–094/WI–MSB F4–028 (published as a single document), providing instructions to reinforce the aft main spar in the cabin area.
>
> For the reasons described above, this AD requires modification of the aft main spar in the cabin area.

The MCAI can be found in the AD docket on the Internet at: *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0226-0002*.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (79 FR 20827, April 14, 2014) or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 20827, April 14, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 20827, April 14, 2014).

Costs of Compliance

We estimate that this AD will affect 747 products of U.S. registry. We also estimate that it will take about 6 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts will cost about $100 per product.

Based on these figures, we estimate the cost of this AD to the U.S. operators to be $455,670, or $610 per product.

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.

We are 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

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

For the reasons discussed above, I certify this AD:

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

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

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

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

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0226; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Amendment 39–17689 (78 FR 72568; December 3, 2013) and adding the following new AD:

2014–13–08 Diamond Aircraft Industries GmbH: Amendment 39–17884; Docket No. FAA–2014–0226; Directorate Identifier 2014–CE–009–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective August 27, 2014.

(b) Affected ADs

This AD supersedes AD 2013–24–14, Amendment 39–17689 (78 FR 72568; December 3, 2013).

(c) Applicability

This AD applies to Diamond Aircraft Industries Model DA 40 airplanes, serial numbers 40.006 through 40.009, 40.011 through 40.1071, and 40.1073 through 40.1077; and Model DA 40 F airplanes, serial numbers 40.FC001 through 40.FC029; certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 57: Wings.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as the fatigue strength found in the aft main spar not ensuring unlimited lifetime structural integrity. We are issuing this AD to correct an incorrect compliance time and to modify the aft main spar in the cabin area to ensure the structural integrity of the airplane.

(f) Actions and Compliance

Comply with this AD within the compliance times specified in paragraphs (f)(1) through (f)(4) of this AD, unless already done.

(1) *For airplanes with less than 1,500 hours time-in-service (TIS):* At or before 2,000 hours TIS after August 27, 2014 (the effective date of this AD) or within the next 114 months after August 27, 2014 (the effective date of this AD), whichever occurs first, modify the aft main spar in the cabin area following the INSTRUCTIONS section of Diamond Aircraft Industries GmbH Work Instructions WI–MSB 40–074, WI–MSB D4–094, and WI–MSB F4–028 (co-published as a single document), dated May 10, 2013, as specified in Diamond Aircraft Industries GmbH Mandatory Service Bulletins (MSB) 40–074, D4–094, and F4–028 (co-published as a single document), dated May 10, 2013.

(2) *For airplanes with 1,500 hours or more than 1,500 hours TIS but less than 2,000 hours TIS:* At or before 500 hours TIS after August 27, 2014 (the effective date of this AD) or within the next 114 months after August 27, 2014 (the effective date of this AD), whichever occurs first, modify the aft main spar in the cabin area following the INSTRUCTIONS section of Diamond Aircraft Industries GmbH Work Instructions WI–MSB 40–074, WI–MSB D4–094, and WI–MSB F4–028 (co-published as a single document), dated May 10, 2013, as specified in Diamond Aircraft Industries GmbH Mandatory Service Bulletins (MSB) 40–074, D4–094, and F4–028 (co-published as a single document), dated May 10, 2013.

(3) *For airplanes with 2,000 hours or more than 2,000 hours TIS but less than 2,500 hours TIS:* At or before 500 hours TIS after August 27, 2014 (the effective date of this AD) or within the next 48 months after August 27, 2014 (the effective date of this AD), whichever occurs first, modify the aft main spar in the cabin area following the INSTRUCTIONS section of Diamond Aircraft Industries GmbH Work Instructions WI–MSB 40–074, WI–MSB D4–094, and WI–MSB F4–028 (co-published as a single document), dated May 10, 2013, as specified in Diamond Aircraft Industries GmbH Mandatory Service Bulletins (MSB) 40–074, D4–094, and F4–028 (co-published as a single document), dated May 10, 2013.

(4) *For airplanes with 2,500 hours or more than 2,500 hours TIS:* Within the next 100 hours TIS after August 27, 2014 (the effective date of this AD) or within the next 12 months after August 27, 2014 (the effective date of this AD), whichever occurs first, visually inspect the aft spar center section following page 11, Inspection Item 31 in Section 05–28–50, Maintenance Checklist Airframe, of Chapter 5, Time Limits and Maintenance Checks, in DIAMOND AIRCRAFT INDUSTRIES DA 40 SERIES AIRPLANE MAINTENANCE MANUAL (AMM), Revision 7, dated April 1, 2013. If any damage is found during this inspection, before further flight, do all necessary corrective actions.

(i) After doing the inspection required by paragraph (f)(4) of this AD including any applicable corrective actions, at or before 500 hours TIS after August 27, 2014 (the effective date of this AD) or within the next 48 months after August 27, 2014 (the effective date of this AD), whichever occurs first, modify the aft main spar in the cabin area following the INSTRUCTIONS section of Diamond Aircraft Industries GmbH Work Instructions WI–MSB 40–074, WI–MSB D4–094, and WI–MSB F4–028 (co-published as a single document), dated May 10, 2013, as specified in Diamond Aircraft Industries GmbH Mandatory Service Bulletins (MSB) 40–074, D4–094, and F4–028 (co-published as a single document), dated May 10, 2013.

(ii) The modification required in paragraph (f)(4)(i) of this AD may be done instead of the inspection required by paragraph (f)(4) of this AD provided it is done within the next 100 hours TIS after August 27, 2014 (the effective date of this AD) or within the next 12 months after August 27, 2014 (the effective date of this AD), whichever occurs first.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; fax: (816) 329–4090; email: *mike.kiesov@faa.gov*. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2013–0145, dated July 15, 2013, for related information. The MCAI can be found in the AD docket on the Internet at: *http://www.regulations.gov/#!document Detail;D=FAA-2014-0226-0002*.

(i) Material Incorporated by Reference

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

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

(3) The following service information was approved for IBR on August 27, 2014.

(i) Page 11, Inspection Item 31 in Section 05–28–50, Maintenance Checklist Airframe, of Chapter 5, Time Limits and Maintenance Checks, in DIAMOND AIRCRAFT INDUSTRIES DA 40 SERIES AIRPLANE MAINTENANCE MANUAL (AMM), Revision 7, dated April 1, 2013.

(ii) Reserved.

(4) The following service information was approved for IBR on January 7, 2014 (78 FR 72568; December 3, 2013).

(i) Diamond Aircraft Industries GmbH Mandatory Service Bulletin 40–074, dated May 10, 2013.

(ii) Diamond Aircraft Industries GmbH Mandatory Service Bulletin D4–094, dated May 10, 2013.

(iii) Diamond Aircraft Industries GmbH Mandatory Service Bulletin F4–028, dated May 10, 2013.

Note 1 to paragraphs (i)(4)(i) through (i)(4)(iii) of this AD: Diamond Aircraft Industries GmbH Mandatory Service Bulletin 40–074, dated May 10, 2013; Diamond Aircraft Industries GmbH Mandatory Service Bulletin D4–094, dated May 10, 2013; Diamond Aircraft Industries GmbH Mandatory Service Bulletin F4–028, dated May 10, 2013; are co-published as one document.

(iv) Diamond Aircraft Industries GmbH Work Instruction WI–MSB 40–074, dated May 10, 2013.

(v) Diamond Aircraft Industries GmbH Work Instruction WI–MSB D4–094, dated May 10, 2013.

(vi) Diamond Aircraft Industries GmbH Work Instruction WI–MSB F4–028, dated May 10, 2013.

Note 2 to paragraphs (i)(4)(iv) through (i)(4)(vi) of this AD: Diamond Aircraft Industries GmbH Work Instruction WI–MSB 40–074; Diamond Aircraft Industries GmbH Work Instruction WI–MSB F4–028; dated May 10, 2013; and Diamond Aircraft Industries GmbH Work Instruction WI–MSB F4–028 dated May 10, 2013; are co-published as one document.

(5) For Diamond Aircraft Industries GmbH service information identified in this AD, contact Diamond Aircraft Industries GmbH, N.A. Otto-Str.5, A–2700 Wiener Neustadt, Austria; telephone: +43 2622 26700; fax: +43 2622 26780; email: *office@diamond-air.at;* Internet: *http://www.diamondaircraft.com/contact/technical.php*.

(6) You may view this service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

(7) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html*.

Issued in Kansas City, Missouri, on June 24, 2014.

Timothy Smyth,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–15551 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0005; Directorate Identifier 2013–NM–144–AD; Amendment 39–17890; AD 2014–13–14]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Airbus Model A310 series airplanes. This AD was prompted by a report of an electrical arc and a hydraulic haze in the wheel bay of the left-hand main landing gear (MLG), possibly resulting from chafing between a hydraulic high pressure hose and electrical wiring of the green electrical motor pump (EMP). This AD requires modification of the electrical routing and replacement of the union elbows. We are issuing this AD to prevent chafing of hydraulic pressure hoses and electrical wiring of the green EMPs, which, in combination with a system failure, could cause an uncontrolled and undetected fire in the MLG bay.

DATES: This AD becomes effective August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 27, 2014.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2014-0005*; or in person at the Docket Management Facility, U.S. Department of Transportation, Docket Operations,
M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com*; Internet *http://www.airbus.com*. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–2125; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus Model A310 series airplanes. The NPRM published in the **Federal Register** on February 3, 2014 (79 FR 6102). The NPRM was prompted by a report of an electrical arc and a hydraulic haze in the wheel bay of the left-hand MLG, possibly resulting from chafing between a hydraulic high pressure hose and electrical wiring of the green EMP. The NPRM proposed to require modification of the electrical

routing and replacement of the union elbows. We are issuing this AD to prevent chafing of hydraulic pressure hoses and electrical wiring of the green EMPs, which, in combination with a system failure, could cause an uncontrolled and undetected fire in the MLG bay.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2013–0165, dated July 25, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for certain Airbus Model A310 series airplanes. The MCAI states:

> An A310 operator reported an electrical arc and a large hydraulic haze in the Left Hand (LH) Main Landing Gear (MLG) wheel bay that occurred during ground operation.
>
> The analysis of the occurrence revealed that this was likely caused by chafing between a hydraulic high pressure hose and electrical wiring of the Green Electrical Motor Pump (EMP).
>
> This condition, * * * could result in an undetected and uncontrolled fire in the LH MLG wheel bay.
>
> For the reason described above, this [EASA] AD requires modification of the electrical routing and installation of reinforced hydraulic pipes [by replacing the union elbows to re-route the delivery pipe at the upper EMP].

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0005-0002*.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (79 FR 6102, February 3, 2014) or on the determination of the cost to the public.

''Contacting the Manufacturer'' Paragraph in This AD

Since late 2006, we have included a standard paragraph titled ''Airworthy Product'' in all MCAI ADs in which the FAA develops an AD based on a foreign authority's AD.

The MCAI or referenced service information in an FAA AD often directs the owner/operator to contact the manufacturer for corrective actions, such as a repair. Briefly, the Airworthy Product paragraph allowed owners/operators to use corrective actions provided by the manufacturer if those actions were FAA-approved. In addition, the paragraph stated that any actions approved by the State of Design Authority (or its delegated agent) are considered to be FAA-approved.

In the NPRM (79 FR 6102, February 3, 2014), we proposed to prevent the use of repairs that were not specifically developed to correct the unsafe condition, by requiring that the repair approval provided by the State of Design Authority or its delegated agent specifically refer to this FAA AD. This change was intended to clarify the method of compliance and to provide operators with better visibility of repairs that are specifically developed and approved to correct the unsafe condition. In addition, we proposed to change the phrase ''its delegated agent'' to include a design approval holder (DAH) with State of Design Authority design organization approval (DOA), as applicable, to refer to a DAH authorized to approve required repairs for the proposed AD.

No comments were provided to the NPRM (79 FR 6102, February 3, 2014) about these proposed changes. However, a comment was provided for another NPRM, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013). The commenter stated the following: ''The proposed wording, being specific to repairs, eliminates the interpretation that Airbus messages are acceptable for approving minor deviations (corrective actions) needed during accomplishment of an AD-mandated Airbus service bulletin.''

This comment has made the FAA aware that some operators have misunderstood or misinterpreted the Airworthy Product paragraph to allow the owner/operator to use messages provided by the manufacturer as approval of deviations during the accomplishment of an AD-mandated action. The Airworthy Product paragraph does not approve messages or other information provided by the manufacturer for deviations to the requirements of the AD-mandated actions. The Airworthy Product paragraph only addresses the requirement to contact the manufacturer for corrective actions for the identified unsafe condition and does not cover deviations from other AD requirements. However, deviations to AD-required actions are addressed in 14 CFR 39.17, and anyone may request the approval for an alternative method of compliance to the AD-required actions using the procedures found in 14 CFR 39.19.

To address this misunderstanding and misinterpretation of the Airworthy Product paragraph, we have changed that paragraph and retitled it ''Contacting the Manufacturer.'' This paragraph now clarifies that for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the FAA, the European Aviation Safety Agency (EASA), or Airbus's EASA DOA. Where necessary throughout this AD, we also replaced any reference to approvals of corrective actions with a reference to the Contacting the Manufacturer paragraph.

The Contacting the Manufacturer paragraph also clarifies that, if approved by the DOA, the approval must include the DOA-authorized signature. The DOA signature indicates that the data and information contained in the document are EASA-approved, which is also FAA-approved. Messages and other information provided by the manufacturer that do not contain the DOA-authorized signature approval are not EASA-approved, unless EASA directly approves the manufacturer's message or other information.

This clarification does not remove flexibility previously afforded by the Airworthy Product paragraph. Consistent with long-standing FAA policy, such flexibility was never intended for required actions. This is also consistent with the recommendation of the Airworthiness Directive Implementation Aviation Rulemaking Committee to increase flexibility in complying with ADs by identifying those actions in manufacturers' service instructions that are ''Required for Compliance'' with ADs. We continue to work with manufacturers to implement this recommendation. But once we determine that an action is required, any deviation from the requirement must be approved as an alternative method of compliance.

Other commenters to the NPRM discussed previously, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), pointed out that in many cases the foreign manufacturer's service bulletin and the foreign authority's MCAI might have been issued some time before the FAA AD. Therefore, the DOA might have provided U.S. operators with an approved repair, developed with full awareness of the unsafe condition, before the FAA AD is issued. Under these circumstances, to comply with the FAA AD, the operator would be required to go back to the manufacturer's DOA and obtain a new approval document, adding time and expense to the compliance process with no safety benefit.

Based on these comments, we removed the requirement that the DAH-provided repair specifically refer to this AD. Before adopting such a requirement, the FAA will coordinate with affected DAHs and verify they are prepared to implement means to ensure

that their repair approvals consider the unsafe condition addressed in this AD. Any such requirements will be adopted through the normal AD rulemaking process, including notice-and-comment procedures, when appropriate. We also have decided not to include a generic reference to either the ''delegated agent'' or ''DAH with State of Design Authority design organization approval,'' but instead we have provided the specific delegation approval granted by the State of Design Authority for the DAH in the Contacting the Manufacturer paragraph of this AD.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 6102, February 3, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 6102, February 3, 2014).

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

Costs of Compliance

We estimate that this AD affects 36 airplanes of U.S. registry.

We also estimate that it will take about 4 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Required parts will cost about $1,170 per product. Based on these figures, we estimate the cost of this AD on U.S. operators to be $54,360, or $1,510 per product.

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.

We are 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

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

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

1. Is not a ''significant regulatory action'' under Executive Order 12866;
2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2014-0005*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2014–13–14 Airbus: Amendment 39–17890. Docket No. FAA–2014–0005; Directorate Identifier 2013–NM–144–AD.

(a) Effective Date

This AD becomes effective August 27, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Model A310–203, –204, –221, –222, –304, –322, –324, and –325 airplanes, certificated in any category, all serial numbers on which Airbus Modification Number 04797 has been embodied in production and those on which Airbus Service Bulletin A310–29–2091 has been embodied in service.

(d) Subject

Air Transport Association (ATA) of America Code 29, Hydraulic Power.

(e) Reason

This AD was prompted by a report of an electrical arc and a hydraulic haze in the wheel bay of the left-hand main landing gear (MLG) possibly resulting from chafing between a hydraulic high pressure hose and electrical wiring of the green electrical motor pump (EMP). We are issuing this AD to prevent chafing of hydraulic pressure hoses and electrical wiring of the green EMPs, which, in combination with a system failure, could cause an uncontrolled and undetected fire in the MLG bay.

(f) Compliance

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

(g) Actions

Within 36 months after the effective date of this AD, modify the electrical routing of the EMP power supply in the hydraulic bay at frame 54 on the left-hand side and replace the union elbows to re-route the delivery pipe at the upper EMP, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A310–29–2103, dated December 21, 2012.

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Dan Rodina, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–2125; fax 425–227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov*. 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(i) Related Information

Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2013–0165, dated July 25, 2013, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2014-0005*.

(j) Material Incorporated by Reference

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

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

(i) Airbus Service Bulletin A310–29–2103, dated December 21, 2012.

(ii) Reserved.

(3) For service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAW, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com*; Internet *http://www.airbus.com*.

(4) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html*.

Issued in Renton, Washington, on June 25, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–15805 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0004; Directorate Identifier 2013–NM–143–AD; Amendment 39–17900; AD 2014–14–05]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Airbus Model A320–111, –211, –212, and –231 airplanes. This AD was prompted by reports of broken struts of the center wing box (CWB). This AD requires a detailed inspection of the CWB struts for cracking, and repair if necessary. We are issuing this AD to detect and correct cracked or broken struts, which could result in strut failure and consequent reduced structural integrity of the airplane.

DATES: This AD is effective August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 27, 2014.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2014-0004*; or in person at the Docket Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

For service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com*; Internet *http://www.airbus.com*. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone: 425–227–1405; fax: 425–227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus Model A320–111, -211, -212, and -231 airplanes. The NPRM published in the **Federal Register** on February 10, 2014 (79 FR 7596).

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2013–0149, dated July 16, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> Two cases of broken Centre Wing Box (CWB) struts have been reported on A320 aeroplanes. Investigation results indicated that strut thickness in the crack initiation area was lower than specified in the production drawings. Only a limited batch of aeroplanes is affected by this manufacturing defect.
>
> This condition, if not corrected, could result in strut failure, reducing the residual life of the remaining struts to below the initial Design Service Goal, which would deteriorate the structural integrity of the aeroplane.
>
> For the reasons described above, this [EASA] AD requires repetitive Detailed Visual inspections (DVI) of the lower and upper ends of the CWB struts to detect cracks and, depending on findings, accomplishment of associated corrective actions [repair].

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0004-0002*.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (79 FR 7596, February 10, 2014) or on the determination of the cost to the public.

''Contacting the Manufacturer'' Paragraph in This AD

Since late 2006, we have included a standard paragraph titled ''Airworthy Product'' in all MCAI ADs in which the FAA develops an AD based on a foreign authority's AD.

The MCAI or referenced service information in an FAA AD often directs the owner/operator to contact the manufacturer for corrective actions, such as a repair. Briefly, the Airworthy Product paragraph allowed owners/operators to use corrective actions provided by the manufacturer if those actions were FAA-approved. In addition, the paragraph stated that any actions approved by the State of Design

Authority (or its delegated agent) are considered to be FAA-approved.

In the NPRM (79 FR 7596, February 10, 2014), we proposed to prevent the use of repairs that were not specifically developed to correct the unsafe condition, by requiring that the repair approval provided by the State of Design Authority or its delegated agent specifically refer to this FAA AD. This change was intended to clarify the method of compliance and to provide operators with better visibility of repairs that are specifically developed and approved to correct the unsafe condition. In addition, we proposed to change the phrase ''its delegated agent'' to include a design approval holder (DAH) with State of Design Authority design organization approval (DOA), as applicable, to refer to a DAH authorized to approve required repairs for the proposed AD.

No comments were provided to the NPRM (79 FR 7596, February 10, 2014) about these proposed changes. However, a comment was provided for another NPRM, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), in which the commenter stated the following: ''The proposed wording, being specific to repairs, eliminates the interpretation that Airbus messages are acceptable for approving minor deviations (corrective actions) needed during accomplishment of an AD mandated Airbus service bulletin.''

This comment has made the FAA aware that some operators have misunderstood or misinterpreted the Airworthy Product paragraph to allow the owner/operator to use messages provided by the manufacturer as approval of deviations during the accomplishment of an AD-mandated action. The Airworthy Product paragraph does not approve messages or other information provided by the manufacturer for deviations to the requirements of the AD-mandated actions. The Airworthy Product paragraph only addresses the requirement to contact the manufacturer for corrective actions for the identified unsafe condition and does not cover deviations from other AD requirements. However, deviations to AD-required actions are addressed in 14 CFR 39.17, and anyone may request the approval for an alternative method of compliance to the AD-required actions using the procedures found in 14 CFR 39.19.

To address this misunderstanding and misinterpretation of the Airworthy Product paragraph, we have changed that paragraph and retitled it ''Contacting the Manufacturer.'' This paragraph now clarifies that for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the FAA, the European Aviation Safety Agency (EASA), or Airbus's EASA DOA.

The Contacting the Manufacturer paragraph also clarifies that, if approved by the DOA, the approval must include the DOA-authorized signature. The DOA signature indicates that the data and information contained in the document are EASA-approved, which is also FAA-approved. Messages and other information provided by the manufacturer that do not contain the DOA-authorized signature approval are not EASA-approved, unless EASA directly approves the manufacturer's message or other information.

This clarification does not remove flexibility previously afforded by the Airworthy Product paragraph. Consistent with long-standing FAA policy, such flexibility was never intended for required actions. This is also consistent with the recommendation of the Airworthiness Directive Implementation Aviation Rulemaking Committee to increase flexibility in complying with ADs by identifying those actions in manufacturers' service instructions that are ''Required for Compliance'' with ADs. We continue to work with manufacturers to implement this recommendation. But once we determine that an action is required, any deviation from the requirement must be approved as an alternative method of compliance.

Other commenters to the NPRM discussed previously, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), pointed out that in many cases the foreign manufacturer's service bulletin and the foreign authority's MCAI might have been issued some time before the FAA AD. Therefore, the DOA might have provided U.S. operators with an approved repair, developed with full awareness of the unsafe condition, before the FAA AD is issued. Under these circumstances, to comply with the FAA AD, the operator would be required to go back to the manufacturer's DOA and obtain a new approval document, adding time and expense to the compliance process with no safety benefit.

Based on these comments, we removed the requirement that the DAH-provided repair specifically refer to this AD. Before adopting such a requirement, the FAA will coordinate with affected DAHs and verify they are prepared to implement means to ensure that their repair approvals consider the unsafe condition addressed in this AD. Any such requirements will be adopted through the normal AD rulemaking process, including notice-and-comment procedures, when appropriate. We also have decided not to include a generic reference to either the ''delegated agent'' or ''DAH with State of Design Authority design organization approval,'' but instead we have provided the specific delegation approval granted by the State of Design Authority for the DAH throughout this AD.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 7596, February 10, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 7596, February 10, 2014).

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

Costs of Compliance

We estimate that this AD affects 16 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection	12 work-hours × $85 per hour = $1,020 per inspection cycle.	$0	$1,020	$16,320 per inspection cycle.

We have received no definitive data that would enable us to provide cost estimates for the on-condition action specified in this AD.

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.

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

Regulatory Findings

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

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

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

2. Is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2014–14–05 Airbus: Amendment 39–17900; Docket No. FAA–2014–0004; Directorate Identifier 2013–NM–143–AD.

(a) Effective Date

This AD is effective August 27, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Model A320–211, –212, and –231 airplanes, certificated in any category, all manufacturer serial numbers up to 0136 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Reason

This AD was prompted by reports of broken struts of the center wing box (CWB) on certain airplanes. We are issuing this AD to detect and correct cracked or broken struts, which could result in strut failure and consequent reduced structural integrity of the airplane.

(f) Compliance

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

(g) Repetitive Inspections

At the applicable time specified in paragraph (g)(1) or (g)(2) of this AD: Do a detailed inspection of each strut of the CWB for cracking, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320–57–1149, Revision 01, dated February 12, 2013. Repeat the inspection thereafter at intervals not to exceed 16,800 flight cycles or 33,600 flight hours, whichever occurs first.

(1) For airplanes on which the inspection required by paragraph (g) of this AD has not been done as of the effective date of this AD: Do the inspection at the later of the times specified in paragraphs (g)(1)(i) and (g)(1)(ii) of this AD.

(i) Before the accumulation of 31,700 total flight cycles or 63,400 total flight hours since first flight, whichever occurs first.

(ii) Within 1,250 flight cycles or 2,500 flight hours after the effective date of this AD, whichever occurs first.

(2) For airplanes on which the inspection required by paragraph (g) of this AD has been done as of the effective date of this AD: Do the inspection within 16,800 flight cycles or 33,600 flight hours after the most recent inspection, whichever occurs first.

(h) Repair

If any crack is found during any inspection required by paragraph (g) of this AD: Before further flight, repair using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(i) Credit for Previous Actions

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Airbus Service Bulletin A320–57–1149, dated April 1, 2008, which is not incorporated by reference in this AD.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone: 425–227–1405; fax: 425–227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov*. 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2013–0149, dated July 16, 2013, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0004-0002*.

(2) Service information identified in this AD that is not incorporated by reference may be viewed at the addresses specified in paragraphs (l)(3) and (l)(4) of this AD.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference

(IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

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

(i) Airbus Service Bulletin A320–57–1149, Revision 01, dated February 12, 2013.

(ii) Reserved.

(3) For service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com*; Internet *http://www.airbus.com*.

(4) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html*.

Issued in Renton, Washington, on June 25, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–16535 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–1028; Directorate Identifier 2013–NM–068–AD; Amendment 39–17901; AD 2014–14–06]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Airbus Model A318–111 and –112 airplanes; Model A319–111, –112, –113, –114, and –115 airplanes; Model A320–111, –211, –212, and –214 airplanes; and Model A321–111, –112, –211, –212, and –213 airplanes. This AD was prompted by reports of broken aft engine mount retainers. This AD requires inspecting the aft engine mount retainers for surface finish, and for cracks and failure, and replacement if necessary. We are issuing this AD to prevent failure of retainer brackets of the aft engine mount and consequent loss of the locking feature of the nuts of the inner and outer pins; loss of the pins will result in the aft mount engine link no longer being secured to the aft engine mount.

DATES: This AD becomes effective August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of August 27, 2014.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2013-1028;* or in person at the Docket Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC.

For Airbus service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* Internet *http://www.airbus.com.*

For Goodrich Corporation service information identified in this AD, contact Goodrich Corporation, Aerostructures, 850 Lagoon Drive, Chula Vista, CA 91910–2098; telephone 619–691–2719; email *jan.lewis@goodrich.com;* Internet *http://www.goodrich.com/TechPubs.*

You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1405; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Model A318–111 and –112 airplanes; Model A319–111, –112, –113, –114, and –115 airplanes; Model A320–111, –211, –212, and –214 airplanes; and Model A321–111, –112, –211, –212, and –213 airplanes. The NPRM published in the **Federal Register** on December 18, 2013 (78 FR 76572).

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2013–0050, dated March 5, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> During in-service inspections, several aft engine mount retainers, fitted on aeroplanes equipped with CFM56–5/5B engines, have been found broken.
> The results of the investigations highlight that two different types of surface finish have been applied (respectively bright and dull material finishes), and that dull finish adversely affects the strength of the retainer with regard to fatigue properties of the part.
> The pins which attach the engine link to the aft mount are secured by two nuts, which do not have a self-locking feature; this function is provided by the retainer brackets. In case of failure of the retainer bracket, the locking feature of the nuts of the inner and outer pins is lost; as a result, these nuts could subsequently become loose.
> In case of full loss of the nuts, there is the potential to also lose the pins, in which case the aft mount link will no longer be secured to the aft engine mount. The same locking feature is used for the three link assemblies of the aft mount.
> For the reasons described above, this [EASA] AD requires a one-time detailed visual inspection (DVI) of the aft engine mount to identify the affected dull finish retainers [and for cracks and failure] and replace these [retainers] with serviceable retainers. This [EASA] AD also prohibits installation of any dull finish aft engine mount retainers.

You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2013-1028-0002.*

Comments

We gave the public the opportunity to participate in developing this AD. We have considered the comment received. The following presents the comment received on the NPRM (78 FR 76572, December 18, 2013) and the FAA's response to the comment.

Request To Add Certain Retainer Brackets

Mr. Michael Raphael stated that understanding of the issue (cracking or failure of the aft engine mount retainer) has changed since the preliminary discovery with dull brackets, and that bright brackets have been detected with the same issue. Mr. Raphael explained that vibration is the root cause, and the dull surface finish (with pitting) is a potential aggravating factor. Mr. Raphael also stated that EASA and its airplane type certificate holder are preparing a ''phase 2 containment'' that is based on the latest technical findings.

We infer that the commenter wants us to add brackets with the bright surface

finish to this AD. We acknowledge that potential concerns with the bright brackets have been identified and are being investigated. However, we disagree to delay this final rule, since we have determined that an unsafe condition exists and that expanding the applicability of this AD to include retainer brackets with a bright surface finish would require additional rulemaking. We find that delaying this action would be inappropriate in light of the identified unsafe condition. Once we complete a thorough risk assessment of brackets with a bright surface, we might consider additional rulemaking. We have not changed this final rule in this regard.

Changes to This Final Rule

We have revised paragraphs (i)(2) and (j) of this final rule by removing the term ''serviceable.'' These changes are made to avoid ambiguity and misinterpretation of type of finish on the replacement retainer. We do not want operators to polish affected retainers as a method of compliance with this final rule.

''Contacting the Manufacturer'' Paragraph in This AD

Since late 2006, we have included a standard paragraph titled ''Airworthy Product'' in all MCAI ADs in which the FAA develops an AD based on a foreign authority's AD.

The MCAI or referenced service information in an FAA AD often directs the owner/operator to contact the manufacturer for corrective actions, such as a repair. Briefly, the Airworthy Product paragraph allowed owners/operators to use corrective actions provided by the manufacturer if those actions were FAA-approved. In addition, the paragraph stated that any actions approved by the State of Design Authority (or its delegated agent) are considered to be FAA-approved.

In the NPRM (78 FR 76572, December 18, 2013), we proposed to prevent the use of repairs that were not specifically developed to correct the unsafe condition, by requiring that the repair approval provided by the State of Design Authority or its delegated agent specifically refer to this FAA AD. This change was intended to clarify the method of compliance and to provide operators with better visibility of repairs that are specifically developed and approved to correct the unsafe condition. In addition, we proposed to change the phrase ''its delegated agent'' to include a design approval holder (DAH) with State of Design Authority design organization approval (DOA), as applicable, to refer to a DAH authorized to approve required repairs for the proposed AD.

No comments were provided to the NPRM (78 FR 76572, December 18, 2013) about these proposed changes. However, a comment was provided for another NPRM, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), in which the commenter stated the following: ''The proposed wording, being specific to repairs, eliminates the interpretation that Airbus messages are acceptable for approving minor deviations (corrective actions) needed during accomplishment of an AD mandated Airbus service bulletin.''

This comment has made the FAA aware that some operators have misunderstood or misinterpreted the Airworthy Product paragraph to allow the owner/operator to use messages provided by the manufacturer as approval of deviations during the accomplishment of an AD-mandated action. The Airworthy Product paragraph does not approve messages or other information provided by the manufacturer for deviations to the requirements of the AD-mandated actions. The Airworthy Product paragraph only addresses the requirement to contact the manufacturer for corrective actions for the identified unsafe condition and does not cover deviations from other AD requirements. However, deviations to AD-required actions are addressed in 14 CFR 39.17, and anyone may request the approval for an alternative method of compliance to the AD-required actions using the procedures found in 14 CFR 39.19.

To address this misunderstanding and misinterpretation of the Airworthy Product paragraph, we have changed that paragraph and retitled it ''Contacting the Manufacturer.'' This paragraph now clarifies that for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the FAA, the European Aviation Safety Agency (EASA), or Airbus's EASA DOA.

The Contacting the Manufacturer paragraph also clarifies that, if approved by the DOA, the approval must include the DOA-authorized signature. The DOA signature indicates that the data and information contained in the document are EASA-approved, which is also FAA-approved. Messages and other information provided by the manufacturer that do not contain the DOA-authorized signature approval are not EASA-approved, unless EASA directly approves the manufacturer's message or other information.

This clarification does not remove flexibility previously afforded by the Airworthy Product paragraph. Consistent with long-standing FAA policy, such flexibility was never intended for required actions. This is also consistent with the recommendation of the Airworthiness Directive Implementation Aviation Rulemaking Committee to increase flexibility in complying with ADs by identifying those actions in manufacturers' service instructions that are ''Required for Compliance'' with ADs. We continue to work with manufacturers to implement this recommendation. But once we determine that an action is required, any deviation from the requirement must be approved as an alternative method of compliance.

Other commenters to the NPRM discussed previously, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), pointed out that in many cases the foreign manufacturer's service bulletin and the foreign authority's MCAI might have been issued some time before the FAA AD. Therefore, the DOA might have provided U.S. operators with an approved repair, developed with full awareness of the unsafe condition, before the FAA AD is issued. Under these circumstances, to comply with the FAA AD, the operator would be required to go back to the manufacturer's DOA and obtain a new approval document, adding time and expense to the compliance process with no safety benefit.

Based on these comments, we removed the requirement that the DAH-provided repair specifically refer to this AD. Before adopting such a requirement, the FAA will coordinate with affected DAHs and verify they are prepared to implement means to ensure that their repair approvals consider the unsafe condition addressed in this AD. Any such requirements will be adopted through the normal AD rulemaking process, including notice-and-comment procedures, when appropriate. We also have decided not to include a generic reference to either the ''delegated agent'' or ''DAH with State of Design Authority design organization approval,'' but instead we have provided the specific delegation approval granted by the State of Design Authority for the DAH in the Contacting the Manufacturer paragraph of this AD.

Conclusion

We reviewed the relevant data, considered the comment received, and determined that air safety and the public interest require adopting this AD

with the changes described previously and minor editorial changes. We have determined that these minor changes:

• Are consistent with the intent that was proposed in the NPRM (78 FR 76572, December 18, 2013) for correcting the unsafe condition; and

• Do not add any additional burden upon the public than was already proposed in the NPRM (78 FR 76572, December 18, 2013).

Costs of Compliance

We estimate that this AD affects 851 airplanes of U.S. registry.

We also estimate that it will take about 3 work-hours per inspection cycle (for two engines) per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this AD on U.S. operators to be $217,005 per inspection cycle (for two engines), or $255 per inspection cycle per product (for two engines).

In addition, we estimate that any necessary follow-on actions will take about 1 work-hour and require parts costing $10,000, for a cost of $10,085 per engine. We have no way of determining the number of aircraft that might need these actions.

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.

We are 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

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

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

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

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

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov/#!docketDetail;D=FAA-2013-1028;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2014–14–06 Airbus: Amendment 39–17901. Docket No. FAA–2013–1028; Directorate Identifier 2013–NM–068–AD.

(a) Effective Date

This AD becomes effective August 27, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the Airbus airplanes identified in paragraphs (c)(1) through (c)(4) of this AD, certificated in any category, all manufacturer serial numbers.

(1) Airbus Model A318–111 and –112 airplanes.

(2) Airbus Model A319–111, –112, –113, –114, and –115 airplanes.

(3) Airbus Model A320–111, –211, –212, and –214 airplanes.

(4) Airbus Model A321–111, –112, –211, –212, and –213 airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 71, Powerplant.

(e) Reason

This AD was prompted by reports of broken aft engine mount retainers. We are issuing this AD to prevent failure of retainer brackets of the aft engine mount and consequent loss of the locking feature of the nuts of the inner and outer pins. Loss of the pins will result in the aft mount engine link no longer being secured to the aft engine mount.

(f) Compliance

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

(g) Inspection

Within 3 months after the effective date of this AD: Do a detailed inspection of the aft engine mount retainers for surface finish (dull or bright), and for cracks and failure, in accordance with Section 4.2.2, ''Inspection Requirements,'' of Airbus Alert Operators Transmission (AOT) A71N001–12, Rev. 2, dated February 27, 2013, except as specified in paragraph (h) of this AD.

(h) Exception to Paragraph (g) of This AD

The actions required by paragraph (g) of this AD are not required to be done on airplanes with manufacturer serial numbers 4942 and higher, provided a review of maintenance records verifies that no aft engine mount retainers have been replaced since first flight of the airplane.

(i) Repetitive Inspection and Retainer Replacement for Dull Finish Retainers

If, during the detailed inspection required by paragraph (g) of this AD, any installed dull finish aft engine mount retainer is found without cracks and not failed: Do the actions specified in paragraphs (i)(1) and (i)(2) of this AD.

(1) Within 25 flight cycles after doing the actions required by paragraph (g) of this AD: Repeat the detailed inspection specified in paragraph (g) of this AD.

(2) Within 50 flight cycles after doing the first detailed inspection specified in paragraph (g) of this AD: Replace all dull finish retainers with new retainers, in accordance with Section 4.2.3.1, ''Replacement Procedure,'' of Airbus AOT A71N001–12, Rev. 2, dated February 27, 2013.

(j) Replacement of Cracked or Failed Retainers

If, during any detailed inspection specified in paragraph (g) of this AD, any installed aft engine mount retainer is found cracked or failed: Before further flight, replace all affected aft engine mount retainers with new retainers, in accordance with Section 4.2.3, ''Replacement Procedure,'' of Airbus AOT

A71N001–12, Rev. 2, dated February 27, 2013.

(k) Parts Prohibition

As of the effective date of this AD, no person may install any aft engine mount retainer with a dull finish on any airplane. The instructions of Airbus AOT A71N001–12, Rev. 2, dated February 27, 2013; or the Accomplishment Instructions of Goodrich Service Bulletin RA32071–146, Rev. 2, dated July 26, 2012; may be used to verify the correct finish of the part.

(l) Credit for Previous Actions

This paragraph provides credit for actions required by paragraphs (g), (i), and (j) of this AD, if those actions were performed before the effective date of this AD using Airbus AOT A71N001–12, Rev. 1, dated August 9, 2012, which is not incorporated by reference in this AD.

(m) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, 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 International Branch, send it to ATTN: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1405; fax 425–227–1149. Information may be emailed to: 9-*ANM-116-AMOC-REQUESTS@faa.gov.* 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(n) Special Flight Permits

Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the airplane can be modified (if the operator elects to do so), provided no dull finish aft engine mount retainers that are cracked or have failed are installed.

(o) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) European Aviation Safety Agency Airworthiness Directive 2013–0050, dated March 5, 2013, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov/#!document Detail;D=FAA-2013-1028-0002.*

(2) Service information identified in this AD that is not incorporated by reference may be viewed at the addresses specified in paragraphs (p)(3), (p)(4), and (p)(5) of this AD.

(p) Material Incorporated by Reference

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

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

(i) Airbus Alert Operators Transmission A71N001–12, Rev. 2, dated February 27, 2013. The first page of this document contains the document number, revision, and date; no other page of this document contains this information.

(ii) Goodrich Service Bulletin RA32071–146, Rev. 2, dated July 26, 2012.

(3) For Airbus service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com*; Internet *http://www.airbus.com.*

(4) For Goodrich Corporation service information identified in this AD, contact Goodrich Corporation, Aerostructures, 850 Lagoon Drive, Chula Vista, CA 91910–2098; phone: 619–691–2719; email: *jan.lewis@goodrich.com*; Internet: *http://www.goodrich.com/TechPubs.*

(5) You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(6) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Renton, Washington, on July 3, 2014.

Dionne Palermo,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–16536 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0292; Directorate Identifier 2014–CE–011–AD; Amendment 39–17904; AD 2014–15–02]

RIN 2120–AA64

Airworthiness Directives; GROB–WERKE GMBH & CO KG Gliders

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

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for GROB–WERKE GMBH & CO KG Models G102 STANDARD ASTIR III, G102 CLUB ASTIR III, and G102 CLUB ASTIR IIIb gliders and BURKHART GROB LUFT—UND RAUMFAHRT GmbH & CO KG Models G103 TWIN II, G103A TWIN II ACRO, G103C TWIN III ACRO, and G 103 C Twin III SL gliders. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as plastic control cable pulleys developing cracks due to aging. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of August 27, 2014.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0292; or in person at Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

For service information identified in this AD, contact Fiberglas-Technik Rudolf Lindner GmbH & Co. KG, Steige 3, D–88487 Walpertshofen, Germany; telephone: +49 (0) 7353/22 43; fax: +49 (0) 7353/30 96; email: *info@LTB-Lindner.com*; Web site: *http://www.ltb-lindner.com/home.104.html.* You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

FOR FURTHER INFORMATION CONTACT: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov*.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to GROB–WERKE GMBH & CO KG Models G102 STANDARD ASTIR III, G102 CLUB ASTIR III, and G102 CLUB ASTIR IIIb gliders and BURKHART GROB LUFT—UND RAUMFAHRT GmbH & CO KG Models G103 TWIN II, G103A TWIN II ACRO, G103C TWIN III ACRO, and G 103 C Twin III SL gliders. The NPRM was published in the **Federal Register** on May 6, 2014 (79 FR 25753). The NPRM proposed to correct an unsafe condition for the specified products and was based on MCAI originated by an aviation authority of another country. The MCAI states:

> Control cable pulleys made from plastic (white or brown material) in the rudder control unit were reported to develop cracks due to aging. In one case, jamming of the rudder control unit was reported.
>
> This condition, if not detected and corrected, could cause cable pulleys to break, potentially jamming the rudder control unit and resulting in loss of control of the sailplane.
>
> To address this potential unsafe condition, Fiberglas-Technik issued Technische Mitteilung/Service Bulletin TM–G05/SB–G05 and Anweisung/Instructions A/I–G05 (one document) to provide instructions for the replacement of plastic cable pulleys with pulleys made from aluminium.
>
> For the reason described above, this AD requires identification and replacement of plastic cable pulleys in the rudder control unit.
>
> Plastic cable pulleys may also be installed in the cable circuits of pedal adjustment and/or tow hook actuation, their replacement is not required by this AD.

The MCAI can be found in the AD docket on the Internet at: *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0292-0002*.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (79 FR 25753, May 6, 2014) or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 25753, May 6, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 25753, May 6, 2014).

Costs of Compliance

We estimate that this AD will affect 118 products of U.S. registry. We also estimate that it would take about .5 work-hour per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of the AD on U.S. operators to be $5,015, or $42.50 per product.

In addition, we estimate that any necessary follow-on actions would take about 2 work-hours and require parts costing $244, for a cost of $414 per product. We have no way of determining the number of products that may need these actions.

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.

We are 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

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

For the reasons discussed above, I certify this AD:

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

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

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

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

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0292; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2014–15–02 GROB-WERKE GMBH & CO KG and BURKHART GROB LUFT-UND RAUMFAHRT GmbH & CO KG: Amendment 39–17904; Docket No. FAA–2014–0292; Directorate Identifier 2014–CE–011–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective August 27, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to GROB-WERKE GMBH & CO KG Models G102 STANDARD ASTIR III, G102 CLUB ASTIR III, and G102 CLUB ASTIR IIIb gliders and BURKHART GROB LUFT-UND RAUMFAHRT GmbH & CO KG Models G103 TWIN II, G103A TWIN II

ACRO, G103C TWIN III ACRO and Model G 103 C Twin III SL gliders with the following serial numbers (S/N), certificated in any category.

(1) G102 STANDARD ASTIR III, S/N 5501 through 5652.

(2) G102 CLUB ASTIR III, S/N 5501 through 5652.

(3) G102 CLUB ASTIR IIIb, S/N 5501 through 5652.

(4) G103 TWIN II, S/N 3730 through 34078.

(5) G103A TWIN II ACRO, S/N 3730 through 34078.

(6) G103C TWIN III ACRO, S/N 34101 through 34203.

(7) G 103 C Twin III SL, S/N 35002 through 35051.

(d) Subject

Air Transport Association of America (ATA) Code 27: Flight Controls.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as plastic control cable pulleys developing cracks due to aging. We are issuing this AD to detect and correct plastic control cable pulleys in the rudder control unit, which could lead to breaking of the pulley and potentially jamming the rudder control unit, possibly resulting in loss of control of the glider.

(f) Actions and Compliance

Comply with this AD within the compliance times specified in paragraphs (f)(1) through (f)(3) of this AD, unless already done.

(1) *For all Models G103C TWIN III ACRO and G 103 C Twin III SL gliders:* Within 3 months after August 27, 2014 (the effective date of this AD), inspect the rudder control unit for installation of plastic cable pulleys. If plastic cable pulleys are installed, before further flight, replace the plastic cable pulleys with aluminum cable pulleys following the actions and instructions of Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Service Bulletin SB–G05 and Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Instructions A/I–G05, both dated January 17, 2014.

(2) *For all Models G102 STANDARD ASTIR III, G102 CLUB ASTIR III, G102 CLUB ASTIR IIIb, G103 TWIN II, and G103A TWIN II ACRO gliders:* Within 1 month after August 27, 2014 (the effective date of this AD), inspect the rudder control unit for installation of plastic cable pulleys. If plastic cable pulleys are installed, before further flight, replace the plastic cable pulleys with aluminum cable pulleys following the actions and instructions of Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Service Bulletin SB–G05 and Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Instructions A/I–G05, both dated January 17, 2014.

(3) As of August 27, 2014 (the effective date of this AD), do not install any plastic control cable pulley in the rudder control unit of any glider identified in paragraphs (c)(1) through (c)(7) of this AD.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov*. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(h) Related Information

Refer to European Aviation Safety Agency (EASA) AD No.: 2014–0067, dated March 18, 2014, for related information. The MCAI can be found in the AD docket on the Internet at: *http://www.regulations.gov/#!document Detail;D=FAA-2014-0292-0002*.

(i) Material Incorporated by Reference

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

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

(i) Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Service Bulletin SB–G05, dated January 17, 2014.

(ii) Fiberglas-Technik Rudolf Lindner GmbH & Co. Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Instructions A/I–G05, dated January 17, 2014.

(3) For Fiberglas-Technik Rudolf Lindner GmbH & Co. service information identified in this AD, contact Fiberglas-Technik Rudolf Lindner GmbH & Co. KG, Steige 3, D–88487 Walpertshofen, Germany; telephone: +49 (0) 7353/22 43; fax: +49 (0) 7353/30 96; email: *info@LTB-Lindner.com*; Web site: *http://www.ltb-lindner.com/home.104.html*.

(4) You may view this service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html*.

Issued in Kansas City, Missouri, on July 14, 2014.

Kelly A. Broadway,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–17052 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0308; Directorate Identifier 2014–CE–012–AD; Amendment 39–17903; AD 2014–15–01]

RIN 2120–AA64

Airworthiness Directives; M7 Aerospace LLC Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for M7 Aerospace LLC Models SA227–AT, SA227–AC, SA227–BC, SA227–CC, and SA227–DC airplanes equipped with a bayonet shear pin main cabin door latching mechanism. This AD was prompted by fatigue cracks found in the internal door surround doubler, the fuselage external skin, and the door corner fittings at the fuselage upper forward corner of the main cabin door cutout. This AD requires repetitively inspecting the four corners of the main cabin door cutout for cracks, making necessary repairs, and reporting inspection results to M7 Aerospace LLC. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD is effective August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of August 27, 2014.

ADDRESSES: For service information identified in this AD, contact M7 Aerospace LLC, 10823 NE Entrance Road, San Antonio, Texas 78216; phone: (210) 824–9421; fax: (210) 804–7766; Internet: *http://www.elbitsystems-us.com*; email: *MetroTech@M7Aerospace.com*. You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://*

www.regulations.gov by searching for and locating Docket No. FAA–2014–0308; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Andrew McAnaul, Aerospace Engineer, FAA, ASW–150 (c/o San Antonio MIDO), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; phone: (210) 308–3365; fax: (210) 308–3370; email: *andrew.mcanaul@faa.gov*.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to M7 Aerospace LLC Models SA227–AT, SA227–AC, SA227–BC, SA227–CC, and SA227–DC airplanes equipped with a bayonet shear pin main cabin door latching mechanism. The NPRM published in the **Federal Register** on May 14, 2014 (79 FR 27505).

The NPRM was prompted by reports of fatigue cracking of the main cabin door surround structure. Investigation revealed that the fatigue cracks are related to a change in loading due to design changes in the door surround structure and the door latching system. We are issuing this AD to correct the unsafe condition on these products.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM (79 FR 27505, May 14, 2014) or on the determination of the cost to the public.

Conclusion

We reviewed the relevant data and determined that air safety and the public interest require adopting this AD as proposed except for minor editorial. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM (79 FR 27505, May 14, 2014) for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM (79 FR 27505, May 14, 2014).

Costs of Compliance

We estimate that this AD affects 250 airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Threshold high frequency eddy current (HFEC)/low frequency eddy current (LFEC)/detailed visual inspection.	2.5 work-hours × $85 per hour = $212.50.	Not Applicable	$212.50	$53,125

We estimate the following costs to do any necessary repairs that will be required based on the results of the inspection. We have no way of determining the number of aircraft that might need these repairs:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Repair Installation	48 work-hours × $85 per hour = $4,080	$6,670	$10,750

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB control number. The control number for the collection of information required by this AD is 2120–0056. The paperwork cost associated with this AD has been detailed in the Costs of Compliance section of this document and includes time for reviewing instructions, as well as completing and reviewing the collection of information. Therefore, all reporting associated with this AD is mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at 800 Independence Ave. SW., Washington, DC 20591. ATTN: Information Collection Clearance Officer, AES–200.

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.

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

Regulatory Findings

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

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

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

(2) Is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2014–15–01 M7 Aerospace LLC: Amendment 39–17903; Docket No. FAA–2014–0308; Directorate Identifier 2014–CE–012–AD.

(a) Effective Date

This AD is effective August 27, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the M7 Aerospace LLC airplanes listed in paragraphs (c)(1) through (c)(5) of this AD that are equipped with a bayonet shear pin main cabin door latching mechanism and are certificated in any category. Airplanes equipped with a ''click-clack'' main cabin door latching mechanism are not affected by this AD. Figure 3 of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, and M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, both dated November 15, 2013, is a picture showing both styles of latching mechanisms.

(1) Model SA227–AT airplanes, serial numbers (S/Ns) AT570 through AT631, and AT695.

(2) Model SA227–AC airplanes, S/Ns AC570 through AC788.

(3) Model SA227–BC airplanes, S/Ns BC762, BC764, BC766, and BC770 through BC789.

(4) Model SA227–CC airplanes, S/N CC827, CC829, and CC840 through CC844.

(5) Model SA227–DC airplanes, S/Ns DC784, DC790 through DC826, DC828, DC830 through DC839, and DC845 through DC904.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America—Code 5310, Fuselage Main, Structure.

(e) Unsafe Condition

This AD was prompted by fatigue cracks found in the internal door surround doubler, the external skin fuselage skin, and the door corner fittings at the fuselage upper forward corner of the main cabin door cutout. We are issuing the AD to prevent decompression failure with possible loss of structural integrity of the cabin structure.

(f) Compliance

Comply with this AD within the compliance times specified in paragraph (g) through paragraph (k) of this AD, including all subparagraphs, unless already done.

(g) Inspections

(1) Do the initial inspections of the fuselage upper forward corner and other 3 corners of the main cabin door cutout for cracks following Table 1 in Step 2. ACCOMPLISHMENT INSTRUCTIONS of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005 or M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, both dated November 15, 2013, as applicable. Do the inspections at the compliance times specified in paragraphs (g)(1)(i) through (g)(1)(iv) of this AD. For the purposes of this AD, owner/operators who do not track total aircraft flight cycles (TAC), use a .5 to 1 conversion, e.g., 35,000 TAC is equivalent to 17,500 hours time-in-service (TIS). For owner/operators who do not track flight cycles, use a 1 to 1 conversion, e.g., 300 flight cycles are equivalent to 300 hours TIS.

(i) *For aircraft with more than 35,000 TAC,* inspect within the next 300 flight cycles after August 27, 2014 (the effective date of this AD).

(ii) *For aircraft with 20,001—35,000 TAC,* inspect within the next 600 flight cycles after August 27, 2014 (the effective date of this AD).

(iii) *For aircraft with 12,000—20,000 TAC,* inspect within the next 1,000 flight cycles after August 27, 2014 (the effective date of this AD).

(iv) *For aircraft with less than 12,000 TAC,* inspect at 12,000 flight cycles or within the next 1,000 flight cycles after August 27, 2014 (the effective date of this AD), whichever occurs later.

(2) If no cracks are found during the inspections required by paragraph (g)(1) of this AD, repetitively thereafter at intervals not to exceed 2,000 flight cycles do the inspections of the fuselage upper forward corner and other 3 corners of the main cabin door cutout for cracks following Table 1 in Step 2. ACCOMPLISHMENT INSTRUCTIONS of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005 or M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, both dated November 15, 2013, as applicable.

(h) Repair Cracks and Repetitively Inspect

(1) If any cracks are found during any inspection required in paragraph (g) through paragraph (i) of this AD, before further flight after the inspection in which a crack is found, repair or replace the cracked structure following Step 3. REPAIR OF CRACKED INNER DOUBLE, Step 4. REPAIR OF CRACKED FUSELAGE SKIN, and/or Step 5. REPAIR OF CRACKED CORNER FITTING of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, or M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, both dated November 15, 2013, as applicable.

(2) If you made the repairs required in paragraph (h)(1) of this AD by installing repair kit drawing 27K24191–001, do the threshold and repeat inspections following Table 2 in Step 2. ACCOMPLISHMENT INSTRUCTIONS of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, dated November 15, 2013; or M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, dated November 15, 2013, as applicable.

(3) If you made the repairs required in paragraph (h)(1) of this AD by replacing the fuselage skin by installing repair kit drawing 27K24191–003, or if the corner fitting was replaced and no other cracks are present, repetitively thereafter inspect following Table 1 in Step 2. ACCOMPLISHMENT INSTRUCTIONS of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, or M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, both dated November 15, 2013, as applicable.

(i) Extend Repetitive Inspection Intervals

After any inspection required in paragraph (g)(1) and (g)(2) of this AD and if no damage, defects, or cracks are found, you may install repair kit drawing 27K24191–001 following Step 6. ADDITION OF KIT DRAWING REPAIR MEMBERS AS PREVENTATIVE ACTION of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, or M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, both dated November 15, 2013, as applicable, to extend the inspection intervals. After installing repair kit drawing 27K24191–001, do the threshold and repeat inspections following Table 3 of Step 2. ACCOMPLISHMENT INSTRUCTIONS of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, or M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, both dated November 15, 2013, as applicable.

(j) Reporting Requirement

Within 30 days after any inspection required by paragraph (g) through paragraph (i) of this AD where a crack or any other damage is found, report the results of that inspection to M7 Aerospace LLC following the instructions specified in Step 2.I. of the ACCOMPLISHMENT INSTRUCTIONS of M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, dated November 15, 2013; or Step 2.J. of the ACCOMPLISHMENT INSTRUCTIONS of M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, dated November 15, 2013, as applicable.

(k) Credit for Previous Repairs

As of August 27, 2014 (the effective date of this AD), owner/operators who had the an

inspection and any resulting repairs done before the effective date of this AD using procedures different from those specified in M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, dated November 15, 2013; and M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, dated November 15, 2013, may apply for an alternative method of compliance (AMOC) following the instructions in paragraph (m) of this AD.

(l) Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW., Washington, DC 20591, Attn: Information Collection Clearance Officer, AES–200.

(m) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Fort Worth Airplane Certification Office, 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 ACO, send it to the attention of the person identified in the Related Information section of this AD.

(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.

(n) Related Information

For more information about this AD, contact Andrew McAnaul, Aerospace Engineer, FAA, ASW–150 (c/o San Antonio MIDO), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; phone: (210) 308–3365; fax: (210) 308–3370; email: *andrew.mcanaul@faa.gov.*

(o) Material Incorporated by Reference

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

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

(i) M7 Aerospace LLC SA227 Series Commuter Category Service Bulletin CC7–53–005, dated November 15, 2013.

(ii) M7 Aerospace LLC SA227 Series Service Bulletin 227–53–009, dated November 15, 2013.

(3) For M7 Aerospace LLC service information identified in this AD, contact M7 Aerospace LLC, 10823 NE Entrance Road, San Antonio, Texas 78216; phone: (210) 824–9421; fax: (210) 804–7766; Internet: *http://www.m7aerospace.com*; email: *MetroTech@M7Aerospace.com.*

(4) You may view this service information at FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call 816–329–4148.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Kansas City, Missouri, on July 14, 2014.

Kelly A. Broadway,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–17053 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0159; Directorate Identifier 2014–NE–01–AD; Amendment 39–17905; AD 2014–15–03]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney Canada Corporation Turboprop Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain serial number Pratt & Whitney Canada Corporation (P&WC) model PW150A turboprop engines. This AD requires rerouting of the igniter cables and installation of new support brackets. This AD was prompted by reports of damage to a high-pressure fuel line, which could result in a high-pressure fuel leak into the engine nacelle. We are issuing this AD to prevent high-pressure fuel leaks, which could cause engine fire and damage to the engine and the airplane.

DATES: This AD becomes effective August 27, 2014.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 27, 2014.

ADDRESSES: For service information identified in this AD, contact Pratt & Whitney Canada Corp., 1000 Marie-Victorin, Longueuil, Quebec, Canada, J4G 1A1; phone: (800) 268–8000; fax: (450) 647–2888; Internet: *www.pwc.ca.* You may view this service information at the FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call (781) 238–7125.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0159; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: (800) 647–5527) is Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Wego Wang, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: (781) 238–7134; fax: (781) 238–7199; email: *wego.wang@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to the specified products. The NPRM was published in the **Federal Register** on April 10, 2014 (79 FR 19844). The NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

> There have been reports of damage in excess of acceptable criteria to the high-pressure fuel line from the P&WC PW150A engine flowmeter to the flow divider. Damage has included fretting wear through contact with the engine igniter cables. The contact is the result of incorrectly routed igniter cables. While there has been no report of associated fuel leakage, the fretting wear, if undetected, could progress to a point where high-pressure fuel would leak into the engine nacelle.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comment received.

Request To Clarify Definition of Shop Visit

One commenter requested that we clarify the definition of shop visit because the igniter cables are on the exterior of the engine and no disassembly is required to gain access to the igniter cables.

We agree. We changed the definition of shop visit in paragraph (f) of this AD to be when an engine is inducted into the shop to perform maintenance.

Conclusion

We reviewed the available data, including the comment received, and determined that air safety and the public interest require adopting this AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of this AD.

Costs of Compliance

We estimate that this AD affects 180 engines installed on airplanes of U.S. registry. We also estimate that it would take about 1 hour per engine to comply with this AD. The average labor rate is $85 per hour. Required parts cost about $682 per engine. Based on these figures, we estimate the cost of this AD on U.S. operators to be $138,060.

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.

We are 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

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

For the reasons discussed above, I certify this AD:

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

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2014–15–03 Pratt & Whitney Canada Corporation: Amendment 39–17905; Docket No. FAA–2014–0159; Directorate Identifier 2014–NE–01–AD.

(a) Effective Date

This AD becomes effective August 27, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Pratt & Whitney Canada Corporation (P&WC) model PW150A turboprop engines, serial number PCE–FA0916 and earlier.

(d) Reason

This AD was prompted by reports of damage to a high-pressure fuel line, which could result in a high-pressure fuel leak into the engine nacelle. We are issuing this AD to prevent high-pressure fuel leaks, which could cause engine fire and damage to the engine and the airplane.

(e) Actions and Compliance

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

(1) At the next shop visit, but before 36 months from the effective date of this AD, reroute the igniter cables and install new support brackets in accordance with paragraph 3.B., Accomplishment Instructions, of P&WC Service Bulletin (SB) No. PW150–72–35274, Revision 1, dated May 3, 2012.

(2) Reserved.

(f) Definition

For the purpose of this AD, a shop visit is when the engine is inducted into the shop to perform maintenance.

(g) Credit for Previous Action

If you performed the actions in paragraph (e) of this AD before the effective date of this AD using P&WC SB No. PW150–72–35274, Initial Issue, dated March 23, 2012, you met the requirements of this AD.

(h) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs to this AD. Use the procedures found in 14 CFR 39.19 to make your request.

(i) Related Information

(1) For more information about this AD, contact Wego Wang, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; phone: (781) 238–7134; fax: (781) 238–7199; email: *wego.wang@faa.gov.*

(2) Refer to MCAI Transport Canada AD CF–2014–09, dated February 12, 2014, for more information. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2014-0159-0003.*

(j) Material Incorporated by Reference

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

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

(i) Pratt & Whitney Canada Corporation (P&WC) Service Bulletin No. PW150–72–35274, Revision 1, dated May 3, 2012.

(ii) Reserved.

(3) For P&WC service information identified in this AD, contact Pratt & Whitney Canada Corp., 1000 Marie-Victorin, Longueuil, Quebec, Canada, J4G 1A1; phone: (800) 268–8000; fax: (450) 647–2888; Internet: *www.pwc.ca.*

(4) You may view this service information at FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA. For information on the availability of this material at the FAA, call (781) 238–7125.

(5) You may view this service information at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Burlington, Massachusetts, on July 14, 2014.

Thomas A. Boudreau,

Acting Assistant Directorate Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2014–17204 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 2 and 35

[Docket No. PL14–1–000]

Payment of Dividends From Funds Included in Capital Account

AGENCY: Federal Energy Regulatory Commission.

ACTION: Policy statement.

SUMMARY: The Commission issues this policy statement to provide guidance that the Federal Power Act (FPA) should be interpreted as not prohibiting the payment of dividends from funds included in capital account by any public utility that has a market-based rate tariff on file with the Commission, does not have captive customers, and does not provide transmission or local distribution services. The Commission has concluded that the payment of dividends from funds included in capital account by such public utilities does not implicate the concerns underlying the enactment of the provision of the FPA that prohibits the payment of dividends from funds included in capital account. Thus, it is unnecessary for any public utility that meets the criteria identified in this policy statement to file a petition for declaratory order in order to seek assurances that dividends paid from capital account are not unlawful under this provision of the FPA.

DATES: This policy will become effective July 23, 2014.

FOR FURTHER INFORMATION CONTACT:

Eric Olesh (Technical Information), Office of Energy Market Regulation, 888 First Street NE., Washington, DC 20426, (202) 502–6524, *eric.olesh@ferc.gov*.

Antonia Frost (Legal Information), Office of General Counsel, 888 First Street NE., Washington, DC 20426, (202) 502–8085, *antonia.frost@ferc.gov*.

SUPPLEMENTARY INFORMATION:

148 FERC ¶ 61,020

Before Commissioners: Cheryl A. LaFleur, Acting Chairman; Philip D. Moeller, John R. Norris, and Tony Clark.

Policy Statement

Issued July 17, 2014.

1. The Commission issues this policy statement to provide guidance that section 305(a) of the Federal Power Act (FPA) [1] should be interpreted as not prohibiting the payment of dividends from funds included in capital account by any public utility that has a market-based rate tariff on file with the Commission, does not have captive customers, and does not provide transmission or local distribution services because the Commission has concluded that the payment of dividends from capital account by such public utilities does not appear to implicate the concerns underlying the enactment of FPA section 305(a). In issuing this policy statement, the Commission eliminates a regulatory burden otherwise applicable under FPA section 305(a) to certain public utilities that pay dividends from funds included in capital account. Thus, it is unnecessary for any public utility that meets the criteria identified in this policy statement to file a petition for declaratory order in order to seek assurances that dividends paid from capital account are not unlawful under FPA section 305(a).

I. Background

A. FPA Section 305(a) and Its Underlying Concerns

2. FPA section 305(a) provides that it shall be unlawful for any officer or director of any public utility to participate in the making or paying of any dividends of such public utility from any funds properly included in capital account.[2]

3. In *Citizens Utils. Co.,* the Commission noted that this provision of FPA section 305(a) had not previously been interpreted by the Commission or the courts, and that there was no explicit statement in the legislative history discussing the intent behind this provision.[3] The Commission went on to explain, however, that Congress' intent could be gleaned from the practices that led to the passage of the legislation,[4] providing as an example:

> that sources from which cash dividends were paid were not clearly identified and that holding companies had been paying out excessive dividends on the securities of their operating companies. A key concern, thus, was corporate officials raiding corporate coffers for their personal financial benefit.[5]

In later cases, in order to ensure that the dividend pay-outs in question would not impair the liquidity and financial integrity of a public utility, the Commission has also often conditioned its grant of declaratory relief on the utility's commitment to observe specified limitations on the amount of such dividends or on other financial commitments.[6]

B. Petitions for Declaratory Order Requesting Relief

4. In cases in which a dividend (cash or otherwise) will be accounted for as a charge to stated, additional, or miscellaneous paid-in capital of a public utility,[7] public utilities often filed petitions for declaratory orders in which the petitioner requests the Commission's concurrence that, based upon the facts and circumstances presented, the making or paying of a proposed dividend will not implicate the concerns underlying the enactment of FPA section 305(a) and, therefore, will not violate FPA section 305(a). The majority of these petitions arose from three situations: (1) Cases involving utility mergers or acquisitions in which, due to the application of purchase accounting to the transaction, the retained earnings, which is the traditional source of dividends, of the acquired public utility is reclassified for balance sheet purposes as additional paid-in capital, without having any effect on cash otherwise available for paying future dividends; [8] (2) cases involving the distribution (or ''spin-off'') of the stock of a subsidiary or subsidiaries of a public utility, as the result of which, again for balance sheet purposes, the retained earnings of the public utility may be substantially reduced or eliminated, without having

[1] 16 U.S.C. 825d(a).

[2] *Id.*

[3] *Citizens Utils. Co.,* 84 FERC ¶ 61,158, at 61,864 (1998) (*Citizens*).

[4] *Id.* at 61,864–65.

[5] *Id.* at 61,865 (footnotes omitted); *see also Entergy Louisiana Inc.,* 114 FERC ¶ 61,060, at P 12 (2006); *Exelon Corp.,* 109 FERC ¶ 61,172, at P 8 (2004); *ALLETE, Inc.,* 107 FERC ¶ 61,041, at P 10 (2004); *Niagara Mohawk Holdings, Inc.,* 95 FERC ¶ 61,381, at 62,416, *order denying reh'g,* 96 FERC ¶ 61,144 (2001).

[6] *Niagara Mohawk Holdings, Inc.,* 99 FERC ¶ 61,323, at P 10 (2002) (order on compliance filing accepting petitioner's commitment not to pay dividends out of paid-in capital unless it had an investment grade credit rating for its long-term debt); *Exelon Corp.,* 109 FERC ¶ 61,172 at P 9 (requiring petitioner to maintain a minimum common equity balance of 30 percent of total capital).

[7] *See, e.g.,* 18 CFR pt. 101, Account 201, Common stock issued, and Account 211, Miscellaneous paid-in capital.

[8] *See, e.g., National Grid plc,* 117 FERC ¶ 61,080, at P 83 (2006), *order denying reh'g,* 122 FERC ¶ 61,096 (2008); *Ameren Corp.,* 131 FERC ¶ 61,240 (2010); *Duke Energy Ohio, Inc.,* 137 FERC ¶ 61,137 (2011).

any effect on cash otherwise available for paying future dividends;[9] and (3) cases involving recapitalizations of public utilities to reduce excessive equity balances with debt, including situations in which single-asset generating companies with declining capital needs have experienced a build-up in their equity balances as their assets have been depreciated.[10]

5. In response to petitions for declaratory orders concerning these three situations, and sometimes in other situations, the Commission has found that FPA section 305(a) would not be violated by the payment of dividends, and it has allowed the public utility to make or pay dividends from funds included in capital account.

6. The Commission has used a three-factor analysis, derived from *Citizens,* to determine when a proposed transaction does not implicate the concerns underlying FPA section 305(a), specifically that: (1) The utility clearly identifies the sources from which the dividends will be paid; (2) the dividends will not be excessive; and (3) the proposed transaction will not have an adverse effect on the value of shareholders' interests.[11] In certain orders granting relief from FPA section 305(a), issued subsequent to *Citizens,* the Commission's determination also was based on commitments by petitioners either to a specific dollar cap on dividends or a limitation on the payment of dividends equal to the pre-merger retained earnings balance of the acquired utility, and/or a commitment by the public utility to limit the amount of dividends from paid-in capital so that common equity, as a percentage of total capitalization, is maintained at a minimum level (frequently, a minimum of 30 percent common equity as a percentage of total capitalization).[12]

7. Historically, these petitions for declaratory orders concerning FPA section 305(a) have largely involved requests by public utilities that have captive customers.[13] The Commission has found that a proposed transaction would not violate FPA section 305(a) where the Commission has been assured that no exploitation or threat to the financial integrity of the utilities would result from the payment of dividends from capital account, and therefore would not impair the utility's ability to continue its obligation to serve captive customers.[14]

C. May 16, 2013 Petition for Declaratory Order

8. On May 16, 2013 (May 16 Petition),[15] Exelon Generation Company, LLC (Exelon Generation) and five of its direct and indirect subsidiaries (the Acquired Subsidiaries)[16] (collectively Applicants) requesting that the Commission confirm that FPA section 305(a) was not a bar to the payment of dividends from capital account under the limitations and circumstances described in the petition.[17] The relative novelty in this May 16 Petition, as compared with other FPA section 305(a) petitions, was that it did not involve utilities that have captive customers.[18] Rather, Applicants stated that Exelon Generation and the Acquired Subsidiaries did not have captive customers; did not provide transmission or local distribution service or serve as a designated providers of last resort (POLR) for any class of customers; and had electric market-based rate authorizations from the Commission, with the standard waivers and exemptions, including waivers of FPA section 204(a) (with respect to securities issuances)[19] and waiver of the requirement to maintain their books and records in accordance with the Uniform System of Accounts (USofA).[20]

9. In the May 16 Petition, Applicants presented the Commission with two alternative requests:

(1) The Commission could declare that FPA section 305(a) is not a bar to the proposed payment of dividends by the Applicants, and this determination could be based on the traditional *Citizens* three-part analysis, namely, that: (i) the source of the dividends will be clearly identified; (ii) the dividends will not be excessive; and (iii) the issuance of such dividends will not have an adverse effect on the value of shareholders' interests;[21] or, alternatively,

(2) the Commission could declare that FPA section 305(a) is not a bar to the payment of dividends by the Applicants and all current and future public utility subsidiaries of Exelon that have market-based rate authority, do not have captive customers, do not provide transmission or local distribution service, and will not be the POLR for any class of

[9] *See, e.g., Citizens,* 84 FERC ¶ 61,158 (1998); *Delmarva Power & Light Co.,* 91 FERC ¶ 61,043 (2000); *ALLETE, Inc.,* 107 FERC ¶ 61,041 (2004). In *ALLETE, Inc.,* the Commission observed that the spin-off transaction was less like a payment of cash dividends than it was a corporate restructuring involving a one-time distribution of property, although the accounting issues presented were similar.

[10] *See, e.g., PPL Electric Utilities Corp.,* 99 FERC ¶ 61,317 (2002); *Allegheny Generating Co.,* 130 FERC ¶ 61,269 (2010); *System Energy Resources, Inc.,* 140 FERC ¶ 61,184 (2012).

[11] *Citizens,* 84 FERC at 61,865.

[12] *See, e.g., Duke Energy Ohio, Inc.,* 137 FERC ¶ 61,137, at P 7 (2011); *National Grid plc,* 117 FERC ¶ 61,080, at P 83 (2006). The Commission also has accepted alternative protections. *See, e.g., Niagara Mohawk Holdings, Inc.,* 99 FERC ¶ 61,323, at PP 12–13 (2002).

[13] The Commission's regulations define ''captive customers'' to mean ''any wholesale or retail electric energy customers served by a franchised public utility under cost-based regulation.'' 18 CFR 35.36(a)(6) (2013). Our use of the term ''captive customers'' in this policy statement is based on this definition.

[14] *See, e.g., National Grid plc,* 117 FERC ¶ 61,080 (2006), *order denying reh'g,* 122 FERC ¶ 61,096 (2008).

[15] While the May 16 Petition arose from a merger transaction and related accounting issues (*see infra* note 17), our policy statement in this proceeding is not limited in its applicability to transactions involving mergers and their related accounting issues.

[16] The five direct and indirect subsidiaries of Exelon Generation included CER Generation II, LLC, Constellation Mystic Power, LLC, Constellation NewEnergy, Inc., Constellation Power Source Generation, Inc. and Criterion Power Partners, LLC.

[17] The May 16 Petition arose from a merger transaction, and involved factual circumstances familiar to the Commission in the context of FPA section 305(a). Specifically, Applicants explained that the merger between Exelon Corporation (Exelon) and Constellation Energy Group, Inc. (Constellation) was recorded by Exelon under the purchase method of accounting and that Exelon applied ''push-down'' accounting to the Legacy Constellation Subsidiaries (i.e., all of the subsidiaries of Constellation that became direct and indirect subsidiaries of Exelon Generation), including the Acquired Subsidiaries, a subset of the Legacy Constellation Subsidiaries, which are public utilities under the FPA. ''Push-down'' accounting is a method of accounting in which the financial statements of a subsidiary are presented to reflect the costs incurred by the parent company to buy the subsidiary, instead of the subsidiary's historical costs. Accordingly, the purchase costs of the parent company are shown in the subsidiary's statements.

As a result of the ''push-down'' accounting adjustments to the Legacy Constellation Subsidiaries at the time of the merger closing, the pre-merger retained earnings balances of the Legacy Constellation Subsidiaries were ''reset to zero'' and reestablished on their books as miscellaneous paid-in capital. In effect, the traditional source of dividends—retained earnings—was eliminated, without, however, having any impact on cash actually available for paying dividends.

The purpose of the May 16 Petition was to obtain a Commission determination that FPA section 305(a) did not prohibit: (1) The Acquired Subsidiaries from paying dividends to their parent company, Exelon Generation, from their respective capital account in equal measure to the funds that were recorded as retained earnings at the close of the merger; and (2) Exelon Generation from, in turn, paying dividends to its parent company, Exelon Ventures LLC, from its capital account to the extent that Exelon Generation has received dividends from any of the Legacy Constellation Subsidiaries paid out of funds recorded as miscellaneous paid-in capital.

[18] However, the Commission notes that, in Docket No. EL06–15–000, Exelon Generation and an affiliate previously had filed a petition for declaratory order requesting a determination that FPA section 305(a) was not a bar to the payment of dividends from capital account under the limitations and circumstances described in that petition. *Exelon Generation Company, LLC,* 114 FERC ¶ 61,317 (2006).

[19] 16 U.S.C. 824c(a).

[20] 18 CFR pt. 101.

[21] *See supra* P 6.

customers, rather than apply the traditional *Citizens* three-factor analysis.

In support of its latter alternative, Applicants argued that the concerns relating to traditional public utilities, which FPA section 305(a) was meant to address, were not present for these kinds of non-traditional public utilities. In particular, Applicants argued that, in Order No. 697, the Commission concluded that it was appropriate to apply a different standard of oversight to public utilities that do not have captive customers and do not sell electricity at cost-based rates.[22] Applicants explained that, in Order No. 697, the Commission found that it was reasonable to continue to grant (1) blanket authorizations under FPA section 204(a) to issue securities, and (2) waivers from the requirement to maintain books in accordance with the USofA,[23] to those entities that do not have captive customers and do not sell electricity at cost-based rates. In essence, Applicants argued that it would be logically inconsistent for the Commission to grant a non-traditional public utility (i.e., merchant generators and power marketers) with market-based rate authorization a blanket authorization under FPA section 204(a) to issue securities, as well as a waiver from the requirement to maintain its books in accordance with the USofA, while, at the same time, under FPA section 305(a), limiting the accounts from which that public utility may pay dividends.[24]

10. In response to the May 16 Petition, the Electric Power Supply Association (EPSA)[25] filed comments generally supporting both alternative requests for relief by Applicants, but it also advocated that the Commission grant an even broader FPA section 305(a) determination.[26] EPSA posited that the factors that made the Applicants' petition compelling are broadly applicable to certain classes of public utilities, such as merchant generators and power marketers, which have market-based rate tariffs on file with the Commission, do not have captive customers, and do not provide transmission or local distribution services.[27] EPSA added that, although Applicants proposed that the entities eligible for Applicants' alternative broadly construed determination include a limitation that they would not serve as a designated POLR, such condition is not necessary where a designated POLR would meet the other three criteria, i.e, would have market-based rate tariffs on file with the Commission, would not have captive customers, and would not provide transmission or local distribution services.[28] Therefore, EPSA urged the Commission to omit the POLR limitation proposed by Applicants in granting the broader relief requested under section 305(a).[29]

11. In support of its request for a broader FPA section 305(a) determination, EPSA argued that, in the case of entities that have market-based rate authority, do not have captive customers, and do not provide transmission or local distribution services, the concerns underlying section 305(a) are not present.[30] In such cases, according to EPSA, the distribution of dividends would not have any adverse effect on the financial integrity of any traditional public utility, its customers, or the ability of state commissions to protect public utility customers.[31]

12. In sum, because of the broad applicability of these principles to the competitive power industry as a whole, and in the interest of administrative economy, EPSA requested that the Commission issue a blanket order finding that FPA section 305(a) does not act as a bar to the payment of dividends from capital account by any public utility that has market-based rate authority, does not have captive customers, and does not provide transmission or local distribution services.[32]

13. In their answer, Applicants supported EPSA's request for a broader FPA section 305(a) determination and, therefore, noted their agreement with EPSA's recommendation that the Commission omit the POLR limitation.[33] As an additional basis for dropping the POLR limitation, Applicants observed that POLR service is a retail electric service and, thus, within the regulatory framework of state utility commissions.[34] Applicants pointed out that those public utilities that provide transmission and local distribution services and also serve as a POLR would not be eligible for the alternative broader determination sought in Applicants' petition by virtue of the limiting condition that such utilities are providing transmission and local distribution services.[35] Further, Applicants asserted that eliminating the POLR limitation would have positive public policy implications because, in such cases, non-traditional public utilities would not be discouraged from participating in POLR markets due to the FPA section 305(a) limits on the payment of dividends.[36] Accordingly, Applicants stated that they would not object to the Commission's issuance of a blanket declaratory order based on EPSA's proposal.

14. In its September 3, 2013 order[37] on the May 16 Petition, the Commission granted Applicants' primary request for relief, based on the Commission's traditional *Citizens* three-factor analysis, since the Commission agreed that the concerns underlying FPA section 305(a) were not present under the limitations and circumstances described in the petition.[38] While it declined to grant the broader relief requested in that proceeding, the Commission also stated that it believed that Applicants and EPSA had made a strong case for a close examination of whether FPA section 305(a) should be interpreted as not prohibiting the payment of dividends from capital account by any public utility that has a market-based rate tariff on file with the Commission, does not have captive customers, and does not provide transmission or local distribution services.[39] Accordingly, the Commission stated its intent to open a generic proceeding to consider the broader request for relief, which would provide public notice and an

[22] Applicants' May 16, 2013 Petition at 14.

[23] *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities,* Order No. 697, FERC Stats. & Regs. ¶ 31,252, at PP 984, 999, *clarified,* 121 FERC ¶ 61,260 (2007), *order on reh'g,* Order No. 697–A, FERC Stats. & Regs. ¶ 31,268, *clarified,* 124 FERC ¶ 61,055, *order on reh'g,* Order No. 697–B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh'g,* Order No. 697–C, FERC Stats. & Regs. ¶ 31,291 (2009), *order on reh'g,* Order No. 697–D, FERC Stats. & Regs. ¶ 31,305 (2010), *aff'd sub nom. Montana Consumer Counsel* v. *FERC,* 659 F.3d 910 (9th Cir. 2011), *cert. denied,* 133 S. Ct 26 (2012).

[24] Applicants' May 16, 2013 Petition at 15. Specifically, Applicants stated that it ''would be anomalous for the Commission to conclude, on the one hand, that it need not be concerned with (a) the quantity or character of securities issued by a public utility [under FPA section 204(a)] or (b) the manner in which it keeps its accounts [under the USofA], and then to conclude that the Commission is concerned about how the entity accounts for dividends paid on its securities [under FPA section 305(a)].'' *Id.*

[25] EPSA is the national trade association for competitive power suppliers, including merchant generators and power marketers.

[26] EPSA June 17, 2013 Comments at 1–2.

[27] *Id.* at 2–4.

[28] *Id.* at 2 n.3.

[29] *Id.*

[30] *Id.* at 5–6.

[31] *Id.* at 5.

[32] *Id.* at 2–4.

[33] Applicants' June 20, 2013 Answer at 3. Applicants noted that POLR, or default, service is also known by other terms, such as Standard Offer Service or Basic Generation Service. *Id.* at 2 n.3.

[34] *Id.* at 3.

[35] *Id.*

[36] *Id.*

[37] *Exelon Generation Company, LLC,* 144 FERC ¶ 61,181 (2013).

[38] *Id.* PP 20–21.

[39] *Id.* P 22.

opportunity for a broader range of interested parties to comment.[40]

D. Proposed Policy Statement

15. In the proposed policy statement,[41] the Commission undertook a generic proceeding to consider whether FPA section 305(a) should be interpreted as not prohibiting the payment of dividends from capital account by any public utility that has a market-based rate tariff on file with the Commission, does not have captive customers,[42] and does not provide transmission or local distribution services.[43] Because the Commission believed that the payment of dividends from capital account by such public utilities does not appear to create the concerns underlying the enactment of FPA section 305(a), the Commission proposed this policy in order to eliminate the regulatory burden of filing unnecessary petitions for declaratory relief under FPA section 305(a) by such public utilities.

16. As previously noted, the Commission in response to the May 16 Petition had expressed its opinion that Applicants and EPSA made a strong case for a close examination of whether FPA section 305(a) should be interpreted as not prohibiting the payment of dividends from capital account by any public utility that has a market-based rate tariff on file with the Commission, does not have captive customers, and does not provide transmission or local distribution services.

17. In the proposed policy statement, the Commission observed that an eligible public utility: (1) Will have satisfied the Commission's market power analysis to obtain market-based rate authority for its wholesale power sales; (2) will have no captive customers that require protection by the Commission or the state commissions; and (3) will not provide transmission or local distribution services, which are traditional monopoly services subject to Commission and state commission oversight, to customers. Similar to the Commission's finding in Order No. 697, the Commission stated that it may be appropriate to now apply a different approach to its FPA section 305(a) oversight for those public utilities that meet the three conditions. The Commission noted, in this regard, that FPA section 305(a) was promulgated in an era of traditional, vertically-integrated utilities providing monopoly services to captive customers, and Congress wanted to ensure that the distribution of dividends would not have any adverse effect on the financial integrity (and thus the ability to serve) of any such public utility or its customers. Since that time, the Commission observed that the electric industry has evolved, and, in the proposed policy statement, it proposed to oversee differently the payment of dividends by non-traditional utilities, such as merchant generators and power marketers, who have market-based rate authority, do not have captive customers, and do not provide transmission and local distribution services, which, as noted, are monopoly services.

18. The Commission requested comment as to whether the Commission should adopt a statement of policy that FPA section 305(a) should be interpreted as not prohibiting the payment of dividends from funds in capital account by any public utility that has a market-based rate tariff on file with the Commission, does not have captive customers, and does not provide transmission or local distribution services, because such payment of dividends does not appear to implicate the concerns underlying the enactment of FPA section 305(a) and it is thus appropriate to eliminate this regulatory burden otherwise applicable under FPA section 305(a) to such public utilities.

E. Commenters

19. The Commission received comments from Exelon, EPSA, and two individuals, Messrs. Blake Harrison and Daisuke Ikewaza. All commenters supported adoption of the Commission's proposed policy statement. The comments of Exelon and EPSA include arguments similar to those made in support of Exelon Generation's May 16 Petition. Exelon and EPSA assert that the Commission should adopt the proposed policy statement's interpretation of FPA section 305(a) because the payment of dividends by a public utility that meets the three proposed criteria does not appear to implicate the concerns underlying FPA section 305(a), as such dividends would not have any adverse effect on the financial integrity of any traditional public utility, its customers, or the ability of state utility commissions to protect such public utility customers.[44] In addition, Exelon and EPSA argue that, in routinely granting waivers and exemptions to public utilities that have been granted market-based rate authority, including blanket authorization to issue securities under FPA section 204, the Commission has determined that it is appropriate to apply a different standard of review and oversight to such public utilities.[45] Furthermore, Exelon asserts that by adopting this policy, the Commission would ensure that funds appropriately available for the overall liquidity and financial integrity of a holding company are not stranded at a subsidiary that is a non-traditional utility (i.e., a utility that has market-based rates, does not have captive customers, and does not provide transmission or distribution services).[46] Exelon also states that the policy will eliminate unneeded filings and lessen the burden on the Commission of reviewing those filings.[47]

20. Mr. Harrison asserts that Congress's key concern in passing FPA section 305(a) was grounded in ensuring the financial and, consequently, operational viability of a public utility by preventing a utility's directors or officers from exploiting and withdrawing from a utility's capital account.[48] Harrison states that Congress originally passed the FPA at a time when the primary model of a public utility was a monopolistic, all-encompassing energy provider. In this model, Harrison states that ratepayers were forced to deal with the public utility in order to receive energy and that a public utility director's financial improprieties could have a dramatic impact on the ratepayers' energy service given there was no alternative energy option available to the ratepayer. In that model, Harrison argues that it was necessary to install safeguards to protect the public from practices that could harm their access to energy.[49]

21. However, Mr. Harrison argues that the landscape of public utilities has changed since the passage of the FPA toward more retail competition and, in some limited circumstances, does not give rise to the concern that motivated the initial prohibition in FPA section 305(a).[50] Harrison further argues that, if the fundamental concern of FPA section

[40] *Id.*

[41] Proposed Policy Statement, *Payment of Dividends from Funds Included in Capital Accounts,* 146 FERC ¶ 61,108 (2014).

[42] *See supra* note 13.

[43] The Commission proposed that a public utility that does not provide transmission or local distribution service is a public utility that does not own transmission or local distribution facilities providing these services.

[44] Exelon's May 1, 2014 Comments at 5; EPSA May 20, 2014 Comments at 4.

[45] Exelon's May 1, 2014 Comments at 4–5; EPSA May 20, 2014 Comments at 5–6.

[46] Exelon's May 1, 2014 Comments at 5–6.

[47] *Id.* at 6.

[48] Harrison's April 14, 2014 Comments at 1.

[49] *Id.*

[50] *Id.*

305(a) involved protecting ratepayers from being negatively impacted by improper dividend conduct where they were beholden only to the public utility for their energy, and if it can be shown that ratepayers are not beholden to a public utility with certain characteristics, then FPA section 305(a) should not be applied to public utilities with those characteristics.[51]

22. Mr. Harrison agrees with the Commission's proposal in the proposed policy statement that a public utility that has a market-based rate tariff on file with the Commission, does not have captive customers, and does not provide transmission or local distribution services does not lend itself to the concern that motivated Congress to pass FPA section 305(a). Harrison states that, if the public utility has a market-based rate tariff on file with the Commission, it is clear evidence that the public utility is not operating in a regulated, centralized utility environment and it signals that the public utility is not a traditionally-regulated monopoly. Harrison asserts that, although it is possible that such a public utility has market power, which would give rise to the set of concerns that motivated FPA section 305(a), the Commission's next two proposed criteria further distinguish this particular type of public utility and alleviate the concerns motivated by FPA section 305(a).[52] Harrison argues that, if the public utility does not have captive customers, its failure as a result of its financial practices would only harm those ratepayers who could instead elect to purchase their energy from other suppliers.[53] Finally, Harrison argues that, if the public utility does not provide transmission or distribution, this characteristic is further evidence that financial failure as a result of improper financial conduct would not unduly disrupt ratepayer service.[54]

23. Mr. Ikewaza also agrees that the Commission's three criteria in the proposed policy statement demonstrate when a public utility does not have market power. Ikewaza explains that public utilities with market power could exploit their capital account and pass on the financial losses to their customers, because their customers have no alternatives in the market and they would be forced to buy electricity even when the price of electricity is higher.[55] Ikewaza adds that the Commission's three-factor analysis in *Citizens,* which the Commission relies on to analyze FPA section 305(a) petitions,[56] is a framework established on the premise that traditional utilities indeed have market power. Ikewaza states that this framework helps ensure the financial integrity of, and investment in, traditional utilities by preventing them from arbitrarily using funds from their capital account.[57] However, Ikewaza argues that the *Citizens* framework is not necessarily suitable for non-traditional utilities because non-traditional utilities usually do not have market power.[58]

24. Mr. Ikewaza states that, under the Commission's first criterion—that the public utility that has a market-based rate tariff on file with the Commission—it should be presumed that such a public utility does not have market power because the Commission would not grant market-based rate authority to a public utility that has market power.[59] Ikewaza explains that if the public utility lacks market power, customers can find and substitute electricity from other competitors.[60] Ikewaza asserts that the Commission's second criterion—that the public utility does not have captive customers—is reasonable because it protects against a situation where, even if customers have alternative sources of electricity from competing suppliers, the alternatives may not be meaningful if the customers cannot switch to alternative suppliers without difficulty and at substantial cost.[61] Ikewaza also states that the Commission's third criterion—that the public utility does not provide transmission or local distribution services—is reasonable. Ikewaza argues that, even where a public utility that meets the first two criteria and thus does not have enough discretion to exploit its capital funds, this third criterion protects against the situation where a public utility still provides transmission or local distribution services and thus could choose to exploit its capital funds in a way that would have a very significant, negative impact on customers.[62] Therefore, Ikewaza supports the third criteria as part of the Commission's policy statement.

II. Policy Statement

25. Recognizing that the electric industry has evolved, on the record before us, we find, as a matter of policy, that FPA section 305(a) should not be construed as a bar to the payment of dividends from funds included in capital account by any public utility that: Has a market-based rate tariff on file with the Commission; does not have captive customers; and does not provide transmission or local distribution services. The payment of dividends from capital account by such public utilities does not appear to implicate the concerns underlying the enactment of FPA section 305(a), and we issue this policy statement in order to eliminate a regulatory burden otherwise applicable under FPA section 305(a) to such public utilities. In light of our interpretation of FPA section 305(a), it is our view that a public utility that meets the three criteria identified above does not need to file a petition for declaratory order under FPA section 305(a) requesting an interpretation from the Commission that FPA section 305(a) does not bar its payment of dividends from capital account.

III. Document Availability

26. 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*) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE., Room 2A, Washington, DC 20426.

27. 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.

28. User assistance is available for eLibrary and the Commission's Web site 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.*

Issued: July 17, 2014.

[51] *Id.*

[52] *Id.* at 2.

[53] *Id.*

[54] *Id.*

[55] Ikewaza's April 17, 2014 Comments at 1.

[56] As described above, under the three-factor analysis in *Citizens,* the Commission determines that a proposed transaction does not implicate the concerns underlying FPA section 305(a) if: (1) The utility clearly identifies the sources from which the dividends will be paid; (2) the dividends will not be excessive; and (3) the proposed transaction will not have an adverse effect on the value of shareholders' interests. *See supra* P 6 (discussing *Citizens,* 84 FERC ¶ 61,158 at 61,865).

[57] D. Ikewaza's April 17, 2014 Comments at 1.

[58] *Id.*

[59] *Id.* at 2.

[60] *Id.*

[61] *Id.*

[62] *Id.*

By the Commission.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17228 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 40

[Docket Nos. RM13–19–000 and RM14–3–000; Order No. 799]

Generator Relay Loadability and Revised Transmission Relay Loadability Reliability Standards

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Final rule.

SUMMARY: Pursuant to the section regarding Electric Reliability of the Federal Power Act, the Commission approves a new Reliability Standard, PRC–025–1 (Generator Relay Loadability), submitted by the North American Electric Reliability Corporation (NERC), the Commission-approved Electric Reliability Organization. In addition, the Commission approves Reliability Standard PRC–023–3 (Transmission Relay Loadability), also submitted by NERC, which revises a currently-effective standard pertaining to transmission relay loadability.

DATES: This rule will become effective September 22, 2014.

FOR FURTHER INFORMATION CONTACT: Syed Ahmad (Technical Information), Office of Electric Reliability, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–8718, *syed.ahmad@ferc.gov.*

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SUPPLEMENTARY INFORMATION:

Before Commissioners: Cheryl A. LaFleur, Acting Chairman; Philip D. Moeller, John R. Norris, and Tony Clark.

In the matter of: RM13–10–000, RM14–3–000, Generator Relay Loadability and Revised Transmission Relay Loadability Reliability Standards

Order No. 799

Final Rule

(Issued July 17, 2014)

1. Pursuant to section 215 of the Federal Power Act (FPA),[1] the Commission approves a new Reliability Standard, PRC–025–1 (Generator Relay Loadability), submitted by the North American Electric Reliability Corporation (NERC). In addition, the Commission approves Reliability Standard PRC–023–3 (Transmission Relay Loadability), also submitted by NERC, which revises a currently-effective standard pertaining to transmission relay loadability.

2. NERC developed proposed Reliability Standard PRC–025–1 in response to certain Commission directives issued in Order No. 733,[2] in which the Commission approved an initial version of a Reliability Standard governing transmission relay loadability. We find that the new standard on generator relay loadability, Reliability Standard PRC–025–1, will enhance reliability by imposing mandatory requirements governing generator relay loadability, thereby reducing the likelihood of premature or unnecessary tripping of generators during system disturbances. In addition, we find that the revisions to PRC–023–2 are appropriate in that they clarify the applicability of the two standards governing relay loadability (PRC–025–1 and PRC–023–3), and prevent potential compliance overlap by eliminating potential inconsistencies. Finally, we approve the violation risk factors and violation severity levels as proposed for PRC–025–1, as well as the proposed implementation plans for the two standards.

I. Background

A. Regulatory Background

3. Section 215 of the FPA requires a Commission-certified Electric Reliability Organization (ERO) to develop mandatory and enforceable Reliability Standards, subject to Commission review and approval.[3] Once approved, the Reliability Standards may be enforced by the ERO subject to Commission oversight, or by the Commission independently.[4] In 2006, the Commission certified NERC as the ERO pursuant to FPA section 215.[5]

B. Relay Protection Systems

4. Protective relays are devices that detect and initiate the removal of faults on an electric system.[6] They are designed to read electrical measurements, such as current, voltage, and frequency, and can be set to recognize certain measurements as indicating a fault. When a protective relay detects a fault on an element of the system under its protection, it sends a signal to an interrupting device, such as a circuit breaker, to disconnect the element from the rest of the system. Impedance relays, which are the most common type of relays used to protect transmission lines, continuously measure voltage and current on the protected transmission line and operate when the measured magnitude and phase angle of the impedance (voltage/current) falls within the settings of the relay.

C. Development of Reliability Standards on Relay Loadability

5. Following the August 2003 blackout that affected parts of the Midwest, the Northeast, and Ontario, Canada, NERC and the U.S.-Canada Power System Outage Task Force (Task Force) concluded that a substantial number of transmission lines disconnected during the blackout when load-responsive phase-protection backup distance and phase relays operated unnecessarily, i.e. under non-fault conditions. Although these relays operated according to their settings, the Task Force determined that the operation of these relays for non-fault conditions contributed to cascading outages at the start of the blackout and accelerated the geographic spread of the cascade.[7] Seeking to prevent or minimize the scope of future blackouts, both NERC and the Task Force developed recommendations to ensure that these types of protective relays do not contribute to future blackouts.[8]

[1] 16 U.S.C. 824o (2012).

[2] *Transmission Relay Loadability Reliability Standard,* Order No. 733, 130 FERC ¶ 61,221 (2010) (Order No. 733); *order on reh'g and clarification,* Order No. 733–A, 134 FERC ¶ 61,127; *clarified,* Order No. 733–B, 136 FERC ¶ 61,185 (2011).

[3] 16 U.S.C. 824o(c) and (d).

[4] *See id.* 824o(e).

[5] *North American Electric Reliability Corp.,* 116 FERC ¶ 61,062, *order on reh'g & compliance,* 117 FERC ¶ 61,126 (2006), *aff'd sub nom. Alcoa, Inc.* v. *FERC,* 564 F.3d 1342 (D.C. Cir. 2009).

[6] A ''fault'' is defined in the NERC Glossary of Terms used in Reliability Standards as ''[a]n event occurring on an electric system such as a short circuit, a broken wire, or an intermittent connection.''

[7] U.S.-Canada Power System Outage Task Force, Final Report on the August 14, 2003 Blackout in the United States and Canada: Causes and Recommendations, at 80 (2004) (Final Blackout Report).

[8] *See* Final Blackout Report, Recommendation 21A; North American Electric Reliability Council, August 14, 2003 Blackout: NERC Actions to Prevent

6. NERC developed Reliability Standard PRC–023–1 (Transmission Relay Loadability) to address these recommendations, and submitted it for Commission approval under FPA section 215. On March 10, 2010, in Order No. 733, the Commission approved Reliability Standard PRC–023–1.[9] In addition, the Commission directed NERC to (1) make certain modifications to the Reliability Standard, (2) submit a timeline for the development of a new Reliability Standard to address generator protective relay loadability, and (3) develop a new Reliability Standard addressing the issue of protective relay operation during stable power swings.

D. NERC Petition and Reliability Standards PRC–025–1 and PRC–023–3

1. Reliability Standard PRC–025–1

7. On September 30, 2013, NERC submitted a petition seeking approval of Reliability Standard PRC–025–1 (Generator Relay Loadability).[10] NERC stated in its petition that the standard ''is designed to prevent generator tripping when conditions do not pose a direct risk to the generator and associated equipment and will reduce the risk of unnecessary generator tripping—events that increase the severity of the disturbance''.[11] NERC further stated that the standard is intended to address the second part of the Commission's Order No. 733 directives, requiring development of a standard governing generator protective relay loadability.[12] NERC noted that it addressed the first Order No. 733 directive, requiring modification of PRC–023–1, through its revised standard PRC–023–2 (currently in effect).[13] NERC indicated that it is addressing the third portion of the Order No. 733 directives, relay operation during stable power swings, as part of a separate phase of the project.[14]

8. NERC explained that the stated purpose of PRC–025–1 is ''[t]o set load-responsive protective relays associated with generation Facilities at a level to prevent unnecessary tripping of generators during a system disturbance for conditions that do not pose a risk of damage to the associated equipment''.[15] Reliability Standard PRC–025–1 will apply to any generator owner, transmission owner, or distribution provider ''that applies load-responsive protective relays at the terminals of the Elements listed in 3.2, Facilities.'' [16] The term ''facilities,'' in turn, is defined in section 3.2 of the proposed standard as:

Elements associated with Bulk Electric System (BES) generating units and generating plants, including those . . . identified as Blackstart Resources in the Transmission Operator's system restoration plan:

3.2.1 Generating unit(s).
3.2.2 Generator step-up (i.e., GSU) transformer(s).
3.2.3 Unit auxiliary transformer(s) (UAT) that supply overall auxiliary power necessary to keep generating unit(s) online.
3.2.4 Elements that connect the GSU transformer(s) to the Transmission system that are used exclusively to export energy directly from a BES generating unit or generating plant. Elements may also supply generating plant loads.
3.2.5 Elements utilized in the aggregation of dispersed power producing resources.

9. Reliability Standard PRC–025–1 has only one requirement, that each applicable entity ''shall apply settings that are in accordance with PRC–025–1—Attachment 1: Relay Settings, on each load-responsive protective relay while maintaining reliable fault protection.'' [17] The relay setting options are defined in Table 1 of Attachment 1, and include the specific bus voltage and other inputs to be used depending on the application (e.g., synchronous or asynchronous generator, generator step-up transformer, or unit auxiliary transformer) and the type of relay. For most applications of each type of relay, the proposed standard would give applicable entities the option of adopting relay settings that meet the stated criteria as determined through: (1) a relatively simple calculation; (2) a more complex calculation; or (3) a described simulation. As stated in the standard, the criteria in Attachment 1 ''represent short-duration conditions during which generation Facilities are capable of providing system reactive resources, and for which generation Facilities have been historically recorded to disconnect, causing events to become more severe.'' [18]

10. NERC explained in its petition that the specific relay setting criteria are based on system conditions observed during the August 2003 Blackout.[19] Specifically, the criteria for relays applied on synchronous generators, and their associated generator step-up transformers (GSUs) and connecting elements, are based on the response of the synchronous generator to depressed transmission system voltage (with allowances for reactive power losses across the GSU transformer). The criteria for relays applied on asynchronous generators and their associated GSU transformers and connecting elements are based on the more limited response of an asynchronous generator to the depressed voltage (with no allowance for loss of reactive power across the GSU transformer because such losses are not significant).[20] The criteria for relays applied on unit auxiliary transformers (UATs) that supply station service are based on the increased current requirements of station service load during a depressed voltage condition.

11. In its justification for approval of the proposed standard, NERC explained that ''[a]nalyses of power system disturbances over the past twenty-five years have found generators to have tripped unnecessarily—an occurrence that has the potential to extend the scope and duration of a disturbance.'' [21] According to NERC, during the recovery phase of a disturbance, system voltage may be widely depressed and may fluctuate. To support the system during

and Mitigate the Impacts of Future Cascading Blackouts, at 13 and Recommendation 8a (2004).

[9] Order No. 733, 130 FERC ¶ 61,221.

[10] Reliability Standards PRC–025–1 and PRC–023–3 are not attached to this Final Rule. The complete texts of these proposed Reliability Standards are available on the Commission's eLibrary document retrieval system in Docket Nos. RM13–19–000 and RM14–3–000, and are posted on NERC's Web site, *available* at: *http://www.nerc.com.*

[11] *Petition of the North American Electric Reliability Corp. for Approval of Proposed Reliability Standard PRC–025–1 (Generator Relay Loadability),* Docket No. RM13–19–000 at 4 (Sept. 30, 2013) (September 30 Petition or Petition). NERC requested that the Commission delay its consideration of PRC–025–1 until NERC could finalize and submit for approval certain related revisions to its transmission relay loadability standard, PRC–023–2. Those revisions were submitted on December 17, 2013, as discussed further below.

[12] *See id.* at 8.

[13] *Id.* (citing *Transmission Relay Loadability Reliability Standard,* Order No. 759, 138 FERC ¶ 61,197 (2012)).

[14] *Id.* NERC indicated that this third phase of its response to Order No. 733 is tentatively scheduled to be completed in December 2014. *Id.*

[15] September 30 Petition, Ex. A at 3. While NERC has not proposed a definition for the term ''load-responsive protective relays,'' Attachment A of existing Reliability Standard PRC–023–2, which also uses the term ''load-responsive protective relays'' states that the standard includes ''any protective functions which could trip with or without time delay, on load current.'' NERC Reliability Standard PRC–023–2, *available at: http://www.nerc.com/_layouts/PrintStandard.aspx?standardnumber=PRC-023-2&title=Transmission%20Relay%20Loadability&jurisdiction=United%20States.*

[16] September 30 Petition, Ex. A at 3. NERC further explained that the standard should ''include all load-responsive protective relays that are affected by increased generator output in response to system disturbances.'' September 30 Petition, Ex. A at 25 (Guidelines and Technical Basis) (hereinafter Guidelines).

[17] *Id.* at 18, and Ex. A at 4.

[18] *Id.,* Ex. A at 4 (Rationale for R1).

[19] *Id.* at 10.

[20] *Id.* at 11.

[21] *Id.* at 9.

this phase of a disturbance, NERC explained that the proposed standard ''establishes criteria for setting load-responsive relays such that individual generators may provide Reactive Power within their dynamic capability during transient time periods,'' thereby avoiding unnecessary tripping of generators and ensuring that ''dynamic capability is available to support system recovery.'' [22]

12. NERC proposed to assign a ''High'' violation risk factor to Requirement R1 of PRC–025–1, and a ''Severe'' violation severity level for failure to apply settings as required. NERC's Implementation Plan proposed that applicable entities must be in compliance with the new standard: (1) 60 months after regulatory approval where compliance can be achieved without replacement or removal of relays; or (2) 84 months after regulatory approval if replacement or removal of relays is necessary.[23]

2. Proposed Reliability Standard PRC–023–3

13. On December 17, 2013, NERC submitted proposed clarifying changes to Reliability Standard PRC–023–2, as reflected in PRC–023–3, as ''Supplemental Information'' to its September 30 Petition.[24] NERC explained in its Supplemental Filing that these changes were identified during development of PRC–025–1 as ''necessary to establish a bright-line distinction between the applicability of load-responsive protective relays in the transmission and generator relay loadability Reliability Standards.'' [25] NERC explained that stakeholders became concerned about potential compliance overlap between the new generator relay loadability standard, PRC–025–1, and existing standard PRC–023–2, which currently applies to certain elements that connect GSU transformers to the transmission system.

14. In order to clarify that proposed standard PRC–025–1 is intended to cover ''all load responsive protective relays applied at the terminals of generators and GSU transformers,'' [26] NERC proposed to remove Criterion 6 of Requirement R1 from PRC–023–2 in its entirety. That sub-requirement currently requires applicable entities to:

> Set transmission line relays applied on transmission lines connected to generation stations remote to load so they do not operate at or below 230% of the aggregated generation nameplate capability.[27]

NERC also proposed to change the applicability section of PRC–023–2 to exclude ''Elements that connect the GSU transformer(s) to the Transmission system that are used exclusively to export energy directly from a BES generating unit or generating plant.'' [28]

15. NERC explained in its Supplemental Filing that the two relay loadability standards, as revised, would be based on the location where the relays are applied and not on the intended protection functions, which NERC considers advantageous because it:

> (i) Facilitates the establishment of generator relay loadability requirements based on the physics associated with increased generator output during stressed system conditions.
> (ii) Avoids ambiguity as to whether the intended protection function is for the generating unit or the Transmission System.
> . . .
> (iii) Provides clear division of applicability between the Generator and Transmission Relay Loadability Reliability Standards based on the physical location, independent of the entity that owns the relay.[29]

16. Under NERC's proposed implementation plan, Reliability Standard PRC–023–3 will become effective on the first day of the first calendar quarter beyond the date that the standard is approved by the applicable regulatory authority. Reliability Standard PRC–023–2 would be retired immediately prior to the effective date of PRC–023–3, except that Criterion 6 of Requirement R1 would remain in effect until the effective date of PRC–025–1. Any implementation dates or milestones established under PRC–023–2 would remain in place.[30]

E. Notice of Proposed Rulemaking and Subsequent Filings

17. On March 20, 2014, the Commission issued a Notice of Proposed Rulemaking proposing to approve Reliability Standards PRC–023–3 and PRC–025–1.[31] The Commission explained that approving the new Reliability Standard on generator relay loadability, PRC–025–1, would enhance reliability by imposing mandatory requirements governing generator relay loadability, thereby reducing the likelihood of premature or unnecessary tripping of generators during system disturbances. In addition, the Commission noted that the proposed revisions to PRC–023–2 are appropriate because they would clarify the applicability of the two standards governing relay loadability and would prevent potential compliance overlap by eliminating potential inconsistencies.

18. Comments on the NOPR were due by April 28, 2014. Five sets of comments were received, submitted by NERC, by the Edison Electric Institute (EEI) and the Electric Power Supply Association (EPSA) (jointly, EEI/EPSA), and by three individuals.[32] All commenters supported the approval of Reliability PRC–023–3 and PRC–025–1. EEI/EPSA describe the standard as ''provid[ing] clarity with respect to premature or unnecessary tripping of generators and associated auxiliaries during disturbances while satisfying outstanding directives issued in Order No. 733.'' [33] EEI/EPSA note that their earlier concern, ''that a simple application of PRC–023–1 to generator protection systems might unintentionally create a risk of damage to generation assets'' has been addressed through ''development of PRC–025–1 and the clearly defined guidance provided in Attachment 1 of that standard.'' [34] Accordingly, EEI/EPSA support approval of the two standards.

II. Discussion

19. Pursuant to section 215(d)(2) of the FPA, we approve Reliability Standards PRC–025–1 and PRC–023–3 as just, reasonable, not unduly discriminatory or preferential, and in the public interest. Further, we approve the associated violation risk factors and violation severity levels, and NERC's

[22] *Id.* at 9–10.

[23] *See* September 30 Petition, Ex. B (Implementation Plan).

[24] *Supplemental Information to the Petition of the North American Electric Reliability Corp. for Approval of Proposed Reliability Standard PRC–025–1 (Generator Relay Loadability),* Docket No. RM14–3–000 (Dec. 17, 2013) (Supplemental Filing).

[25] *Id.* at 1–2.

[26] *See id.* at 4.

[27] *See* Supplemental Filing, Ex. A, Redline of PRC–023–2 at 6.

[28] *See* Supplemental Filing at 4, and Ex. A, Proposed Reliability Standard PRC–023–3, Sections 4.2.1.1 and 4.2.2.1.

[29] Supplemental Filing at 5.

[30] As part of its Supplemental Filing, NERC also submitted a report on UAT relay loadability to address concerns raised by minority commenters during the development of PRC–025–1 as to whether UAT relays on the low-voltage side should be included. *See id.* at 6 and Ex. E. The report concludes that there is no adverse reliability impact from Reliability Standard PRC–025–1 as proposed, and finds that ''based on a comparison of the simulation models and the actual event data, the simulation results are conservative. The model results, coupled with the NERC Generating Availability Data System (GADS) analysis, are indicative that a reliability gap does not result from excluding relays on the low-voltage side of the UAT from PRC–025–1.'' Supplemental Filing at 6, Ex. E at 6.

[31] *Generator Relay Loadability and Transmission Relay Loadability Reliability Standards, Notice of Proposed Rulemaking,* 146 FERC ¶ 61,189 (2014) (NOPR).

[32] The three individuals are Mark Eliason, G. Wilkowski, and Daniel Shin.

[33] EEI/EPSA Comments at 2.

[34] *Id.*

proposed implementation plans for the new and revised standards. PRC–025–1 satisfies the Commission directive in Order No. 733 requiring NERC to develop a separate Reliability Standard that addresses generator step-up and auxiliary transformer loadability, and to do so ''in a way that is coordinated with the Requirements and expected outcomes of PRC–023–1.'' [35] In addition, we find that PRC–025–1 will enhance reliability by imposing mandatory requirements governing generator relay loadability settings, thereby reducing the likelihood of premature or unnecessary tripping of generators during system disturbances. Finally, we find that the modifications reflected in PRC–023–3 will clarify the applicability of the two standards governing relay loadability and prevent potential compliance overlap due to inconsistencies.

Other Issues

20. The three individual commenters express support for the approval of PRC–025–1 and PRC–023–3, but raise certain additional concerns about the reliability of the grid. One commenter notes that, despite the increased costs associated with installation or adjustment of relays under the new Reliability Standards, the ''appropriate setting of protective relays will be helpful in the case of larger outages.'' [36] Another commenter states that the standard ''will reduce the likelihood of premature or unnecessary tripping of generators during disturbances,'' but also opines on the general need for enhanced reliability standards due to, *inter alia,* proliferation of independent generation facilities, increased burdens on and risks to the grid due to increasing demand, climate change, and physical attacks.[37] Another commenter, while supporting adoption of the rule, notes his larger concern with the security of the grid and the need to prevent physical attacks that could have a far-reaching effect on national security.[38]

Commission Determination

21. For the reasons stated above, we approve Reliability Standards PRC–025–1 and PRC–023–3, and note that all comments relevant to the issues raised by our proposed approval of these Reliability Standards support our approval. With respect to the broader issues raised on the need to address other risks to reliability, including risks to the physical security of the grid, such issues are beyond the scope of the instant proceeding. However, we note that certain of these issues are being addressed in other pending Commission proceedings, and direct these commenters to Docket No. RM14–1–000, addressing Reliability Standards related to Geomagnetic Disturbances; and Docket No. RM14–15–000, addressing the development of physical security Reliability Standards.

III. Information Collection Statement

22. The collection of information contained in this Final Rule is subject to review by the Office of Management and Budget (OMB) under section 3507(d) of the Paperwork Reduction Act of 1995.[39] OMB's regulations require approval of certain information collection requirements imposed by agency rules.[40] Upon approval of a collection of information, OMB will assign an OMB control number and an expiration date. Respondents subject to the filing requirements of a rule will not be penalized for failing to respond to this collection of information unless the collections of information display a valid OMB control number.

23. Through issuance of this Final Rule, the Commission approves Reliability Standard PRC–025–1 and revisions to PRC–023–2. Reliability Standard PRC–025–1 will impose new requirements to set certain generator protective relays in accordance with prescribed criteria, and will apply to transmission owners, distribution providers, and generator owners with applicable relays. Affected entities will have to ensure that their relays are set in accordance with these criteria and maintain records or other evidence demonstrating their compliance with the standard's requirements. The revisions to PRC–023–2 will result in a change in how relay settings are calculated for certain kinds of relays, but will not result in reporting or recordkeeping requirements or burden. *Public Reporting Burden:* Reliability Standard PRC–025–1 does not require responsible entities to file information with the Commission. However, the Reliability Standard requires applicable entities to develop and maintain certain information, subject to audit by a Regional Entity. In particular, each applicable transmission owner, generator owner and distribution provider must ''have evidence'' to show that each of its load-responsive protective relays are set according to one of the options in Attachment 1 to Reliability Standard PRC–025–1. Our estimate below regarding the number of respondents is based on the NERC compliance registry as of January 31, 2014. According to the NERC compliance registry, NERC has registered 539 distribution providers, 903 generator owners and 344 transmission owners. However, under NERC's compliance registration program, entities may be registered for multiple functions, so these numbers incorporate some double counting. The number of unique entities responding will be approximately 1,019 [41] entities registered as a transmission owner, a distribution provider, or a generator owner that is also a transmission owner and/or a distribution owner. The Commission estimates the annual reporting burden and cost as follows:

FERC–725G,[42] ADDITIONS IN FINAL RULE IN RM13–19 AND RM14–3

	Number and type of respondents [43] (1)	Annual number of responses per respondent (2)	Total number of responses	Avg. burden & cost per response (3)	Total annual burden hours & total annual cost (1)x(2)x(3)	Cost per respondent [44]
(One-time) Review & documentation of relay settings to ensure compliance.	1,019 GO/DP/TO	1	1,019	20 hrs. & $59.62/ hour.	20,380 hours & $1,215,056.	$1192

[35] *See* Order No. 733, 130 FERC ¶ 61,221 at PP 104–106.

[36] Comments of Mark Eliason at 1.

[37] Comments of G. Wilkowski at 1–2.

[38] Comments of Daniel Shin at 1–2.

[39] 44 U.S.C. 3507(d) (2012).

[40] 5 CFR 1320.11 (2013).

[41] This estimate assumes all of the unique entities apply load-responsive protective relays.

FERC–725G,[42] ADDITIONS IN FINAL RULE IN RM13–19 AND RM14–3—Continued

	Number and type of respondents[43] (1)	Annual number of responses per respondent (2)	Total number of responses	Avg. burden & cost per response (3)	Total annual burden hours & total annual cost (1)x(2)x(3)	Cost per respondent[44]
(On-going) Record Retention (of compliance records for R1 and M1, for 3 years or until mitigation complete).	1,019 GO/DP/TO	1	1,019	2 hrs. & $28.95/hour	2,038 hours & $59,000	$57.90

Title: Mandatory Reliability Standards for the Bulk-Power System

Action: Changes to FERC–725G.

OMB Control No: 1902–0252

Respondents: Businesses or other for-profit institutions; not-for-profit institutions.

Frequency of Responses: One-time and ongoing.

Necessity of the Information: Generator Relay Loadability Reliability Standard (PRC–025–1) would implement the Congressional mandate of the Energy Policy Act of 2005 to develop mandatory and enforceable Reliability Standards to better ensure the reliability of the nation's Bulk-Power System. Specifically, the purpose of the Reliability Standard is to set load-responsive protective relays associated with generation facilities at a level to prevent unnecessary tripping of generators during a system disturbance for conditions that do not pose a risk of damage to the associated equipment. The Reliability Standard requires entities to maintain records subject to review by the Commission and NERC to ensure compliance with the Reliability Standard.

Internal Review: The Commission has reviewed the requirements pertaining to the Reliability Standards PRC–025–1 and PRC–023–3 and determined that the proposed requirements are necessary to meet the statutory provisions of the Energy Policy Act of 2005. These requirements conform to the Commission's plan for efficient information collection, communication and management within the energy industry. The Commission has assured itself, by means of internal review, that there is specific, objective support for the burden estimates associated with the information requirements.

24. Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426 [Attention: Ellen Brown, Office of the Executive Director, email: *DataClearance@ferc.gov,* phone: (202) 502–8663, fax: (202) 273–0873].

25. Comments concerning the information collections proposed in this rule and the associated burden estimates should be sent to the Commission in these dockets and to the Office of Management and Budget, Office of Information and Regulatory Affairs [Attention: Desk Officer for the Federal Energy Regulatory Commission]. For security reasons, comments should be sent by email to OMB at: *oira_submission@omb.eop.gov.* Please reference FERC–725G, OMB Control No. 1902–0252, and Docket Nos. RM13–19–000 and RM14–3–000 in your submission.

IV. Regulatory Flexibility Act Certification

26. The Regulatory Flexibility Act of 1980 (RFA)[45] generally requires a description and analysis of rules that will have significant economic impact on a substantial number of small entities. The RFA mandates consideration of regulatory alternatives that accomplish the stated objectives of a proposed rule and that minimize any significant economic impact on a substantial number of small entities. The Small Business Administration's (SBA) Office of Size Standards develops the numerical definition of a small business.[46] The SBA recently revised its size standard for electric utilities (effective January 22, 2014) to a standard based on the number of employees, including affiliates (from a standard based on megawatt hours).[47] Under SBA's new size standards, generator owners, distribution providers, and transmission owners are likely included in one of the following categories (with the associated size thresholds noted for each):[48]

- Hydroelectric power generation, at 500 employees;
- Fossil fuel electric power generation, at 750 employees;
- Nuclear power generation, at 750 employees;
- Other electric power generation (e.g. solar, wind, geothermal, and others), at 250 employees;
- Electric bulk power transmission and control, at 500 employees;
- Electric power distribution, at 1,000 employees.

27. Based on U.S. economic census data,[49] the approximate percentage of small firms in these categories varies from 24 percent to 94 percent. However, currently FERC does not have information on how the economic census data compares with entities registered with NERC and is unable to estimate the number of small GOs, DPs, and TOs using the new SBA definitions.[50] Regardless, FERC recognizes that the rule will likely impact small GOs, DPs, and TOs and estimates the economic impact on each entity below.

28. Reliability Standard PRC–025–1 will serve to enhance reliability by

[42] At the time the Notice of Proposed Rulemaking was issued, an unrelated rulemaking affecting other aspects of FERC–725G was pending at OMB for PRA review. Because only one request per OMB Control Number can be pending OMB review at a time, the information collection proposed in this NOPR (RM13–19 and RM14–3) was temporarily labeled FERC 725Q (OMB Control No. 1902–0272). The reporting and record retention requirements for this Final Rule in RM13–19 and RM14–3 are now being submitted to OMB for review under FERC 725G (rather than the temporary FERC 725Q).

[43] GO = Generator Owner, DP = Distribution Provider, TO = Transmission Owner, each of which applies load-responsive protective relays at the terminals of the Elements listed in the proposed standard at section 3.2(Facilities).

[44] The estimated hourly costs (salary plus benefits) are based on Bureau of Labor Statistics (BLS) information (at *http://bls.gov/oes/current/naics3_221000.htm#17–0000*) for an electrical engineer ($59.62/hour for review and documentation), and for a file clerk ($28.95/hour for record retention).

[45] 5 U.S.C. 601–612 (2012).

[46] 13 CFR 121.101 (2013).

[47] *Small Business Size Standards: Utilities,* 78 FR 77,343 (Dec. 23, 2013).

[48] 13 CFR 121.201, Sector 22, Utilities.

[49] Data and further information are available from SBA at *http://www.sba.gov/advocacy/849/12162.*

[50] Using the previous SBA definition, 230 of the 1,019 entities affected by the proposed PRC–025–1 would have qualified as small entities.

imposing mandatory requirements governing generator relay loadability, thereby reducing the likelihood of premature or unnecessary tripping of generators during system disturbances. The Commission estimates that each of the small entities to whom the Reliability Standard PRC–025–1 applies will incur one-time compliance costs of $4,480 (i.e., the cost of re-setting any relays found to be out of compliance),[51] plus paperwork and record retention costs of $1,192 (one-time implementation) and $57.90 (annual ongoing).[52] Per entity, the total one-time implementation costs are estimated to be $5,672 (including paperwork and non-paperwork costs) and the annual ongoing costs are estimated to be $57.90.

29. The Commission does not consider the estimated costs per small entity to have a significant economic impact on a substantial number of small entities. Accordingly, the Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities.

V. Environmental Analysis

30. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.[53] The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment. Included in the exclusion are rules that are clarifying, corrective, or procedural or that do not substantially change the effect of the regulations being amended.[54] The actions taken herein fall within this categorical exclusion in the Commission's regulations.

[51] These are non-paperwork related costs, which are not reflected in the burden described in the Information Collection Section above, and instead reflect the burden of re-setting relays in order to comply with the new requirements of PRC–025–1. Specifically, this figure reflects an estimated time of 8 hours per relay, assuming an average of 8 digital relays which will need to be re-set per small entity, at a cost of $70 per hour (the average of the salary plus benefits for a manager and an engineer, from Bureau of Labor Statistics at *http://bls.gov/oes/current/naics3_221000.htm* and *http://www.bls.gov/news.release/ecec.nr0.htm*).

[52] The one-time paperwork-related implementation cost estimate is based on a burden of 20 hours at $59.62/hour, and the annual record-keeping cost estimate is based on a burden of 2 hours at $28.95/hour. *See supra* at P 23 and n.44.

[53] *Regulations Implementing the National Environmental Policy Act of 1969,* Order No. 486, FERC Stats. & Regs. ¶ 30,783 (1987).

[54] 18 CFR 380.4(a)(2)(ii).

VI. Document Availability

31. 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*) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

32. 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.

33. User assistance is available for eLibrary and the Commission's Web site during normal business hours from the Commission's 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.*

VII. Effective Date and Congressional Notification

34. This Final Rule is effective September 22, 2014.

35. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB, that this rule is not a ''major rule'' as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996.[55] The Commission will submit the Final Rule to both houses of Congress and to the General Accountability Office.

By the Commission.

Issued: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17229 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

[55] *See* 5 U.S.C. 804(2).

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9682]

RIN 1545–BG81

Basis of Indebtedness of S Corporations to Their Shareholders

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations relating to basis of indebtedness of S corporations to their shareholders. These final regulations provide that S corporation shareholders increase their basis of indebtedness of the S corporation to the shareholder only if the indebtedness is bona fide, which is determined under general Federal tax principles and depends upon all of the facts and circumstances. These final regulations affect shareholders of S corporations.

DATES: *Effective Date:* These final regulations are effective July 23, 2014.

Applicability Date: These final regulations apply to indebtedness between an S corporation and its shareholder resulting from any transaction occurring on or after July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Caroline E. Hay, (202) 317–5279 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations contain amendments to the Income Tax Regulations (26 CFR part 1) under section 1366 of the Internal Revenue Code (Code). On June 12, 2012, the Treasury Department and the IRS published in the **Federal Register** (77 FR 34884) a notice of proposed rulemaking (REG–134042–07) (the proposed regulations) relating to when shareholders have basis in indebtedness that the S corporation owes to the shareholder (basis of indebtedness). The proposed regulations provide that basis of indebtedness of the S corporation to the shareholder means the shareholder's adjusted basis in any bona fide indebtedness of the S corporation that runs directly to the shareholder. No requests to speak at the scheduled public hearing were received and the hearing was canceled. Comments responding to the notice of proposed rulemaking were received. After consideration of all the comments, the proposed regulations are adopted

without substantive change by this Treasury decision, except for changes to the effective/applicability date of the regulations and minor clarifying revisions. The comments, which are available at www.regulations.gov or upon request, are discussed in this preamble.

Summary of Comments

1. Actual Economic Outlay

Courts developed the actual economic outlay standard, which requires that shareholders be made ''poorer in a material sense'' to increase their bases of indebtedness. Some courts concluded that an S corporation shareholder was not poorer in a material sense if the shareholder borrowed funds from a related entity and then lent those funds to his S corporation. See, for example, *Oren* v. *Commissioner,* 357 F.3d 854 (8th Cir. 2004), aff'g, T.C. Memo. 2002–172. Instead of applying the actual economic outlay standard, the proposed regulations provided that shareholders receive basis of indebtedness if it is bona fide indebtedness of the S corporation to the shareholder.

One commentator suggested that language be added to the regulations providing that actual economic outlay is no longer the standard used to determine whether a shareholder obtains basis of indebtedness. After considering this comment, the Treasury Department and the IRS believe that the proposed regulations clearly articulate the standard for determining basis of indebtedness of an S corporation to its shareholder, and further discussion of the actual economic outlay test in the regulations is unnecessary. Accordingly, the final regulations adopt the rule in the proposed regulations without change.

With respect to guarantees, however, the final regulations retain the economic outlay standard by adopting the rule in the proposed regulations that S corporation shareholders may increase their basis of indebtedness only to the extent they actually perform under a guarantee. The final regulations make some minor changes to clarify the treatment of guarantees, including changing the heading to reiterate that the rule for guarantees is distinguished from the general rule adopting a bona fide indebtedness standard and moving the guarantee example after the examples illustrating the general rule consistent with the order of the regulations.

2. Regulation Examples and ''Circular Flow of Funds''

One commentator requested a change to the fact pattern presented in proposed regulations § 1.1366–2(a)(2)(iii), *Example 4.* In *Example 4,* a loan that originally was made by S1 to S2, two related S corporations wholly-owned by the same shareholder, is restructured to be a loan from the shareholder. The restructuring involved S1 distributing the debt to the shareholder and S2 being relieved of its liability to S1 so that S2 is only liable to the shareholder on the debt. The commentator recommended that *Example 4* not require that S2 be relieved of its liability to S1. As stated in the proposed regulations and finalized in these regulations, whether indebtedness is bona fide indebtedness to a shareholder is determined under general Federal tax principles and depends upon all of the facts and circumstances. Whether S2 is relieved of the original liability is an appropriate fact to consider in determining whether the transaction is a restructuring of a debt that results in a bona fide debt that runs directly from S2 to the shareholder. See, for example, Rev. Rul. 75–144 (1975–1 CB 277) (holding that a shareholder increases the shareholder's basis of indebtedness when the shareholder, who had guaranteed a liability of his S corporation, executed his own promissory note in full satisfaction of the S corporation's note to the bank, the bank relieved the S corporation of its liability, and the S corporation became obligated to the shareholder under the doctrine of subrogation). See also *Gilday* v. *Commissioner,* T.C. Memo. 1982–242 (holding that shareholders increased their bases of indebtedness when the shareholders gave a bank their notes, the bank canceled the S corporation's note to the bank, and the facts indicated that the S corporation became indebted to the shareholders, regardless of whether subrogation occurred under state law). Accordingly, this comment is not adopted.

This commentator also requested that an example be added to the regulations addressing a ''circular flow of funds.'' The commentator described a circular flow of funds as including a restructuring of a loan originally made by an S corporation owned by the shareholder to another S corporation owned by that shareholder (for purposes of this discussion, S1 and S2, respectively). This loan is restructured by one of two alternative methods: (i) S1 lends money to the shareholder, the shareholder lends that money to S2, and S2 uses that money to repay S1; or (ii) S2 repays S1, S1 lends money to the shareholder, and the shareholder lends that money back to S2.

The Treasury Department and the IRS recognize that there are numerous ways, including certain circular cash flows, in which an S corporation can become indebted to its shareholder. The proposed regulations included *Example 4* as an example of a loan originating between two related entities that is restructured to be from the S corporation to the shareholder to show that the debt need not originate between the S corporation and its shareholder, provided that the resulting debt running between the S corporation and the shareholder is bona fide. The Treasury Department and the IRS are aware, however, of cases involving circular flow of funds that do not result in bona fide indebtedness. See, for example, *Oren* v. *Commissioner,* 357 F.3d at 859 (purported loans, although meeting all the proper formalities, lacked substance); *Kerzner* v. *Commissioner,* T.C. Memo. 2009–76, at *5 (transaction lacked substance because money wound up right where it started and shareholder was merely a conduit through which the money flowed). Whether a restructuring results in bona fide indebtedness depends on the facts and circumstances. Because the Treasury Department and the IRS believe that the examples in the proposed regulations adequately illustrate that a restructuring of a debt that did not originate between the shareholder and the S corporation may result in basis of indebtedness as long as the resulting debt is bona fide, these final regulations do not contain additional examples.

Another commentator requested that an example be added to the regulations concerning a fact pattern in which bona fide indebtedness is present, but the shareholder has zero basis in that indebtedness. The commentator concluded that the shareholder would have zero basis of indebtedness in the shareholder's S corporation because the shareholder's basis in the debt is zero. The Treasury Department and the IRS believe that the regulations are clear that shareholders only increase their basis of indebtedness to the extent of the shareholder's adjusted basis (as defined in § 1.1011–1 and as specifically provided in section 1367(b)(2)) in that bona fide indebtedness of the S corporation that runs directly to the shareholder. If the shareholder's basis in the indebtedness is zero, then the shareholder's basis of indebtedness is increased by zero. As such, an additional example illustrating a zero

basis of indebtedness has not been added to the final regulations.

3. Section 1366(d)(1)(A) and Stock Basis

The preamble to the proposed regulations requested comments regarding the basis treatment when an S corporation shareholder or a partner contributes the shareholder's or partner's own note to an S corporation or a partnership. An S corporation shareholder does not increase his basis in the stock of his S corporation under section 1366(d)(1)(A) from a contribution of his own note. See Rev. Rul. 81–187 (1981–2 CB 167) (holding that a shareholder who (i) merely executed and transferred the shareholder's demand note to the shareholder's wholly owned S corporation, and (ii) made no payment on the note until the following year had a zero basis in the note until the following year when the shareholder made a payment on the note). The preamble to the proposed regulations described as one potential model § 1.704–1(b)(2)(iv)(d)(*2*), which provides that a partner's capital account is increased with respect to non-readily tradable partner notes only (i) when there is a taxable disposition of such note by the partnership, or (ii) when the partner makes principal payments on such note. One commentator recommended consideration of, and consistency with, § 1.166–9(c) (regarding contributions of debt to capital). Another commentator noted that courts have applied the ''actual economic outlay'' standard to determine when shareholders increase their bases in their S corporation stock. See, for example, *Maguire* v. *Commissioner,* T.C. Memo. 2012–160. This commentator requested that the final regulations provide that actual economic outlay does not apply to determinations of a shareholder's stock basis under section 1366(d)(1)(A). To expedite finalization of the proposed regulations, the scope of these final regulations is limited to basis of indebtedness. The Treasury Department and the IRS continue to study issues relating to stock basis and may address these issues in future guidance.

4. Potential Abuses From Shareholders Claiming Indebtedness Basis

One commentator stressed that, because S corporations are passthrough entities, allowing shareholders to claim S corporation losses if they have basis of indebtedness could allow shareholders to claim losses that are not bona fide. This commentator recommended that the IRS require that shareholders provide information to the IRS that all claimed S corporation losses are bona fide. The proposed regulations, however, do not affect the normal substantiation rules for the validity of claimed losses. See sections 6001 and 6037. See also *INDOPCO, Inc.* v. *Commissioner,* 503 U.S. 79, 84 (1992) (providing that ''an income tax deduction is a matter of legislative grace and that the burden of clearly showing the right to the claimed deduction is on the taxpayer'' (quoting *Interstate Transit Lines* v. *Commissioner,* 319 U.S. 590, 593 (1943))). Accordingly, this comment is beyond the scope of these final regulations.

5. Effective and Applicability Date

Commentators also suggested that the Treasury Department and the IRS should permit retroactive application of the regulations. These commentators suggest that, pursuant to section 7805(b)(7), final regulations should allow taxpayers to elect to apply the rules in the regulations retroactively.

The proposed regulations provided that these regulations apply to transactions entered into on or after the regulations are published as final in the **Federal Register**. Upon further consideration of the applicability date, the Treasury Department and the IRS believe that allowing taxpayers to rely on these regulations will provide greater certainty for determining when shareholders have basis of indebtedness. As such, taxpayers may rely on these regulations with respect to indebtedness between an S corporation and its shareholder that resulted from any transaction that occurred in a year for which the period of limitations on the assessment of tax has not expired before July 23, 2014.

Special Analyses

It has been determined that these final regulations are not a significant regulatory action as defined in Executive Order 12866, as supplemented by Executive Order 13563. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations. Because these regulations do not impose a collection of information on small entities, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Pursuant to section 7805(f) of the Code, the notice of proposed rulemaking that preceded these final regulations was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business, and no comments were received.

Availability of IRS Documents

The IRS revenue rulings cited in this preamble are published in the Internal Revenue Cumulative Bulletin and are available from the Superintendent of Documents, United States Government Printing Office, Washington, DC 20402.

Drafting Information

The principal author of these regulations is Caroline E. Hay, Office of the Associate Chief Counsel (Passthroughs and Special Industries). However, other personnel from the Treasury Department and the IRS participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

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

Authority: 26 U.S.C. 7805 * * *

■ **Par. 2.** Section 1.108–7 is amended by:

■ 1. Removing the language ''§ 1.1366–2(a)(5)'' in paragraph (d)(2)(iii) and adding ''§ 1.1366–2(a)(6)'' in its place.

■ 2. Adding two sentences to the end of paragraph (f)(2).

The addition reads as follows:

§ 1.108–7 Reduction of attributes.

* * * * *

(f) * * *

(2) * * * Paragraph (d)(2)(iii) of this section applies on and after July 23, 2014. For rules that apply before that date, see 26 CFR part 1 (revised as of April 1, 2014).

■ **Par. 3.** Section 1.1366–0 is amended:

■ 1. By redesignating the entries in the table of contents for § 1.1366–2(a)(2), (a)(3), (a)(4), (a)(5), and (a)(6) as § 1.1366–2 (a)(3), (a)(4), (a)(5), (a)(6), and (a)(7), respectively, and adding new entries for § 1.1366–2 (a)(2) and (a)(2)(i) through (iii).

■ 2. By revising the heading in the table of contents for § 1.1366–5.

The additions and revisions read as follows:

§ 1.1366–0 Table of contents.

* * * * *

§ 1.1366–2 Limitations on deduction of passthrough items of an S corporation to its shareholders.

(a) * * *

(2) Basis of indebtedness.

(i) In general.

(ii) Special rule for guarantees.

(iii) Examples.

* * * * *

§ 1.1366–5 Effective/applicability date.

■ **Par. 4.** Section 1.1366–2 is amended by:

■ 1. Removing the language ''(a)(3)(i)'' in paragraph (a)(1)(i), and adding the language ''(a)(4)(i)'' in its place.

■ 2. Removing the language ''paragraph (a)(3)(ii)'' in paragraph (a)(1)(ii), and adding the language ''paragraphs (a)(2) and (a)(4)(ii)'' in its place.

■ 3. Redesignating paragraphs (a)(2), (a)(3), (a)(4), (a)(5), and (a)(6) as paragraphs (a)(3), (a)(4), (a)(5), (a)(6), and (a)(7) respectively, and adding a new paragraph (a)(2).

■ 4. Removing the language ''(a)(3)(i) and (ii)'' in newly designated paragraph (a)(3), and adding the language ''(a)(4)(i) and (ii)'' in its place.

■ 5. Removing the language ''paragraphs (a)(1)(i) and (2)'' in newly designated paragraph (a)(4)(i), and adding the language ''paragraphs (a)(1)(i) and (3)'' in its place.

■ 6. Removing the language ''paragraphs (a)(1)(ii) and (2)'' in newly designated paragraph (a)(4)(ii), and adding the language ''paragraphs (a)(1)(ii) and (3)'' in its place.

■ 7. Removing the language ''(a)(3)(i)'' and ''(a)(3)(ii)'' in newly designated paragraph (a)(5), and adding the language ''(a)(4)(i)'' and ''(a)(4)(ii)'', respectively, in their place.

■ 8. Removing the language ''(a)(5)(ii)'' in newly designated paragraphs (a)(6)(i) and (a)(6)(iii), and adding the language ''(a)(6)(ii)'' in its place.

■ 9. Removing the language ''(a)(4)'' in newly designated paragraph (a)(6)(ii), and adding the language ''(a)(5)'' in its place.

■ 10. Removing the language ''paragraphs (a)(1)(i) and (2)'' in newly designated paragraph (a)(7), and adding the language ''paragraphs (a)(1)(i) and (3)'' in its place.

The additions read as follows:

§ 1.1366–2 Limitations on deduction of passthrough items of an S corporation to its shareholders.

(a) * * *

(2) *Basis of indebtedness*—(i) *In general.* The term *basis of any indebtedness of the S corporation to the shareholder* means the shareholder's adjusted basis (as defined in § 1.1011–1 and as specifically provided in section 1367(b)(2)) in any bona fide indebtedness of the S corporation that runs directly to the shareholder. Whether indebtedness is bona fide indebtedness to a shareholder is determined under general Federal tax principles and depends upon all of the facts and circumstances.

(ii) *Special rule for guarantees.* A shareholder does not obtain basis of indebtedness in the S corporation merely by guaranteeing a loan or acting as a surety, accommodation party, or in any similar capacity relating to a loan. When a shareholder makes a payment on bona fide indebtedness of the S corporation for which the shareholder has acted as guarantor or in a similar capacity, then the shareholder may increase the shareholder's basis of indebtedness to the extent of that payment.

(iii) *Examples.* The following examples illustrate the provisions of paragraph (a)(2)(i) and (ii) of this section:

Example 1. Shareholder loan transaction. A is the sole shareholder of S, an S corporation. S received a loan from A. Whether the loan from A to S constitutes bona fide indebtedness from S to A is determined under general Federal tax principles and depends upon all of the facts and circumstances. See paragraph (a)(2)(i) of this section. If the loan constitutes bona fide indebtedness from S to A, A's loan to S increases A's basis of indebtedness under paragraph (a)(2)(i) of this section. The result is the same if A made the loan to S through an entity that is disregarded as an entity separate from A under § 301.7701–3 of this chapter.

Example 2. Back-to-back loan transaction. A is the sole shareholder of two S corporations, S1 and S2. S1 loaned $200,000 to A. A then loaned $200,000 to S2. Whether the loan from A to S2 constitutes bona fide indebtedness from S2 to A is determined under general Federal tax principles and depends upon all of the facts and circumstances. See paragraph (a)(2)(i) of this section. If A's loan to S2 constitutes bona fide indebtedness from S2 to A, A's back-to-back loan increases A's basis of indebtedness in S2 under paragraph (a)(2)(i) of this section.

Example 3. Loan restructuring through distributions. A is the sole shareholder of two S corporations, S1 and S2. In May 2014, S1 made a loan to S2. In December 2014, S1 assigned its creditor position in the note to A by making a distribution to A of the note. Under local law, after S1 distributed the note to A, S2 was relieved of its liability to S1 and was directly liable to A. Whether S2 is indebted to A rather than S1 is determined under general Federal tax principles and depends upon all of the facts and circumstances. See paragraph (a)(2)(i) of this section. If the note constitutes bona fide indebtedness from S2 to A, the note increases A's basis of indebtedness in S2 under paragraph (a)(2)(i) of this section.

Example 4. Guarantee. A is a shareholder of S, an S corporation. In 2014, S received a loan from Bank. Bank required A's guarantee as a condition of making the loan to S. Beginning in 2015, S could no longer make payments on the loan and A made payments directly to Bank from A's personal funds until the loan obligation was satisfied. For each payment A made on the note, A obtains basis of indebtedness under paragraph (a)(2)(ii) of this section. Thus, A's basis of indebtedness is increased during 2015 under paragraph (a)(2)(ii) of this section to the extent of A's payments to Bank pursuant to the guarantee agreement.

* * * * *

■ **Par. 5.** Section 1.1366–5 is revised to read as follows:

§ 1.1366–5 Effective/applicability date.

(a) Sections 1.1366–1, 1.1366–2(a)(1), and 1.1366–2(b) through 1.1366–4 apply to taxable years of an S corporation beginning on or after August 18, 1998.

(b) Section 1.1366–2(a)(2) applies to indebtedness between an S corporation and its shareholder resulting from any transaction occurring on or after July 23, 2014. In addition, S corporations and their shareholders may rely on § 1.1366–2(a)(2) with respect to indebtedness between an S corporation and its shareholder that resulted from any transaction that occurred in a year for which the period of limitations on the assessment of tax has not expired before July 23, 2014.

(c) Sections 1.1366–2(a)(3) through (7), and this section apply on and after July 23, 2014. For rules that apply before that date, see 26 CFR part 1 (revised as of April 1, 2014).

§ 1.1367–1 [Amended]

■ **Par. 6.** Section 1.1367–1(h) *Example 5*(iii) is amended by removing the language ''§ 1.1366–2(a)(2)'' in the third and fourth sentences and adding the language ''§ 1.1366–2(a)(3)'' in its place.

■ **Par. 7.** Section 1.1367–3 is amended by adding two sentences to the end of the paragraph to read as follows:

§ 1.1367–3 Effective/applicability date.

* * * Section 1.1367–1(h), *Example 5*(iii) applies on and after July 23, 2014. The rules that apply before July 23, 2014 are contained in § 1.1367–3 in effect prior to July 23, 2014 (see 26 CFR part 1 revised as of April 1, 2014).

John Dalrymple,

Deputy Commissioner for Services and Enforcement.

Approved: May 27, 2014.

Mark J. Mazur,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2014–17336 Filed 7–22–14; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9681]

RIN 1545–BL06

Partnerships; Start-Up Expenditures; Organization and Syndication Fees

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations concerning the deductibility of start-up expenditures and organizational expenses for partnerships. The final regulations provide guidance regarding the deductibility of start-up expenditures and organizational expenses for partnerships following a termination of a partnership under section 708(b)(1)(B). These final regulations affect partnerships that undergo section 708(b)(1)(B) terminations and their partners.

DATES: These regulations are effective on July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Rachel S. Smith, (202) 317–6852 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

This document contains final amendments to the Income Tax Regulations (26 CFR part 1) under section 708(b) of the Internal Revenue Code (Code). On December 9, 2013, proposed regulations (REG–126285–12, 78 FR 73753) were published in the **Federal Register**. The proposed regulations were intended to eliminate uncertainty regarding whether a partnership is entitled to immediately deduct any unamortized start-up and organizational expenses upon its technical termination. Specifically, the proposed regulations provided that the new partnership was required to continue to amortize those expenditures using the same amortization period adopted by the terminating partnership. No written or electronic comments were received in response to the notice of proposed rulemaking. No requests for a public hearing were received, and accordingly, no hearing was held.

Explanation of Provisions

The Treasury decision adopts the proposed regulations with one minor change for clarity. Specifically, in § 1.708–1(b)(6)(i), ''using the same amortization period adopted by the terminating partnership'' has been changed to ''over the remaining portion of the amortization period adopted by the terminating partnership'' to make clear that the amortization period does not restart. No substantive change is intended.

Special Analyses

It has been determined that this Treasury decision is not a significant regulatory action as defined in Executive Order 12866, as supplemented by Executive Order 13563. Therefore, a regulatory assessment is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations, and because these regulations do not impose a collection of information on small entities, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Pursuant to section 7805(f) of the Code, the notice of proposed rulemaking preceding these regulations was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small businesses. No comments were received.

Drafting Information

The principal author of these regulations is Rachel S. Smith, IRS Office of the Associate Chief Counsel (Passthroughs and Special Industries). However, other personnel from the IRS and the Treasury Department participated in their development.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

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

Authority: 26 U.S.C. 7805 * * *

■ **Par. 2.** Section 1.195–2 is added to read as follows:

§ 1.195–2 Technical termination of a partnership.

(a) *In general.* If a partnership that has elected to amortize start-up expenditures under section 195(b) and § 1.195–1 terminates in a transaction (or a series of transactions) described in section 708(b)(1)(B) or § 1.708–1(b)(2), the termination shall not be treated as resulting in a disposition of the partnership's trade or business for purposes of section 195(b)(2). See § 1.708–1(b)(6) for rules concerning the treatment of these start-up expenditures by the new partnership.

(b) *Effective/applicability date.* This section applies to a technical termination of a partnership under section 708(b)(1)(B) that occurs on or after December 9, 2013.

■ **Par. 3.** Section 1.708–1 is amended by adding paragraph (b)(6) to read as follows:

§ 1.708–1 Continuation of partnership.

* * * * *

(b) * * *

(6) *Treatment of certain start-up or organizational expenses following a technical termination*—(i) *In general.* If a partnership that has elected to amortize start-up expenditures under section 195(b) or organizational expenses under section 709(b)(1) terminates in a transaction (or a series of transactions) described in section 708(b)(1)(B) or paragraph (b)(2) of this section, the new partnership must continue to amortize those expenditures over the remaining portion of the amortization period adopted by the terminating partnership. See section 195 and § 1.195–1 for rules concerning the amortization of start-up expenditures and section 709 and § 1.709–1 for rules concerning the amortization of organizational expenses.

(ii) *Effective/applicability date.* This paragraph (b)(6) applies to a technical termination of a partnership under section 708(b)(1)(B) that occurs on or after December 9, 2013.

■ **Par.** 4. Section 1.709–1 is amended by:

■ 1. Redesignating paragraph (b)(3) as (b)(3)(i).

■ 2. Adding a heading to newly designated paragraph (b)(3)(i).

■ 3. Adding paragraph (b)(3)(ii).

■ 4. Adding a sentence at the end of paragraph (b)(5).

The additions read as follows:

§ 1.709–1 Treatment of organization and syndication costs.

* * * * *

(b) * * *

(3) *Liquidation of partnership*—(i) *In general.* * * *

(ii) *Technical termination of a partnership.* If a partnership that has elected to amortize organizational costs under section 709(b) terminates in a transaction (or a series of transactions) described in section 708(b)(1)(B) or § 1.708–1(b)(2), the termination shall not be treated as resulting in a liquidation of the partnership for purposes of section 709(b)(2). See § 1.708–1(b)(6) for rules concerning the

treatment of these organizational costs by the new partnership.

* * * * *

(5) * * * Paragraph (b)(3)(ii) of this section applies to a technical termination of a partnership under section 708(b)(1)(B) that occurs on or after December 9, 2013.

John Dalrymple,

Deputy Commissioner for Services and Enforcement.

Approved: May 29, 2014.

Mark J. Mazur,

Assistant Secretary of the Treasury (Tax Policy).

[FR Doc. 2014–17335 Filed 7–22–14; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF EDUCATION

34 CFR Chapter III

[Docket ID ED–2014–OSERS–0068]

Final Priority; Rehabilitation Training: Rehabilitation Long-Term Training Program—Rehabilitation Specialty Areas

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Final priority.

[CFDA Numbers: 84.129C, E, F, H, J, P, Q, R, and W.]

SUMMARY: The Assistant Secretary for Special Education and Rehabilitative Services announces a priority under the Rehabilitation Training: Rehabilitation Long-Term Training program. The Assistant Secretary may use this priority for competitions in fiscal year (FY) 2014 and later years in order to fund any of the rehabilitation specialty areas listed in this notice. The specific rehabilitation specialty areas to be funded in a given year will be listed in a notice inviting applications. This priority is designed to ensure that the Department funds high-quality rehabilitation programs in the following nine rehabilitation specialty areas of national need: Rehabilitation Administration (84.129C); Rehabilitation Technology (84.129E); Vocational Evaluation and Work Adjustment (84.129F); Rehabilitation of Individuals Who Are Mentally Ill (84.129H); Rehabilitation Psychology (84.129J); Rehabilitation of Individuals Who are Blind or Have Vision Impairments (84.129P); Rehabilitation of Individuals Who are Deaf or Hard of Hearing (84.129Q); Job Development and Job Placement Services (84.129R); and Comprehensive System of Personnel Development (84.129W). These programs must meet rigorous standards in order to provide rehabilitation professionals the training and qualifications necessary to meet the current challenges facing State vocational rehabilitation (VR) agencies and related agencies and assist individuals with disabilities in achieving high-quality employment outcomes.

DATES: *Effective Date:* This priority is effective August 22, 2014.

FOR FURTHER INFORMATION CONTACT: RoseAnn Ashby, U.S. Department of Education, 400 Maryland Avenue SW., room 5055, Potomac Center Plaza (PCP), Washington, DC 20202–2800. Telephone: (202) 245–7258 or by email: *roseann.ashby@ed.gov*.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: *Purpose of Program:* The Rehabilitation Long-Term Training program provides financial assistance for projects that provide—

(1) Basic or advanced training leading to an academic degree in areas of personnel shortages in rehabilitation as identified by the Secretary;

(2) A specified series of courses or programs of study leading to the award of a certificate in areas of personnel shortages in rehabilitation as identified by the Secretary; and

(3) Support for medical residents enrolled in residency training programs in the specialty of physical medicine and rehabilitation.

Program Authority: 29 U.S.C. 772(b).

Applicable Program Regulations: 34 CFR parts 385 and 386.

We published a notice of proposed priority for this competition in the **Federal Register** on May 13, 2014 (79 FR 27236). That notice contained background information and our reasons for proposing this particular priority.

There are no differences between the proposed priority and this final priority.

Public Comment: In response to our invitation in the notice of proposed priority, 24 parties submitted comments on the proposed priority.

Generally, we do not address technical and other minor changes.

Analysis of Comments and Changes: An analysis of the comments and of any changes in the priority since publication of the notice of proposed priority follows.

Comment: The overwhelming majority of commenters were supportive of the priority. They pointed out that it is important to have rehabilitation professionals trained in meeting the needs of individuals with a variety of disabilities. In particular, a number of commenters discussed the value that rehabilitation professionals trained in vocational evaluation can add to the field of rehabilitation. Professionals trained in vocational evaluation have particular expertise in assisting individuals with disabilities in making employment and career choices consistent with their unique abilities, thereby helping to ensure that individuals with disabilities achieve their employment goals.

Discussion: We appreciate the commenters' support for this priority.

Changes: None.

Comment: Two commenters expressed concern regarding the requirement for scholars to participate in an internship in a State VR agency as a requirement for program completion. They stated that internships may not be available in a State VR agency, particularly for those pursuing a rehabilitation program for serving individuals who are deaf or hard of hearing. Commenters stated that some State VR agencies may not have individuals qualified to supervise such internships, whereas other related agencies in the community may be able to provide internship opportunities that offer qualified supervisors and that would ultimately be more beneficial for scholars.

Discussion: We recognize that there may be some instances in which an institution of higher education receiving funds under this priority will need to develop internships in agencies other than the State VR agency. For this reason, paragraph (c)(5) of the priority provides an exception to this requirement in the event that a State VR agency cannot provide an internship in a scholar's field of study or if applicants demonstrate that it is otherwise not feasible for all students to complete an internship in a State VR agency. For example, if an applicant demonstrates that it is not feasible to provide the scholar an internship in a State VR agency because there are no staff able to supervise the individual or because the distance that the scholar would have to travel to the State VR agency is too great, then the scholar could be provided an internship in a related agency as defined in 34 CFR 386.4.

Changes: None.

Comment: Two commenters discussed the importance of coordination among professional associations, long-term training programs, and State VR agencies, specifically in the field of vocational

evaluation. They indicated that collaboration would provide robust discussions, opportunities both for student training and for continuing education of professional evaluators, connections with associations that offer certifications, consultative support to long-term training programs and State VR agencies, and the identification of employment opportunities for rehabilitation professionals.

Discussion: We agree with these commenters regarding the importance of collaboration among professional associations, long-term training programs, and State VR agencies. Nothing in this priority would prevent an applicant from developing collaborations with professional associations. However, we do not believe that it is necessary to make this a requirement.

Changes: None.

Comment: One commenter expressed concern about use of the term ''rehabilitation specialty'' to describe the nine specific emphases in this priority. This commenter felt the term ''rehabilitation specialty'' when referring to professional areas of focus other than VR counseling demeans these professions.

Discussion: This priority describes training programs for a number of rehabilitation professionals. The use of the term ''rehabilitation specialty'' is simply a convenient and easily understood term to distinguish between the general VR counselor training programs the Department funds and the programs described in this priority that train professionals who work with certain disability populations or who have skills in specific aspects of rehabilitation.

Changes: None.

Comment: One commenter asked that the priority specifically mention individuals who are deaf-blind or late-deafened in the discussion of rehabilitation of individuals who are deaf or hard of hearing. The commenter emphasized that individuals who are deaf, hard of hearing, late-deafened, and deaf-blind are four discrete populations with differing cultural, psychosocial, communication, and technology needs.

Discussion: We recognize that the four populations of individuals with disabilities mentioned by the commenter have varying needs and that having coursework to train rehabilitation professionals to address these needs would be appropriate. The specialty area includes all four of these populations and nothing in this priority would prevent an applicant from proposing coursework that would address the rehabilitation needs of all four populations.

Changes: None.

Comment: Several commenters discussed the need for individuals trained as vocational evaluators to learn how to assess the strengths of individuals who are deaf. They were concerned that individuals graduating with a degree in vocational evaluation often do not get the training they need to accurately perform these assessments. They encouraged coursework to address this need.

Discussion: We agree that assessing the vocational strengths and service needs of individuals who are deaf requires special training. Nothing in this priority would prevent an applicant from proposing vocational evaluation coursework to teach the skills needed to accurately assess the vocational strengths and service needs of individuals who are deaf. Such coursework would fit squarely within the training programs the priority is designed to support. We expect that the peer review process will reward applicants that address this issue.

Changes: None.

Comment: Several commenters suggested that, as tuition and other costs increase, grants funded under this priority should receive more funding. These commenters indicated that institutions of higher education may be discouraged from applying if grants are not funded at higher level.

Discussion: We recognize that higher education is becoming more expensive for students every year. As a result, scholarship support may be available to fewer students or cover a smaller proportion of their overall tuition and fees. However, we do not typically set out funding levels in our priorities. The Department retains the authority to increase maximum award sizes in future years under this program in a notice inviting applications, if we deem it appropriate.

Changes: None.

Final Priority

Rehabilitation Specialty Areas

The Assistant Secretary for Special Education and Rehabilitative Services announces a priority to fund programs leading to a master's degree or certificate in one of nine specialty areas: (1) Rehabilitation Administration; (2) Rehabilitation Technology; (3) Vocational Evaluation and Work Adjustment; (4) Rehabilitation of Individuals Who Are Mentally Ill; (5) Rehabilitation Psychology; (6) Specialized Personnel for Rehabilitation of Individuals Who Are Blind or Have Vision Impairments; (7) Rehabilitation of Individuals Who Are Deaf or Hard of Hearing; (8) Job Development and Job Placement Services; and (9) Comprehensive System of Personnel Development. The goal of this priority is to increase the skills of scholars in these rehabilitation specialty areas so that, upon successful completion of their master's degree or certificate programs, they are prepared to effectively meet the needs and demands of consumers with disabilities.

Under this priority, applicants must:

(a) Provide data on the current and projected employment needs and personnel shortages in the specialty area in State VR agencies and other related agencies as defined in 34 CFR 386.4 in their local area, region, and State, and describe how the proposed program will address those employment needs and personnel shortages.

(b) Describe how the proposed program will provide rehabilitation professionals with the skills and knowledge that will help ensure that the individuals with disabilities whom they serve can meet current demands and emerging trends in the labor market, including how:

(1) The curriculum provides a breadth of knowledge, experience, and rigor that will adequately prepare scholars to meet the employment needs and goals of VR consumers and aligns with evidence-based and competency-based practices in the rehabilitation specialty area;

(2) The curriculum prepares scholars to meet all applicable certification standards;

(3) The curriculum addresses new or emerging consumer needs or trends at the national, State, and regional levels in the rehabilitation specialty area;

(4) The curriculum teaches scholars to address the needs of individuals with disabilities who are from diverse cultural backgrounds;

(5) The curriculum trains scholars to assess the assistive technology needs of consumers, identify the most appropriate assistive technology services and devices for assisting consumers to obtain and retain employment, and train consumers to use such technology;

(6) The curriculum teaches scholars to work with employers effectively in today's economy, including by teaching strategies for developing relationships with employers in their State and local areas, identifying employer needs and skill demands, making initial employer contacts, presenting job-ready clients to potential employers, and conducting follow-up with employers; and

(7) The latest technology is incorporated into the methods of

instruction (e.g., the use of distance education to reach scholars who live far from the university and the use of technology to acquire labor market information).

(c) Describe their methods to:

(1) Recruit highly capable prospective scholars who have the potential to successfully complete the academic program, all required practicum and internship experiences, and the required service obligation;

(2) Educate potential scholars about the terms and conditions of the service obligation under 34 CFR 386.4, 386.34, and 386.40 through 386.43 so that they will be fully informed before accepting a scholarship;

(3) Maintain a system that ensures that scholars sign a payback agreement and an exit form when they exit the program, regardless of whether they drop out, are removed, or successfully complete the program;

(4) Provide academic support and counseling to scholars throughout the course of the academic program to ensure successful completion;

(5) Ensure that all scholars complete an internship in a State VR agency or a related agency as a requirement for completion of a program leading to a master's degree. The internship must be in a State VR agency unless the VR agency does not directly perform work related to the scholar's course of study or an applicant can provide sufficient justification that it is not feasible for all students receiving scholarships to complete an internship in a State VR agency. In such cases, the applicant may require scholars to complete an internship in a related agency, as defined in 34 CFR 386.4. Circumstances that would constitute sufficient justification may include, but are not limited to, a lack of capacity at the State VR agency to provide adequate supervision of scholars during their internship experience and the physical distance between scholars and the nearest office of the State VR agency (e.g., for scholars enrolled in distance-learning programs or at rural institutions). Applicants should include a written justification in the application or provide it to RSA for review and approval by the appropriate RSA Project Officer no later than 30 days prior to a scholar beginning an internship in a related agency. For applicants proposing a certificate program, the requirement for an internship in a State VR agency or a related agency is waived unless the certificate program has an internship requirement.

(6) Provide career counseling, including informing scholars of professional contacts and networks, job leads, and other necessary resources and information to support scholars in successfully obtaining and retaining qualifying employment;

(7) Maintain regular contact with scholars upon successful program completion to ensure that they have support during their search for qualifying employment as well as support during the initial months of their employment (e.g., by matching scholars with mentors in the field);

(8) Maintain regular communication with scholars after program exit to ensure that their contact information is current and that documentation of employment is accurate and meets the regulatory requirements for qualifying employment; and

(9) Maintain accurate information on, while safeguarding the privacy of, current and former scholars from the time they are enrolled in the program until they successfully meet their service obligation.

(d) Describe a plan for developing and maintaining partnerships with State VR agencies and community-based rehabilitation service providers that includes:

(1) Coordination between the grantee and the State VR agencies and community-based rehabilitation service providers that will promote qualifying employment opportunities for scholars and formalized on-boarding and induction experiences for new hires;

(2) Formal opportunities for scholars to obtain work experiences through internships, practicum agreements, job shadowing, and mentoring opportunities; and

(3) When applicable, a scholar internship assessment tool that is developed to ensure a consistent approach to the evaluation of scholars in a particular program. The tool should reflect the specific responsibilities of the scholar during the internship. The grantee and worksite supervisor are encouraged to work together as they see fit to develop the assessment tool. Supervisors at the internship site will complete the assessment detailing the scholar's strengths and areas for improvement that must be addressed and provide the results of the assessment to the grantee. The grantee should ensure that (i) scholars are provided with a copy of the assessment and all relevant rubrics prior to beginning their internship, (ii) supervisors have sufficient technical support to accurately complete the assessment, and (iii) scholars receive a copy of the results of the assessment within 90 days of the end of their internship.

(e) Describe how scholars will be evaluated throughout the entire program to ensure that they are proficient in meeting the needs and demands of today's consumers and employers, including the steps that will be taken to provide assistance to a scholar who is not meeting academic standards or who is performing poorly in a practicum or internship setting.

(f) Describe how the program will be evaluated. Such a description must include:

(1) How the program will determine its effect over a period of time on filling vacancies in the State VR agency with qualified rehabilitation professionals capable of providing quality services to consumers;

(2) How input from State VR agencies and community-based rehabilitation service providers will be included in the evaluation;

(3) How feedback from consumers of VR services and employers (including the assessments described in paragraph (d)(3)) will be included in the evaluation;

(4) How data from other sources, such as those from the Department on the State VR program, will be included in the evaluation; and

(5) How the data and results from the evaluation will be used to make necessary adjustments and improvements to the program.

Types of Priorities

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

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

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

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

This notice does not preclude us from proposing additional priorities,

requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

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

Executive Orders 12866 and 13563

Regulatory Impact Analysis

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

(1) Have an annual effect on the economy of $100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an ''economically significant'' rule);

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

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

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive order.

This final regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

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

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

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

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

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

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

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

We are issuing this final priority only on a reasoned determination that its benefits justify its costs. In choosing among alternative regulatory approaches, we selected those approaches that maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

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

In accordance with both Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department's programs and activities. The benefits of the Rehabilitation Long-Term Training program have been well established over the years through the successful completion of similar projects. Grants to provide funding for scholars to acquire master's degrees and certificates in the rehabilitation specialty areas listed in this notice are needed to ensure that State VR agencies and related agencies have a supply of qualified rehabilitation professionals with the skills to help individuals with disabilities to achieve employment in today's economy.

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

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

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue SW., room 5075, PCP, Washington, DC 20202–2550. Telephone: (202) 245–7363. If you use a TDD or a TTY, call the FRS, toll free, at 1–800–877–8339.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: July 18, 2014.

Melody Musgrove,

Director, Office for Special Education Programs.

[FR Doc. 2014–17370 Filed 7–22–14; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2014–0333; FRL–9914–11–OAR]

Approval and Promulgation of Implementation Plans; Washington: Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is partially approving and partially disapproving the State Implementation Plan (SIP) submittal from the State of Washington (Washington or the State) demonstrating that the SIP meets the infrastructure requirements of the Clean Air Act (CAA) for the National Ambient Air Quality Standards (NAAQS) promulgated for lead on October 15, 2008. The CAA requires that each state, after a new or revised NAAQS is promulgated, review their SIP to ensure that it meets the infrastructure requirements necessary to implement the new or revised NAAQS. On April 14, 2014, Washington certified that the Washington SIP meets the infrastructure requirements of the CAA for purposes of the 2008 lead NAAQS, except for those requirements related to the Prevention of Significant Deterioration (PSD) permitting program currently operated under a Federal Implementation Plan (FIP). The EPA has determined that Washington's 2008 lead SIP is adequate for purposes of the infrastructure SIP requirements of CAA section 110, with the exception of the requirements related to PSD permitting and portions of the interstate transport requirements. The EPA finds that the SIP deficiencies related to PSD permitting, however, have been adequately addressed by the existing EPA FIP and, therefore, no further action is required by Washington or the EPA. The EPA will address the remaining interstate transport requirements in a separate action.

DATES: This final rule is effective on August 22, 2014.

ADDRESSES: The EPA has established a docket for this action under Docket Identification No. EPA–R10–OAR–2014–0333. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information may not be publicly available, i.e., Confidential Business Information or other information the disclosure of which is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *http://www.regulations.gov* or in hard copy at EPA Region 10, Office of Air, Waste, and Toxics, AWT–107, 1200 Sixth Avenue, Seattle, Washington 98101. The EPA requests that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jeff Hunt at (206) 553–0256, *hunt.jeff@epa.gov,* or the above EPA, Region 10 address.

SUPPLEMENTARY INFORMATION: Throughout this document, wherever ''we,'' ''us,'' or ''our'' is used, it is intended to refer to the EPA.

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I. Background
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I. Background

On April 14, 2014, Washington submitted a certification that the State SIP meets the requirements of CAA sections 110(a)(1) and (2) for the 2008 lead NAAQS, except for the requirements related to PSD permitting and portions of the interstate transport requirements. On May 14, 2014, The EPA proposed to partially approve and partially disapprove the submittal (79 FR 27533). An explanation of the CAA requirements and implementing regulations that are met by this SIP submittal, a detailed explanation of the revision, and the EPA's reasons for approving it were provided in the notice of proposed rulemaking, and will not be restated here. The public comment period for this proposed rule ended on June 13, 2014. We did not receive any comments on the proposal.

II. Final Action

The EPA is partially approving the April 14, 2014, submittal from Washington to demonstrate that the SIP meets the requirements of sections 110(a)(1) and (2) of the CAA for the lead NAAQS promulgated on October 15, 2008, except for the requirements related to PSD permitting and portions of the interstate transport requirements as discussed in the proposed rulemaking for this action. Specifically, we have determined that the current EPA-approved Washington SIP meets the following CAA section 110(a)(2) infrastructure elements for the 2008 lead NAAQS: (A), (B), (C)—except for those elements covered by the PSD FIP, (D)(i)(II)—except for those elements covered by the PSD FIP, (D)(ii)—except for those elements covered by the PSD FIP, (E), (F), (G), (H), (J)—except for those elements covered by the PSD FIP, (K), (L), and (M). As noted in the proposed rulemaking, the EPA anticipates that there would be no adverse consequences to Washington or to sources in the State resulting from this partial disapproval of the infrastructure SIP related to PSD. The EPA, likewise, has no additional FIP responsibilities as a result of this partial disapproval for requirements related to PSD. Remaining interstate transport requirements under CAA section 110(a)(2)(D)(i)(I) for the 2008 lead NAAQS will be addressed in a separate action.

III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the 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 action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- 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 CAA; and
- does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because it will not impose substantial direct costs on tribal governments or preempt tribal law. The SIP is not approved to apply in Indian country located in the state, except for non-trust land within the exterior boundaries of the Puyallup Indian Reservation, also known as the 1873 Survey Area. Under the *Puyallup Tribe of Indians Settlement Act of 1989,* 25 U.S.C. 1773, Congress explicitly provided state and local agencies in Washington authority over activities on non-trust lands within the 1873 Survey Area and the EPA is therefore approving this SIP on such lands. Consistent with EPA policy, the EPA nonetheless provided a consultation opportunity to the Puyallup Tribe in a letter dated September 3, 2013. The EPA did not receive a request for consultation.

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. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register.** A major rule cannot take effect until 60 days after it is published in the **Federal Register.** This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 22, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Carbon monoxide, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur dioxide, Reporting and recordkeeping requirements.

Dated: July 7, 2014.

Dennis J. McLerran,

Regional Administrator, Region 10.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

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

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

Subpart WW—Washington

■ 2. In § 52.2470, paragraph (e) is amended by adding the entry ''110(a)(2) Infrastructure Requirements—2008 Lead Standard'' to Table 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS under the heading ''110(a)(2) Infrastructure and Interstate Transport'' after the entry for ''110(a)(2) Infrastructure Requirements—1997 ozone standard'' to read as follows:

§ 52.2470 Identification of plan.

* * * * *

(e) * * *

TABLE 2—ATTAINMENT, MAINTENANCE, AND OTHER PLANS

Name of SIP provision	Applicable geographic or non-attainment area	State submittal date	EPA approval date	Comments
*	*	*	*	*
110(a)(2) Infrastructure and Interstate Transport				
*	*	*	*	*
110(a)(2) Infrastructure Requirements—2008 Lead Standard.	Statewide	4/14/14	7/23/14 [Insert *Federal Register* citation].	This action addresses the following CAA elements: 110(a)(2)(A), (B), (C), (D)(i)(II), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
*	*	*	*	*

[FR Doc. 2014–17243 Filed 7–22–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2014–0495; FRL–9914–17–Region 9]

Interim Final Determination To Stay and Defer Sanctions, Clark County Department of Air Quality

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule.

SUMMARY: The Environmental Protection Agency is making an interim final determination to stay the imposition of offset sanctions and to defer the imposition of highway sanctions based on a proposed approval of a revision to the Clark County Department of Air Quality (Clark or DEQ) portion of the Nevada State Implementation Plan (SIP) published elsewhere in this **Federal Register**. The SIP revision concerns six permitting rules (referred to as Sections) submitted by Clark: Sections 0—Definitions, 12.0—Applicability, General Requirements and Transition

Procedures, 12.1—Permit Requirements for Minor Sources, 12.2—Permit Requirements for Major Sources in Attainment Areas, 12.3—Permit Requirements for Major Sources in Nonattainment Areas, 12.4—Authority to Construct Application and Permit Requirements For Part 70 Sources, and subsection 12.7.5 of Section 12.7—Emission Reduction Credits.

DATES: This interim final determination is effective on July 23, 2014. However, comments will be accepted until August 22, 2014.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2014–0495, by one of the following methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the on-line instructions.

2. *Email: R9airpermits@epa.gov.*

3. *Mail or deliver:* Gerardo Rios (Air-3), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *http://www.regulations.gov* or email. *http://www.regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Docket: Generally, documents in the docket for this action are available electronically at *http://www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at *http://www.regulations.gov,* some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Laura Yannayon, EPA Region IX, (415) 972–3534, *yannayon.laura@epa.gov.*

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

I. Background

On October 18, 2012 (77 FR 64039), we published a limited approval and limited disapproval of 6 Clark County rules: Sections 0-Definitions, 12.0—Applicability, General Requirements and Transition Procedures, 12.1—Permit Requirements for Minor Sources, 12.2—Permit Requirements for Major Sources in Attainment Areas, 12.3—Permit Requirements for Major Sources in Nonattainment Areas, 12.4—Authority to Construct Application and Permit Requirements For Part 70 Sources. We based our limited disapproval action on certain deficiencies in the submitted rules. This disapproval action started a sanctions clock for imposition of offset sanctions 18 months after October 18, 2012 and highway sanctions 6 months later, pursuant to section 179 of the Clean Air Act (CAA) and our regulations at 40 CFR 52.31. Under 40 CFR 52.31(d)(1), offset sanctions apply eighteen months after the effective date of a disapproval and highway sanctions apply six months after the offset sanctions, unless we determine that the deficiencies forming the basis of the disapproval have been corrected.

On March 18, 2014, Clark adopted amended versions of these rules, which were intended to correct the deficiencies identified in our October 18, 2012 limited approval and limited disapproval action. On April 1, 2014, the State submitted these amended rules to EPA. In the Proposed Rules section of today's **Federal Register**, we are proposing to fully approve these rules because we believe it corrects the deficiencies identified in our October 18, 2012 disapproval action. Based on today's proposed approval, we are taking this final rulemaking action, effective on publication, to stay the imposition of the offset sanctions, which went into effect on May 18, 2014, and to defer the imposition of the highway sanctions that were triggered by our October 18, 2012 limited disapproval.

EPA is providing the public with an opportunity to comment on this stay/deferral of sanctions. If comments are submitted that change our assessment described in this final determination and our proposed full approval of Clark's amended rules, we intend to take subsequent final action to re-impose sanctions pursuant to 40 CFR 52.31(d). If no comments are submitted that change our assessment, then all sanctions and sanction clocks will be permanently terminated on the effective date of a final rule approval.

II. EPA Action

We are making an interim final determination to stay the imposition of the offset sanctions and to defer the imposition of the highway sanctions associated with Clark County Sections 0—Definitions, 12.0—Applicability, General Requirements and Transition Procedures, 12.1—Permit Requirements for Minor Sources, 12.2—Permit Requirements for Major Sources in Attainment Areas, 12.3—Permit Requirements for Major Sources in Nonattainment Areas, 12.4—Authority to Construct Application and Permit Requirements For Part 70 Sources, based on our concurrent proposal to approve the State's SIP revision as correcting the deficiencies that initiated sanctions.

Because EPA has preliminarily determined that the State has corrected the deficiencies identified in EPA's limited disapproval action, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for comment before this action takes effect (5 U.S.C. 553(b)(3)). However, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date, and EPA will consider any comments received in determining whether to reverse such action.

EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. EPA has reviewed the State's submittal and, through its proposed action, is indicating that it is more likely than not that the State has corrected the deficiencies that started the sanctions clocks. Therefore, it is not in the public interest to initially impose sanctions or to keep applied sanctions in place when the State has most likely done all it can to correct the deficiencies that triggered the sanctions clocks. Moreover, it would be impracticable to go through notice-and-comment rulemaking on a finding that the State has corrected the deficiencies prior to the rulemaking approving the State's submittal. Therefore, EPA believes that it is necessary to use the interim final rulemaking process to stay and defer

sanctions while EPA completes its rulemaking process on the approvability of the State's submittal. Moreover, with respect to the effective date of this action, EPA is invoking the good cause exception to the 30-day notice requirement of the APA because the purpose of this notice is to relieve a restriction (5 U.S.C. 553(d)(1)).

III. Statutory and Executive Order Reviews

This action stays and defers Federal sanctions and imposes no additional requirements.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget.

This action is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) because it is not a significant regulatory action.

The administrator certifies that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

This rule 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).

This rule does not have tribal implications because it will 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, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action does not have Federalism implications because it does not have substantial direct effects 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999).

This rule is not subject to Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

The requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272) do not apply to this rule because it imposes no standards.

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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 to Congress and the Comptroller General. However, section 808 provides that any rule for which the issuing agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). EPA has made such a good cause finding, including the reasons therefore, and established an effective date of July 23, 2014. EPA 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 prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 22, 2014. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purpose of judicial review nor does it extend the time within which petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental regulations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: June 19, 2014.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2014–17327 Filed 7–22–14; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–HQ–ES–2014–0015; 92100–1111–0000]

RIN 1018–AY49

Endangered and Threatened Wildlife and Plants; Marine and Anadromous Taxa: Additions, Removal, Updates, and Corrections to the List of Endangered and Threatened Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are amending the List of Endangered and Threatened Wildlife (List) by adding several marine taxa, removing one species, and revising the entries of many more in accordance with the Endangered Species Act of 1973, as amended (Act). These amendments are based on previously published determinations by the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration, Department of Commerce, which has jurisdiction for these species.

DATES: This rule is effective July 23, 2014. For the applicability date for the status of newly listed taxa, see the individual species documents referenced in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Michael Franz, 703–358–2171.

SUPPLEMENTARY INFORMATION:

Background

In accordance with the Act (16 U.S.C. 1531 et seq.) and Reorganization Plan No. 4 of 1970 (35 FR 15627; October 6, 1970), NMFS has jurisdiction over the marine and anadromous taxa specified in this rule. Under section 4(a)(2) of the Act, NMFS must decide whether a species under its jurisdiction should be classified as endangered or threatened. NMFS makes these determinations via its rulemaking process. We, the Service, are then responsible for publishing final rules to amend the List in the Code of Federal Regulations (CFR) at 50 CFR 17.11(h).

As described below and set forth at the table in the rule portion of this document, NMFS has published rules regarding each of the species mentioned in this rule. Section 4(a)(2)(A) applies to all of the rules except that for the Steller sea lion (Eastern DPS); with respect to those rules, by publishing this final rule,

we are simply taking the necessary administrative step to codify these changes in the CFR 4(a)(2)(B) applies to the NMFS's recommendation to delist the Steller sea lion (Eastern DPS); we have concurred with NMFS's recommendation, and this rule implements that action. In the lists below, DPS stands for distinct population segment, ESU stands for evolutionarily significant unit, and XN stands for nonessential experimental population.

Listings

We are adding the following 16 species to the List based on NMFS final rules:

- Steelhead (Middle Columbia River DPS), designation of nonessential experimental population (XN) (78 FR 2893; January 15, 2013)
- Seal, bearded (Beringia DPS), as threatened (77 FR 76740; December 28, 2012)
- Seal, bearded (Okhotsk DPS), as threatened (77 FR 76740; December 28, 2012)
- Seal, ringed (Arctic subspecies), as threatened (77 FR 76706; December 28, 2012)
- Seal, ringed (Baltic subspecies), as threatened (77 FR 76706; December 28, 2012)
- Seal, ringed (Ladoga subspecies), as endangered (77 FR 76706; December 28, 2012)
- Seal, ringed (Okhotsk subspecies), as threatened (77 FR 76706; December 28, 2012)
- Whale, false killer (Main Hawaiian Islands Insular DPS), as endangered (77 FR 70915; November 28, 2012)
- Salmon, coho (Central California Coast ESU), reaffirmed as endangered but with range extension (77 FR 19552; April 2, 2012)
- Sturgeon, Atlantic (Atlantic subspecies; Carolina DPS), as endangered (77 FR 5914; February 6, 2012)
- Sturgeon, Atlantic (Atlantic subspecies; Chesapeake Bay DPS), as endangered (77 FR 5880; February 6, 2012)
- Sturgeon, Atlantic (Atlantic subspecies; Gulf of Maine DPS), as threatened (77 FR 5880; February 6, 2012)
- Sturgeon, Atlantic (Atlantic subspecies; New York Bight DPS), as endangered (77 FR 5880; February 6, 2012)
- Sturgeon, Atlantic (Atlantic subspecies; South Atlantic DPS), as endangered (77 FR 5914; February 6, 2012)
- Sawfish, largetooth, as endangered (76 FR 40822; July 12, 2011)
- Salmon, coho (Oregon Coast ESU), as threatened with critical habitat (76 FR 35755; June 20, 2011) reaffirming listing (73 FR 7816; February 11, 2008)

Please note: The Oregon Coast coho salmon ESU was listed on August 10, 1998, as threatened (63 FR 42587), but in 2001, the U.S. District Court in Eugene, Oregon, set aside that listing *(Alsea Valley Alliance* v. *Evans,* 161 F. Supp 2d 1154, (D. Or. 2001)). On February 11, 2008, NMFS listed the Oregon Coast coho salmon ESU as threatened, issued protective regulations under section 4(d) of the Act (known as a 4(d) rule), and designated critical habitat (73 FR 7816). As a result of another court challenge *(Douglas County* v. *Balsiger* (Civ. No. 08–1547; D. Or. 2008)), NMFS reached a settlement with the litigants and agreed to conduct another status review of the ESU. After conducting the additional status review, NMFS affirmed the status for this ESU by promulgating a rule to supersede its February 11, 2008, listing determination (76 FR 35755; June 20, 2011).

Delisting

We are removing the following species from the List based on a NMFS final rule:

- Sea lion, Steller (Eastern DPS) (78 FR 66140; November 4, 2013)

Critical Habitat

We are adding critical habitat to the following species based on a NMFS final rule:

- Abalone, black (76 FR 66806; October 27, 2011)
- Eulachon, Pacific (Southern DPS) (76 FR 65324; October 20, 2011)
- Whale, beluga (Cook Inlet DPS) (76 FR 20180; April 11, 2011)

Updating

We are updating 42 entries on the List by referencing the respective NMFS Lists at 50 CFR 223.102 or 50 CFR 224.101 in the ''Vertebrate population where endangered or threatened'' column to make it easier for the public to identify and obtain the current descriptions of the following listed marine taxa:

- Bocaccio (Puget Sound/Georgia Basin DPS)
- Eulachon, Pacific (Southern DPS)
- Rockfish, canary (Puget Sound/Georgia Basin DPS)
- Rockfish, yelloweye (Puget Sound/Georgia Basin DPS)
- Salmon, Atlantic (Gulf of Maine DPS)
- Salmon, Chinook (California Coastal ESU)
- Salmon, Chinook (Central Valley spring-run ESU)
- Salmon, Chinook (Lower Columbia River ESU)
- Salmon, Chinook (Puget Sound ESU)
- Salmon, Chinook (Sacramento River winter-run ESU)
- Salmon, Chinook (Snake River fall-run ESU)
- Salmon, Chinook (Snake River spring/summer-run ESU)
- Salmon, Chinook (Upper Columbia River spring-run ESU)
- Salmon, Chinook (Upper Willamette River ESU)
- Salmon, chum (Columbia River ESU)
- Salmon, chum (Hood Canal summer-run ESU)
- Salmon, coho (Central California Coast ESU)
- Salmon, coho (Lower Columbia River ESU)
- Salmon, coho (Oregon Coast ESU)
- Salmon, coho (Southern Oregon/Northern California Coast ESU)
- Salmon, sockeye (Ozette Lake ESU)
- Salmon, sockeye (Snake River ESU)
- Sawfish, smalltooth (United States DPS)
- Sea lion, Steller (Western DPS)
- Sea turtle, green
- Sea turtle, olive ridley
- Seal, spotted (Southern DPS)
- Steelhead (California Central Valley DPS)
- Steelhead (Central California Coast DPS)
- Steelhead (Lower Columbia River DPS)
- Steelhead (Middle Columbia River DPS)
- Steelhead (Northern California DPS)
- Steelhead (Puget Sound DPS)
- Steelhead (Snake River Basin DPS)
- Steelhead (South-Central California Coast DPS)
- Steelhead (Southern California DPS)
- Steelhead (Upper Columbia River DPS)
- Steelhead (Upper Willamette River DPS)
- Sturgeon, North American green (Southern DPS)
- Whale, beluga (Cook Inlet DPS)
- Whale, gray (Western North Pacific DPS)
- Whale, killer (Southern Resident DPS)

Correcting

We are updating 53 entries on the List based on NMFS final rules and to make these entries easier to understand for the public. Updates include: corrections to the scientific and common names of species that were either misspelled or omitted in error in previous **Federal Register** notices; grouping change; corrections to the ''Vertebrate population where endangered or threatened'' column where previously ''NA'' was used in error; and, additions

to the ''Special rules'' column for some marine taxa where previously ''NA'' was used or the rule was not included. Below are the marine taxa for which updates are being applied:

- Abalone, black
- Abalone, white
- Bocaccio (Puget Sound/Georgia Basin DPS)
- Coral, elkhorn
- Coral, staghorn
- Dolphin, Indus River
- Eulachon, Pacific (Southern DPS)
- Rockfish, canary (Puget Sound/Georgia Basin DPS)
- Rockfish, yelloweye (Puget Sound/Georgia Basin DPS)
- Salmon, Atlantic (Gulf of Maine DPS)
- Salmon, Chinook (California Coastal ESU)
- Salmon, Chinook (Central Valley spring-run ESU)
- Salmon, Chinook (Lower Columbia River ESU)
- Salmon, Chinook (Puget Sound ESU)
- Salmon, Chinook (Sacramento River winter-run ESU)
- Salmon, Chinook (Snake River fall-run ESU)
- Salmon, Chinook (Snake River spring/summer-run ESU)
- Salmon, Chinook (Upper Columbia River spring-run ESU)
- Salmon, Chinook (Upper Willamette River ESU)
- Salmon, chum (Columbia River ESU)
- Salmon, chum (Hood Canal summer-run ESU)
- Salmon, coho (Central California Coast ESU)
- Salmon, coho (Lower Columbia River ESU)
- Salmon, coho (Oregon Coast ESU)
- Salmon, coho (Southern Oregon/Northern California Coast ESU)
- Salmon, sockeye (Ozette Lake ESU)
- Salmon, sockeye (Snake River ESU)
- Sawfish, smalltooth (United States DPS)
- Sea lion, Steller (Western DPS)
- Sea turtle, loggerhead (Mediterranean Sea DPS)
- Sea turtle, loggerhead (North Indian Ocean DPS)
- Sea turtle, loggerhead (North Pacific Ocean DPS)
- Sea turtle, loggerhead (Northeast Atlantic Ocean DPS)
- Sea turtle, loggerhead (Northwest Atlantic Ocean DPS)
- Sea turtle, loggerhead (South Atlantic Ocean DPS)
- Sea turtle, loggerhead (South Pacific Ocean DPS)
- Sea turtle, loggerhead (Southeast Indo-Pacific Ocean DPS)
- Sea turtle, loggerhead (Southwest Indian Ocean DPS)
- Seal, spotted (Southern DPS)
- Steelhead (California Central Valley DPS)
- Steelhead (Central California Coast DPS)
- Steelhead (Lower Columbia River DPS)
- Steelhead (Middle Columbia River DPS)
- Steelhead (Northern California DPS)
- Steelhead (Puget Sound DPS)
- Steelhead (Snake River Basin DPS)
- Steelhead (South-Central California Coast DPS)
- Steelhead (Southern California DPS)
- Steelhead (Upper Columbia River DPS)
- Steelhead (Upper Willamette River DPS)
- Sturgeon, North American green (Southern DPS)
- Whale, beluga (Cook Inlet DPS)
- Whale, killer (Southern Resident DPS)

Changes to Common Names

We are changing the presentation of the common names of the following species to conform with the way that NMFS refers to these species:

- ''Dolphin, Indus River'' will now appear on the List as ''Dolphin, South Asian River (Indus River subspecies).''
- ''Eulachon, Pacific (Southern DPS)'' will now appear on the List as ''Eulachon (Southern DPS).''
- ''Sea-lion, Steller'' will now appear on the List as ''Sea lion, Steller (Western DPS).''
- ''Seal, Saimaa'' will now appear on the List as ''Seal, ringed (Saimaa subspecies).''
- ''Sturgeon, Gulf'' will now appear on the List as ''Sturgeon, Atlantic (Gulf subspecies).''
- ''Sturgeon, North American green (Southern DPS)'' will now appear on the List as ''Sturgeon, green (Southern DPS).''
- ''Sturgeon, white'' will now appear on the List as ''Sturgeon, white (Kootenai River DPS).''

Administrative Procedure Act

Because NMFS provided a public comment period on each of the proposed rules for these taxa, we find good cause that the notice and public comment procedures of 5 U.S.C. 553(b) are unnecessary for this action. We also find good cause under 5 U.S.C. 553(d)(3) to make this rule effective immediately under publication. The NMFS rules extended protection under the Act to these species and listed them in 50 CFR parts 223 and 224 or designated critical habitat under 50 CFR part 226; this rule is an administrative action to add the species to or update their status on the List in 50 CFR 17.11(h). The public would not be served by delaying the effective date of this rulemaking action.

Required Determinations

National Environmental Policy Act

We have determined that an environmental assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Act. We outlined our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

Paperwork Reduction Act

We have examined this regulation under the Paperwork Reduction Act of 1995 and found it to contain no information collection requirements. We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Regulation Promulgation

Accordingly, we amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

■ 1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 1531–1544; and 4201–4245, unless otherwise noted.

■ 2. Amend § 17.11(h) by:

■ a. Removing entries under Mammals for Dolphin, Indus River *(Platanista minor);* both entries for Sea-lion, Steller *(Eumetopias jubatus);* and Seal, Saimaa *(Phoca hispida saimensis);*

■ b. Removing entries under Reptiles for Sea turtle, loggerhead, Mediterranean Sea *(Caretta caretta);* Sea turtle, loggerhead, North Indian Ocean *(Caretta caretta);* Sea turtle, loggerhead, North Pacific Ocean *(Caretta caretta);* Sea turtle, loggerhead, Northeast Atlantic Ocean *(Caretta caretta);* Sea turtle, loggerhead, Northwest Atlantic Ocean *(Caretta caretta);* Sea turtle, loggerhead, South Atlantic Ocean *(Caretta caretta);* Sea turtle, loggerhead, South Pacific Ocean *(Caretta caretta);* Sea turtle, loggerhead, Southeast Indo-Pacific Ocean *(Caretta caretta);* and Sea turtle,

loggerhead, Southwest Indian Ocean *(Caretta caretta);*

■ c. Removing entries under Fishes for Eulachon, Pacific (Southern DPS) *(Thaleichthyspacificus)*; Sturgeon, Gulf *(Acipenser oxyrinchus (=oxyrhynchus) desotoi)*; Sturgeon, North American green (Southern DPS) *(Acipensermedirostris)*; and Sturgeon, white *(Acipenser transmontanus)*;

■ d. Removing the entry under Clams for Abalone, white *(Haliotis sorenseni)*;

■ e. Adding entries in alphabetical order under Mammals for Dolphin, South Asian River (Indus River subspecies) *(Platanista gangetica minor)*; Sea lion, Steller (Western DPS) *(Eumetopias jubatus)*; Seal, bearded (Beringia DPS) *(Erignathus barbatus nauticus)*; Seal, bearded (Okhotsk DPS) *(Erignathus barbatus nauticus)*; Seal, ringed (Arctic subspecies) *(Phoca* (= *Pusa) hispida hispida)*; Seal, ringed (Baltic subspecies) *(Phoca* (= *Pusa) hispida botnica)*; Seal, ringed *(Ladoga subspecies) (Phoca (=Pusa) hispida ladogensis)*; Seal, ringed (Okhotsk subspecies) *(Phoca* (=*Pusa) hispida ochotensis)*; Seal, ringed (Saimaa subspecies) *(Phoca hispida saimensis)*; and Whale, false killer (Main Hawaiian Islands Insular DPS) *(Pseudorca crassidens)*;

■ f. Adding entries in alphabetical order under Reptiles for Sea turtle, loggerhead (Mediterranean Sea DPS) *(Caretta caretta)*; Sea turtle, loggerhead (North Indian Ocean DPS) *(Caretta caretta)*; Sea turtle, loggerhead (North Pacific Ocean DPS) *(Caretta caretta)*; Sea turtle, loggerhead (Northeast Atlantic Ocean DPS) *(Caretta caretta)*; Sea turtle, loggerhead (Northwest Atlantic Ocean DPS) *(Caretta caretta)*; Sea turtle, loggerhead (South Atlantic Ocean DPS) *(Caretta caretta)*; Sea turtle, loggerhead (South Pacific Ocean DPS) *(Caretta caretta)*; Sea turtle, loggerhead (Southeast Indo-Pacific Ocean DPS) *(Caretta caretta)*; and Sea turtle, loggerhead (Southwest Indian Ocean DPS) *(Caretta caretta)*;

■ g. Adding entries in alphabetical order under Fishes for Eulachon (Southern DPS) *(Thaleichthys pacificus)*; Salmon, Chinook (Central Valley spring-run ESU—XN) *(Oncorhynchus tshawytscha),* to follow the current entry for ''Salmon, Chinook (California Coastal ESU) *(Oncorhynchus tshawytscha)'';* Sawfish, largetooth *(Pristis perotteti)*; Steelhead (Middle Columbia River DPS—XN) *(Oncorhynchus mykiss),* to follow the current entry for ''Steelhead (Middle Columbia River DPS) *(Oncorhynchus mykiss)'';* Sturgeon, Atlantic (Atlantic subspecies; Carolina DPS) *(Acipenser oxyrinchus oxyrinchus)*; Sturgeon, Atlantic (Atlantic subspecies; Chesapeake Bay DPS) *(Acipenser oxyrinchus oxyrinchus)*; Sturgeon, Atlantic (Atlantic subspecies; Gulf of Maine DPS) *(Acipenser oxyrinchus oxyrinchus)*; Sturgeon, Atlantic (Atlantic subspecies; New York Bight DPS) *(Acipenser oxyrinchus oxyrinchus)*; Sturgeon, Atlantic (Atlantic subspecies; South Atlantic DPS) *(Acipenser oxyrinchus oxyrinchus)*; Sturgeon, Atlantic (Gulf subspecies) *(Acipenser oxyrinchus (=oxyrhynchus) desotoi)*; Sturgeon, green (Southern DPS) *(Acipenser medirostris)*; and Sturgeon, white (Kootenai River DPS) *(Acipenser transmontanus)*;

■ h. Adding an entry in alphabetical order under Snails for Abalone, white *(Haliotis sorenseni)*;

■ i. Revising entries under Mammals for Seal, spotted (Southern DPS) *(Phoca largha)*; Whale, beluga (Cook Inlet DPS) *(Delphinapterus leucas)*; Whale, gray (Western North Pacific DPS) *(Eschrichtius robustus)*; and Whale, killer (Southern Resident DPS) *(Pseudorca crassidens)*;

■ j. Revising under Reptiles both entries for Sea turtle, green *(Chelonia mydas)* and both entries for Sea turtle, olive ridley *(Lepidochelys olivacea)*;

■ k. Revising entries under Fishes for Bocaccio (Puget Sound—Georgia Basin DPS) *(Sebastes paucispinis)*; Rockfish, canary (Puget Sound—Georgia Basin DPS) *(Sebastes pinniger)*; Rockfish, yelloweye (Puget sound—Georgia Basin DPS) *(Sebastes ruberrimus)*; Salmon, Atlantic (Gulf of Maine DPS) *(Salmo salar)*; Salmon, Chinook (California Coastal ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Central Valley spring-run ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Lower Columbia River ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Puget Sound ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Sacramento River winter-run ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Snake River fall-run ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Snake River spring/summer-run ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Upper Columbia River spring-run ESU) *(Oncorhynchus tshawytscha)*; Salmon, Chinook (Upper Willamette River ESU) *(Oncorhynchus tshawytscha)*; Salmon, chum (Columbia River ESU) *(Oncorhynchus keta)*; Salmon, chum (Hood Canal summer-run ESU) *(Oncorhynchus keta)*; Salmon, coho (Central California Coast ESU) *(Oncorhynchus kisutch)*; Salmon, coho (Lower Columbia River ESU) *(Oncorhynchus kisutch)*; Salmon, coho (Oregon Coast ESU) *(Oncorhynchus kisutch)*; Salmon, coho (Southern Oregon—Northern California Coast ESU) *(Oncorhynchus kisutch)*; Salmon, sockeye (Ozette Lake ESU) *(Oncorhynchus nerka)*; Salmon, sockeye (Snake River ESU) *(Oncorhynchus nerka)*; Sawfish, smalltooth (United States DPS) *(Pristis pectinata)*; Steelhead (California Central Valley DPS) *(Oncorhynchus mykiss)*; Steelhead (Central California Coast DPS) *(Oncorhynchus mykiss)*; Steelhead (Lower Columbia River DPS) *(Oncorhynchus mykiss)*; Steelhead (Middle Columbia River DPS) *(Oncorhynchus mykiss)*; Steelhead (Northern California DPS) *(Oncorhynchus mykiss)*; Steelhead (Puget Sound DPS) *(Oncorhynchus mykiss)*; Steelhead (Snake River Basin DPS) *(Oncorhynchus mykiss)*; Steelhead (South-Central California Coast DPS) *(Oncorhynchus mykiss)*; Steelhead (Southern California DPS) *(Oncorhynchus mykiss);* Steelhead (Upper Columbia River DPS) *(Oncorhynchus mykiss)*; and Steelhead (Upper Willamette River DPS) *(Oncorhynchus mykiss)*;

■ l. Revising the entry under Snails for Abalone, Black *(Haliotiscracherodii)*; and

■ m. Revising the entries under Corals for Coral, elkhorn *(Acropora palmata)* and Coral, staghorn *(Acropora cervicornis.)*

The additions and revisions read as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

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Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
MAMMALS							
*	*	*	*	*	*	*	
Dolphin, South Asian River (Indus River subspecies).	*Platanista gangetica minor.*	Pakistan (Indus R. and tributaries).	Entire	E	417	NA	NA
*	*	*	*	*	*	*	
Sea lion, Steller (Western DPS).	*Eumetopias jubatus*	U.S.A. (AK, CA, OR, WA), Canada, Russia; North Pacific Ocean.	Western DPS—see 50 CFR 224.101.	E	384E, 408, 614	226.202	224.103, 226.202
Seal, bearded (Beringia DPS).	*Erignathus barbatus nauticus.*	Arctic and Pacific Oceans.	Beringia DPS—see 50 CFR 223.102.	T	816	NA	NA
Seal, bearded (Okhotsk DPS).	*Erignathus barbatus nauticus.*	Pacific Ocean	Okhotsk DPS—see 50 CFR 223.102.	T	816	NA	NA
*	*	*	*	*	*	*	
Seal, ringed (Arctic subspecies).	*Phoca (=Pusa) hispida hispida.*	Arctic Ocean	Entire	T	816	NA	NA
Seal, ringed (Baltic subspecies).	*Phoca (=Pusa) hispida botnica.*	Baltic Sea	Entire	T	816	NA	NA
Seal, ringed (Ladoga subspecies).	*Phoca (=Pusa) hispida ladogensis.*	Russia (Lake Ladoga)	Entire	E	816	NA	NA
Seal, ringed (Okhotsk subspecies).	*Phoca (=Pusa) hispida ochotensis.*	Pacific Ocean	Entire	T	816	NA	NA
Seal, ringed (Saimaa subspecies).	*Phoca hispida saimensis*	Finland (Lake Saimaa)	Entire	E	508	NA	NA
Seal, spotted (Southern DPS).	*Phoca largha*	Pacific Ocean; Sea of Japan and northern Yellow Sea.	Southern DPS—see 50 CFR 223.102.	T	776	NA	223.212
*	*	*	*	*	*	*	
Whale, beluga (Cook Inlet DPS).	*Delphinapterus leucas*	Oceanic; Cook Inlet, northern Gulf of Alaska.	Cook Inlet DPS—see 50 CFR 224.101.	E	776	226.220	NA
*	*	*	*	*	*	*	
Whale, false killer (Main Hawaiian Islands Insular DPS).	*Pseudorca crassidens*	Main Hawaiian Islands	Main Hawaiian Islands Insular DPS—see 50 CFR 224.101.	E	816	NA	NA
*	*	*	*	*	*	*	
Whale, gray (Western North Pacific DPS).	*Eschrichtius robustus*	North Pacific Ocean—coastal and Bering Sea, formerly North Atlantic Ocean.	Western North Pacific DPS—see 50 CFR 224.101.	E	3, 540	NA	NA
*	*	*	*	*	*	*	
Whale, killer (Southern Resident DPS).	*Orcinus orca*	Pacific Ocean	Southern Resident DPS—see 50 CFR 224.101.	E	756	226.206	224.103
*	*	*	*	*	*	*	
REPTILES							
*	*	*	*	*	*	*	
Sea turtle, green	*Chelonia mydas*	Circumglobal in tropical and temperate seas and oceans.	Breeding colony populations in FL and on Pacific coast of Mexico.	E	42	226.208	224.104
Sea turtle, green	*Chelonia mydas*	Circumglobal in tropical and temperate seas and oceans.	Entire species, except when listed as endangered under 50 CFR 224.101.	T	42	226.208	17.42(b), 223.205, 223.206, 223.207
*	*	*	*	*	*	*	
Sea turtle, loggerhead (Mediterranean Sea DPS).	*Caretta caretta*	Mediterranean Sea Basin.	Loggerhead sea turtles originating from the Mediterranean Sea east of 5°36′ W. Long.	E	794	NA	224.104
Sea turtle, loggerhead (North Indian Ocean DPS).	*Caretta caretta*	North Indian Ocean Basin.	Loggerhead sea turtles originating from the North Indian Ocean north of the equator and south of 30° N. Lat.	E	794	NA	224.104
Sea turtle, loggerhead (North Pacific Ocean DPS).	*Caretta caretta*	North Pacific Ocean Basin.	Loggerhead sea turtles originating from the North Pacific north of the equator and south of 60° N. Lat.	E	794	NA	224.104

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Sea turtle, loggerhead (Northeast Atlantic Ocean DPS).	*Caretta caretta*	Northeast Atlantic Ocean Basin.	Loggerhead sea turtles originating from the Northeast Atlantic Ocean north of the equator, south of 60° N. Lat., and east of 40° W. Long., except in the vicinity of the Strait of Gibraltar where the eastern boundary is 5°36′ W. Long.	E	794	NA	224.104
Sea turtle, loggerhead (Northwest Atlantic Ocean DPS).	*Caretta caretta*	Northwest Atlantic Ocean Basin.	Loggerhead sea turtles originating from the Northwest Atlantic Ocean north of the equator, south of 60° N. Lat., and west of 40° W. Long.	T	794	NA	223.205, 223.206, 223.207
Sea turtle, loggerhead (South Atlantic Ocean DPS).	*Caretta caretta*	South Atlantic Ocean Basin.	Loggerhead sea turtles originating from the South Atlantic Ocean south of the equator, north of 60° S. Lat., west of 20° E. Long., and east of 67° W. Long.	T	794	NA	223.205, 223.206, 223.207
Sea turtle, loggerhead (South Pacific Ocean DPS).	*Caretta caretta*	South Pacific Ocean Basin.	Loggerhead sea turtles originating from the South Pacific south of the equator, north of 60° S. Lat., west of 67° W. Long., and east of 141° E. Long.	E	794	NA	224.104
Sea turtle, loggerhead (Southeast Indo-Pacific Ocean DPS).	*Caretta caretta*	Southeast Indian Ocean Basin; South Pacific Ocean Basin as far east as 141° E. Long.	Loggerhead sea turtles originating from the Southeast Indian Ocean south of the equator, north of 60° S. Lat., and east of 80° E. Long.; South Pacific Ocean south of the equator, north of 60° S. Lat., and west of 141° E. Long.	T	794	NA	223.205, 223.206, 223.207
Sea turtle, loggerhead (Southwest Indian Ocean DPS).	*Caretta caretta*	Southwest Indian Ocean Basin.	Loggerhead sea turtles originating from the Southwest Indian Ocean north of the equator, south of 30° N. Lat., east of 20° E. Long., and west of 80° E. Long.	T	794	NA	223.205, 223.206, 223.207
Sea turtle, olive ridley	*Lepidochelys olivacea* ...	Circumglobal in tropical and temperate seas.	Breeding colony populations on Pacific coast of Mexico.	E	42	NA	224.104
Sea turtle, olive ridley	*Lepidochelys olivacea* ...	Circumglobal in tropical and temperate seas.	Entire species, except when listed as endangered under 50 CFR 224.101.	T	42	NA	17.42(b), 223.205, 223.206, 223.207
*	*	*	*	*	*	*	
FISHES							
*	*	*	*	*	*	*	
Bocaccio (Puget Sound–Georgia Basin DPS).	*Sebastes paucispinis*	Pacific coast from Punta Blanca, Baja California, to the Gulf of Alaska off Krozoff and Kodiak Islands.	Puget Sound–Georgia Basin DPS—see 50 CFR 224.101.	E	776	NA	NA
*	*	*	*	*	*	*	
Eulachon (Southern DPS)	*Thaleichthys pacificus* ...	Eastern Pacific Ocean, from northern California to southwestern Alaska and into the southeastern Bering Sea.	Southern DPS—see 50 CFR 223.102.	T	776	226.222	NA

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
*	*	*	* *		*	*	
Rockfish, canary (Puget Sound–Georgia Basin DPS).	*Sebastes pinniger*	Pacific coast from Punta Colnett, Baja California, to the Western Gulf of Alaska.	Puget Sound–Georgia Basin DPS—see 50 CFR 223.102.	T	776	NA	NA
Rockfish, yelloweye (Puget Sound–Georgia Basin DPS).	*Sebastes ruberrimus*	Pacific coast from northern Baja California to the Aleutian Islands, Alaska.	Puget Sound–Georgia Basin DPS—see 50 CFR 223.102.	T	776	NA	NA
Salmon, Atlantic (Gulf of Maine DPS).	*Salmo salar*	U.S.A., Canada, Greenland, western Europe.	Gulf of Maine DPS—see 50 CFR 224.101.	E	705	226.217	NA
Salmon, Chinook (California Coastal ESU).	*Oncorhynchus tshawytscha*.	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	California Coastal ESU—see 50 CFR 223.102.	T	674	226.211	223.203
Salmon, Chinook (Central Valley spring-run ESU).	*Oncorhynchus tshawytscha*.	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Central Valley spring-run ESU—see 50 CFR 223.102.	T	674	226.211	223.203
Salmon, Chinook (Central Valley spring-run ESU—XN).	*Oncorhynchus tshawytscha*.	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Central Valley spring-run ESU—XN—see 50 CFR 223.102.	XN	816	NA	223.301
Salmon, Chinook (Lower Columbia River ESU).	*Oncorhynchus tshawytscha*.	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Lower Columbia River ESU—see 50 CFR 223.102.	T	664	226.212	223.203
Salmon, Chinook (Puget Sound ESU).	*Oncorhynchus tshawytscha*.	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Puget Sound ESU—see 50 CFR 223.102.	T	664	226.212	223.203
Salmon, Chinook (Sacramento River winter-run ESU).	*Oncorhynchus tshawytscha*.	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Sacramento River winter-run ESU—see 50 CFR 224.101.	E	383E, 407, 534	226.204	NA
Salmon, Chinook (Snake River fall-run ESU).	*Oncorhynchus tshawytscha*.	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Snake River fall-run ESU—see 50 CFR 223.102.	T	516, 557E	226.205	223.203

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Salmon, Chinook (Snake River spring/summer-run ESU).	*Oncorhynchus tshawytscha.*	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Snake River spring/summer-run ESU—see 50 CFR 223.102.	T	516, 557E	226.205	223.203
Salmon, Chinook (Upper Columbia River spring-run ESU).	*Oncorhynchus tshawytscha.*	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Upper Columbia River spring-run ESU—see 50 CFR 224.101.	E	664	226.212	NA
Salmon, Chinook (Upper Willamette River ESU).	*Oncorhynchus tshawytscha.*	North America from Ventura River in California to Point Hope, Alaska, and the Mackenzie River area in Canada; northeast Asia from Hokkaido, Japan, to the Anadyr River, Russia.	Upper Willamette River ESU—see 50 CFR 223.102.	T	664	226.212	223.203
Salmon, chum (Columbia River ESU).	*Oncorhynchus keta*	North Pacific Rim from Korea and the Japanese Island of Honshu east to Monterey Bay, California; Arctic Ocean from the Laptev Sea in Russia to Mackenzie River in Canada.	Columbia River ESU—see 50 CFR 223.102.	T	664	226.212	223.203
Salmon, chum (Hood Canal summer-run ESU).	*Oncorhynchus keta*	North Pacific Rim from Korea and the Japanese Island of Honshu east to Monterey Bay, California; Arctic Ocean from the Laptev Sea in Russia to Mackenzie River in Canada.	Hood Canal summer-run ESU—see 50 CFR 223.102.	T	664	226.212	223.203
Salmon, coho (Central California Coast ESU).	*Oncorhynchus kisutch* ...	North Pacific Basin from U.S.A. (CA to AK) to Russia and Japan.	Central California Coast ESU—see 50 CFR 224.101.	E	598	226.210	NA
Salmon, coho (Lower Columbia River ESU).	*Oncorhynchus kisutch* ...	North Pacific Basin from U.S.A. (CA to AK) to Russia and Japan.	Lower Columbia River ESU—see 50 CFR 223.102.	T	776	NA	223.203
Salmon, coho (Oregon Coast ESU).	*Oncorhynchus kisutch* ...	North Pacific Basin from U.S.A. (CA to AK) to Russia and Japan.	Oregon Coast ESU—see 50 CFR 223.102.	T	776	226.212	223.203
Salmon, coho (Southern Oregon—Northern California Coast ESU).	*Oncorhynchus kisutch* ...	North Pacific Basin from U.S.A. (CA to AK) to Russia and Japan.	Southern Oregon—Northern California Coast ESU—see 50 CFR 223.102.	T	618	226.210	223.203
Salmon, sockeye (Ozette Lake ESU).	*Oncorhynchus nerka*	North Pacific Basin from U.S.A. (CA) to Russia.	Ozette Lake ESU—see 50 CFR 223.102.	T	664	226.212	223.203
Salmon, sockeye (Snake River ESU).	*Oncorhynchus nerka*	North Pacific Basin from U.S.A. (CA) to Russia.	Snake River ESU—see 50 CFR 224.101.	E	455	226.205	NA
*	*	*	*	*	*	*	
Sawfish, largetooth	*Pristis perotteti*	Eastern and Western Atlantic, Caribbean and Gulf of Mexico.	Entire	E	816	NA	NA
Sawfish, smalltooth (United States DPS).	*Pristis pectinata*	North Atlantic (Mediterranean, U.S. Atlantic and Gulf of Mexico) and the Southwest Atlantic.	United States DPS—see 50 CFR 224.101.	E	748	226.218	NA
*	*	*	*	*	*	*	
Steelhead (California Central Valley DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	California Central Valley DPS—see 50 CFR 223.102.	T	638	226.211	223.203

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Steelhead (Central California Coast DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Central California Coast DPS—see 50 CFR 223.102.	T	638	226.211	223.203
Steelhead (Lower Columbia River DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Lower Columbia River DPS—see 50 CFR 223.102.	T	638	226.212	223.203
Steelhead (Middle Columbia River DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Middle Columbia River DPS—see 50 CFR 223.102.	T	664	226.212	223.203
Steelhead (Middle Columbia River DPS—XN).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Middle Columbia River DPS—XN—see 50 CFR 223.102.	XN	816	NA	223.301
Steelhead (Northern California DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Northern California DPS—see 50 CFR 223.102.	T	701	226.211	223.203
Steelhead (Puget Sound DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Puget Sound DPS—see 50 CFR 223.102.	T	776	NA	223.203
Steelhead (Snake River Basin DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Snake River Basin DPS—see 50 CFR 223.102.	T	638	226.212	223.203
Steelhead (South-Central California Coast DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	South-Central California Coast DPS—see 50 CFR 223.102.	T	638	226.211	223.203
Steelhead (Southern California DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Southern California DPS—see 50 CFR 224.101.	E	638	226.211	NA
Steelhead (Upper Columbia River DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Upper Columbia River DPS—see 50 CFR 223.102.	T	638	226.212	223.203
Steelhead (Upper Willamette River DPS).	*Oncorhynchus mykiss* ...	North Pacific Ocean from the Kamchatka Peninsula in Asia to the northern Baja Peninsula.	Upper Willamette River DPS—see 50 CFR 223.102.	T	664	226.212	223.203
*	*	*	* *	*	*		
Sturgeon, Atlantic (Atlantic subspecies; Carolina DPS).	*Acipenser oxyrinchus oxyrinchus.*	Northwestern Atlantic Ocean.	Carolina DPS—see 50 CFR 224.101.	E	816	NA	NA
Sturgeon, Atlantic (Atlantic subspecies; Chesapeake Bay DPS).	*Acipenser oxyrinchus oxyrinchus.*	Northwestern Atlantic Ocean.	Chesapeake Bay DPS—see 50 CFR 224.101.	E	816	NA	NA
Sturgeon, Atlantic (Atlantic subspecies; Gulf of Maine DPS).	*Acipenser oxyrinchus oxyrinchus.*	Northwestern Atlantic Ocean.	Gulf of Maine DPS—see 50 CFR 223.102.	T	816	NA	223.211
Sturgeon, Atlantic (Atlantic subspecies; New York Bight DPS).	*Acipenser oxyrinchus oxyrinchus.*	Northwestern Atlantic Ocean.	New York Bight DPS—see 50 CFR 224.101.	E	816	NA	NA
Sturgeon, Atlantic (Atlantic subspecies; South Atlantic DPS).	*Acipenser oxyrinchus oxyrinchus.*	Northwestern Atlantic Ocean.	South Atlantic DPS—see 50 CFR 224.101.	E	816	NA	NA
Sturgeon, Atlantic (Gulf subspecies).	*Acipenser oxyrinchus (=oxyrhynchus) desotoi).*	U.S.A. (AL, FL, GA, LA, MS).	Entire	T	444	17.95(e), 226.214	17.44(v)
*	*	*	* *	*	*		
Sturgeon, green (Southern DPS).	*Acipenser medirostris*	U.S.A. (CA)	Southern DPS—see 50 CFR 223.102.	T	756	226.219	223.210

Species		Historic Range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
*	*	*	*	*	*	*	
Sturgeon, white (Kootenai River DPS).	*Acipenser transmontanus.*	U.S.A. (AK, CA, ID, MT, OR, WA), Canada (BC).	U.S.A. (ID, MT), Canada (BC), (Kootenai R. system).	E	549	17.95(e)	NA
*	*	*	*	*	*	*	
SNAILS							
Abalone, black	*Haliotis cracherodii*	North America (West coast from Crescent City, CA, USA, to Cape San Lucas, Baja California, Mexico.	Entire	E	776	226.221	NA
Abalone, white	*Haliotis sorenseni*	North America (West coast from Point Conception, CA, U.S.A., to Punta Abreojos, Baja California, Mexico).	Entire	E	748	NA	NA
*	*	*	*	*	*	*	
CORALS							
Coral, elkhorn	*Acropora palmata*	U.S.A. (FL, PR, VI, Navassa); and wider Caribbean—Belize, Colombia, Costa Rica, Guatemala, Honduras, Mexico, Nicaragua, Panama, Venezuela, and all the islands of the West Indies.	Entire	T	756	226.216	223.208
Coral, staghorn	*Acropora cervicornis*	U.S.A. (FL, PR, VI, Navassa); and wider Caribbean—Belize, Colombia, Costa Rica, Guatemala, Honduras, Mexico, Nicaragua, Panama, Venezuela, and all the islands of the West Indies.	Entire	T	756	226.216	223.208

* * * * *

Dated: June 20, 2014.

Stephen Guertin,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2014–16756 Filed 7–22–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 140106011–4338–02]

RIN 0648–XD357

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustment and Trimester Total Allowable Catch Area Closure for the Common Pool Fishery

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

ACTION: Temporary rule; inseason adjustment and area closure.

SUMMARY: This action increases the trip limit for Southern New England/Mid-Atlantic winter flounder for Northeast multispecies common pool vessels for the remainder of the 2014 fishing year and closes the Gulf of Maine Cod Trimester Total Allowable Catch Area for the remainder of Trimester 1, through August 31, 2014. Increasing the trip limit is intended to provide additional fishing opportunities and help allow the common pool fishery to catch its allowable quota for this stock. The closure is required because the common pool fishery has caught more than 90 percent of its Trimester 1 quota for Gulf of Maine cod. This closure is intended to prevent the overharvest of the common pool's allocation this stock.

DATES: The trip limit increase is effective July 23, 2014, through April 30, 2015. The Gulf of Maine Cod Trimester Total Allowable Catch Area closure is effective July 23, 2014, through August 31, 2014.

FOR FURTHER INFORMATION CONTACT: Brett Alger, Fishery Management Specialist, 978–675–2153.

SUPPLEMENTARY INFORMATION: The regulations at § 648.86(o) authorize the Regional Administrator (RA) to adjust the possession limits for common pool vessels in order to prevent the overharvest or underharvest of the common pool quotas. As of July 10, 2014, the common pool had caught 17 percent of its sub-annual catch limit (ACL) of Southern New England/Mid-Atlantic (SNE/MA) winter flounder. To allow the common pool fishery to catch more of its quota for that stock, effective July 23, 2014, the trip limit of SNE/MA winter flounder, defined as winter flounder caught within the Inshore Georges Bank and SNE/MA Broad Stock Areas (as defined in § 648.10(k)(3)(ii) and (iv)), for all common pool vessels, is increased from 1,500 lb (630.4 kg) per day-at-sea (DAS) and 2,000 lb (907.2 kg) per trip, to 3,000 lb (1,361 kg) per DAS and 6,000 lb (2,722 kg) per trip.

The regulations also require the RA to close a Trimester Total Allowable Catch (TAC) Area for a stock when 90 percent of the Trimester TAC is projected to be caught. In such cases, the Trimester TAC Area for a stock closes to all common pool vessels fishing with gear capable of catching that stock for the remainder of the trimester. The fishing year 2014 (May 1, 2014, through April 30, 2015) common pool sub-ACL for Gulf of Maine (GOM) cod is 18.0 mt and the Trimester 1 (May 1, 2014, through August 30, 2014) TAC is 4.9 mt. Based on the most recent data, which include

vessel trip reports, dealer reported landings, and vessel monitoring system information, we have determined that 90 percent of the Trimester 1 TAC was caught as of July 12, 2014. Therefore, effective July 23, 2014, the GOM Cod Trimester TAC Area is closed for the remainder of Trimester 1, through August 31, 2014, to all common pool vessels fishing with trawl gear, sink gillnet gear, and longline/hook gear. The area will reopen at the beginning of Trimester 2 on September 1, 2014. Any overages of a trimester TAC will be deducted from Trimester 3, and any overages of the common pool's sub-ACL at the end of the fishing year will be deducted from the common pool's sub-ACL the following fishing year. Any uncaught portion of the Trimester 1 and Trimester 2 TAC will be carried over into the next trimester. Any uncaught portion of the common pool's sub-ACL may not be carried over into the following fishing year.

Weekly quota monitoring reports for the common pool fishery can be found on our Web site at: *http://www.nero.noaa.gov/ro/fso/MultiMonReports.htm*. We will continue to monitor common pool catch through vessel trip reports, dealer-reported landings, vessel monitoring system catch reports, and other available information and, if necessary, we will make additional adjustments to common pool management measures.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA, finds good cause pursuant to 5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d)(3) to waive prior notice and the opportunity for public comment and the 30-day delayed effectiveness period because it would be impracticable and contrary to the public interest.

The regulations at § 648.86(o) authorize the Regional Administrator to adjust the Northeast multispecies trip limits for common pool vessels in order to prevent the overharvest or underharvest of the pertinent common pool sub-ACLs. The catch data used to justify increasing the trip limits for SNE/MA winter flounder only recently became available. The trip limit increase implemented through this action allows for increased harvest of SNE/MA winter flounder, to help ensure that the fishery may achieve the optimum yield (OY) for this stock. As a result, the time necessary to provide for prior notice and comment, and a 30-day delay in effectiveness, would prevent NMFS from increasing the trip limit for SNE/MA winter flounder in a timely manner, which could prevent the fishery from achieving the OY, thereby undermining management objectives of the Northeast Multispecies Fishery Management Plan, and causing negative economic impacts to the common pool fishery. There is additional good cause to waive the delayed effective period because this action relieves restrictions on fishing vessels by increasing a trip limit.

The Trimester TAC Area closure is required by regulation in order to reduce the probability of the common pool fishery exceeding its sub-ACL of GOM cod. Any overages of the common pool's sub-ACLs would undermine conservation objectives and trigger the implementation of accountability measures that would have negative economic impacts on common pool vessels. The time necessary to provide for prior notice and comment, and a 30-day delay in effectiveness, would prevent NMFS from implementing the necessary Trimester TAC Area closure for GOM cod in a timely manner, which could undermine management objectives of the Northeast Multispecies Fishery Management Plan, and cause negative economic impacts to the common pool fishery.

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

Dated: July 18, 2014.

Emily H. Menashes,

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

[FR Doc. 2014–17287 Filed 7–18–14; 11:15 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 79, No. 141
Wednesday, July 23, 2014

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

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 327

RIN 3064–AE16

Assessments

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of proposed rulemaking and request for comment.

SUMMARY: The FDIC is proposing: To revise the ratios and ratio thresholds for capital evaluations used in its risk-based deposit insurance assessment system to conform to the prompt corrective action capital ratios and ratio thresholds adopted by the FDIC, the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency; to revise the assessment base calculation for custodial banks to conform to the asset risk weights adopted by the FDIC, the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency; and to require all highly complex institutions to measure counterparty exposure for deposit insurance assessment purposes using the Basel III standardized approach credit equivalent amount for derivatives and the Basel III standardized approach exposure amount for other securities financing transactions, such as repo-style transactions, margin loans and similar transactions, as adopted by the Federal banking agencies. These changes are intended to accommodate recent changes to the Federal banking agencies' capital rules that are referenced in portions of the assessments regulation.

DATES: Comments must be received on or before September 22, 2014.

ADDRESSES: You may submit comments, identified by RIN number, by any of the following methods:

- *Agency Web site: http://www.fdic.gov/regulations/laws/federal/.* Follow the instructions for submitting comments on the Agency Web site.
- *Email: Comments@FDIC.gov.* Include RIN number in the subject line of the message.
- *Mail:* Robert E. Feldman, Executive Secretary, Attention: Comments, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.
- *Hand Delivery/Courier:* Guard station at the rear of the 550 17th Street Building (located on F Street) on business days between 7 a.m. and 5 p.m. (EDT).
- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Public Inspection:* All comments received will be posted without change to *http://www.fdic.gov/regulations/laws/federal* including any personal information provided. Additionally, you may send a copy of your comments to: By mail to the U.S. OMB, 725 17th Street NW., #10235, Washington, DC 20503 or by facsimile to 202.395.6974, Attention: Federal Banking Agency Desk Officer.

FOR FURTHER INFORMATION CONTACT: Munsell St. Clair, Chief, Banking and Regulatory Policy Section, Division of Insurance and Research, (202) 898–8967; Ashley Mihalik, Senior Financial Economist, Banking and Regulatory Policy Section, Division of Insurance and Research, (202) 898–3793; Nefretete Smith, Senior Attorney, Legal Division, (202) 898–6851; Tanya Otsuka, Attorney, Legal Division, (202) 898–6816.

SUPPLEMENTARY INFORMATION:

I. Ratios and Ratio Thresholds Relating to Capital Evaluations

A. Background

The Federal Deposit Insurance Corporation Improvement Act of 1991 (FDICIA) [1] required that the FDIC establish a risk-based deposit insurance assessment system. To implement this requirement, the FDIC adopted by regulation a system that placed all insured depository institutions (IDIs or banks) into nine risk classifications based on two criteria: Capital evaluations and supervisory ratings.[2] Each bank was assigned one of three capital evaluations based on data reported in its Consolidated Report of Condition and Income (Call Report): Well capitalized, adequately capitalized, or undercapitalized. The capital ratios and ratio thresholds used to determine each capital evaluation were based on the capital ratios and ratio thresholds adopted by the FDIC, the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (Federal Reserve), and the Office of Thrift Supervision (OTS)—the Federal banking agencies at that time—for prompt corrective action (PCA) purposes.[3] In 1993, the ratios and ratio thresholds used to determine each capital evaluation for assessment purposes were as shown in Table 1.

[1] 12 U.S.C. 1817(b), Public Law 102–242, 105 Stat. 2236 (1991).

[2] The FDIC first published a transitional rule that provided the industry guidance during the period of transition from a uniform rate to a risk-based assessment system. 57 FR 45263 (Oct. 1, 1992). The FDIC established the new risk-based assessment system, which became effective on January 1, 1994, to replace the transitional rule. 58 FR 34357 (June 25, 1993). 12 CFR 327.3 (1993).

[3] This final rule, issued by the FDIC, OCC, Federal Reserve, and OTS, in part, established capital ratios and ratio thresholds for the five capital categories for purposes of the PCA rules: Well capitalized, adequately capitalized, undercapitalized, significantly undercapitalized, and critically undercapitalized. 57 FR 44866 (Sept. 29, 1992). The risk-based assessment system does not use the two lowest capital categories (significantly undercapitalized and critically undercapitalized) under the PCA rules. For assessment purposes, banks that would be in one of these capital categories are treated as undercapitalized.

TABLE 1—CAPITAL RATIOS USED TO DETERMINE CAPITAL EVALUATIONS FOR ASSESSMENT PURPOSES

Capital evaluations	Total risk-based ratio (percent)	Tier 1 risk-based ratio (percent)	Tier 1 leverage ratio (percent)
Well Capitalized	≥10	≥6	≥5
Adequately Capitalized *	≥8	≥4	≥4
Undercapitalized	Does not qualify as either Well Capitalized or Adequately Capitalized.		

* An institution is Adequately Capitalized if it is not Well Capitalized, but satisfies each of the listed capital ratio standards for Adequaltely Capitalized.

In 2007, the nine risk classifications were consolidated into four risk categories, which continued to be based on capital evaluations and supervisory ratings;[4] the capital ratios and the thresholds used to determine capital evaluations remained unchanged.[5]

In 2011, the FDIC adopted a revised assessment system for large banks—generally, those with at least $10 billion in total assets (Assessments final rule).[6] This system eliminated risk categories for these banks, but the capital evaluations continue to be used to determine whether an assessment rate is subject to adjustment for significant amounts of brokered deposits.[7]

The assessment system for small banks, generally those with less than $10 billion in total assets, continues to use risk categories based on capital evaluations and supervisory ratings; the capital ratios and the thresholds used to determine capital evaluations have remained unchanged.

On September 7, 2013, the FDIC adopted an interim final rule.[8] On April 14, 2014, the FDIC published a final rule that, in part, revises the definition of regulatory capital.[9] The OCC and the Federal Reserve adopted a final rule in October 2013 that is substantially identical to the FDIC's interim final rule and final rule.[10] (The FDIC's interim final rule and final rule and the OCC and Federal Reserve's final rule are referred to collectively hereafter as the Basel III capital rules.) The Basel III capital rules revise the thresholds for the tier 1 risk-based capital ratio used to determine a bank's capital category under the PCA rules (that is, whether the bank is well capitalized, adequately capitalized, undercapitalized, significantly undercapitalized or critically undercapitalized). The Basel III capital rules also add a new ratio, the common equity tier 1 capital ratio, and new thresholds for that ratio to determine a bank's capital category under the PCA rules.[11] The new ratio and ratio thresholds will take effect on January 1, 2015.

The Basel III capital rules also adopt changes to the regulatory capital requirements for banking organizations consistent with section 171 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), often referred to as the ''Collins Amendment.'' Under section 171 of the Dodd-Frank Act, the generally applicable capital requirements serve as a risk-based capital floor for banking organizations subject to the advanced approaches risk-based capital rules[12] (advanced approaches banks[13]). Under the Basel III capital rules effective January 1, 2015, the minimum capital requirements as determined by the regulatory capital ratios based on the standardized approach[14] become the ''generally applicable'' capital requirements under section 171 of the Dodd-Frank Act.

All banks, including advanced approaches banks, must calculate risk-weighted assets under the standardized approach and report these risk-weighted assets, for capital purposes, in Schedule RC–R of the Call Report effective January 1, 2015. Advanced approaches banks also must calculate risk weights using the advanced approaches and report risk-weighted assets in the Risk-Based Capital Reporting for Institutions Subject to the Advanced Capital Adequacy Framework (FFIEC 101). Revisions to the advanced approaches risk-weight calculations became effective January 1, 2014. An advanced approaches bank that has successfully completed the parallel run process[15] must determine whether it meets its minimum risk-based capital requirements by calculating the three risk-based capital ratios using total risk-weighted assets under the generally applicable risk-based capital rules and, separately, total risk-weighted assets under the advanced approaches.[16] The

[4] The four risk categories are I, II, III, and IV. Banks posing the least risk are assigned to risk category I. 71 FR 69282 (Nov. 30, 2006).

[5] To the extent that the definitions of components of the ratios—such as tier 1 capital, total capital, and risk-weighted assets—have changed over time for PCA purposes, the assessment system has reflected these changes.

[6] 76 FR 10672 (Feb. 25, 2011). The FDIC amended part 327 in a subsequent final rule by revising some of the definitions used to determine assessment rates for large and highly complex IDIs. 77 FR 66000 (Oct. 31, 2012). The term ''Assessments final rule'' includes the October 2012 final rule.

[7] In 2009, the FDIC added adjustments to its risk-based pricing methods to improve the way the assessment system differentiates risk among insured institutions. The brokered deposit adjustment (one of the adjustments added in 2009) is applicable only to small institutions in risk categories II, III, and IV, and large institutions that are either less than well capitalized or have a composite CAMELS rating of 3, 4 or 5 (under the Uniform Financial Institution Rating System). The adjustment increases assessment rates for significant amounts of brokered deposits. 75 FR 9525 (Mar. 4, 2009).

[8] 78 FR 55340 (Sept. 10, 2013).

[9] 79 FR 20754 (Apr. 14, 2014).

[10] 78 FR 62018 (Oct. 11, 2013).

[11] 78 FR at 62027 and 62283 (OCC and Federal Reserve) and 78 FR 55592 (FDIC), codified, in part, at 12 CFR part 6 (OCC); 12 CFR part 208 (Regulation H), subpart D (Federal Reserve); and 12 CFR part 324, subpart H (FDIC).

[12] The FDIC's advanced approaches rule is at 12 CFR part 324, subpart E. The advanced approaches rule is also supplemented by the FDIC's risk-based capital requirements for banks subject to significant exposure to market risk (market risk rule) in 12 CFR part 324, subpart F.

[13] As used herein, an advanced approaches bank means an IDI that is an advanced approaches national bank or Federal savings association under 12 CFR 3.100(b)(1), an advanced approaches Board-regulated institution under 12 CFR 217.100(b)(1), or an advanced approaches FDIC-supervised institution under 12 CFR 324.100(b)(1). In general, an IDI is an advanced approaches bank if it has total consolidated assets of $250 billion or more, has total consolidated on-balance sheet foreign exposures of $10 billion or more, or elects to use or is a subsidiary of an IDI, bank holding company, or savings and loan holding company that uses the advanced approaches to calculate risk-weighted assets.

[14] The FDIC's standardized approach risk-based capital rule is at 12 CFR part 324, subpart D. The standardized-approach risk-based capital rule is supplemented by the FDIC's market risk rule in 12 CFR part 324, subpart F.

[15] Before determining its risk-weighted assets under advanced approaches, a bank must conduct a satisfactory parallel run. A satisfactory parallel run is a period of no less than four consecutive calendar quarters during which the bank complies with the qualification requirements to the satisfaction of its primary Federal regulator. Following completion of a satisfactory parallel run, a bank must receive approval from its primary Federal regulator to calculate risk-based capital requirements under the advanced approaches. See 12 CFR 324.121 (FDIC); 12 CFR 3.121 (OCC); and 12 CFR 217.121 (Federal Reserve).

[16] Currently, the generally applicable risk-based capital rules are found at 12 CFR part 325, appendix

Continued

lower ratio for each risk-based capital requirement is the ratio that will be used to determine an advanced approaches bank's compliance with the minimum capital requirements [17] and, beginning on January 1, 2015, for purposes of determining compliance with the new PCA requirements.[18]

For advanced approaches banks, the Basel III capital rules also introduce the supplementary leverage ratio and a threshold for that ratio that advanced approaches banks must meet to be deemed adequately capitalized.[19] (The supplementary leverage ratio as adopted in the Basel III capital rules does not, however, establish a ratio that advanced approaches banks must meet to be deemed well capitalized.) While all advanced approaches banks must calculate and begin reporting the supplementary leverage ratio beginning in the first quarter of 2015, the supplementary leverage ratio does not become effective for PCA purposes until January 1, 2018.[20]

On May 1, 2014, the Federal Reserve, FDIC, and OCC (the Federal banking agencies) published a final rule (the Enhanced Supplementary Leverage Ratio final rule) that strengthens the supplementary leverage ratio standards for the largest advanced approaches banks.[21] The Enhanced Supplementary Leverage Ratio final rule provides that an IDI that is a subsidiary of a covered bank holding company (BHC) must maintain a supplementary leverage ratio of at least 6 percent to be well capitalized under the Federal banking agencies' PCA framework.[22] Again, the supplementary leverage ratio does not become effective for PCA purposes until January 1, 2018.

B. Proposed Capital Evaluations

The FDIC proposes to revise the ratios and ratio thresholds relating to capital evaluations for deposit insurance assessment purposes to conform to the new PCA capital rules. This proposed revision would maintain the consistency between capital evaluations for deposit insurance assessment purposes and capital ratios and ratio thresholds for PCA purposes that has existed since the creation of the risk-based assessment system over 20 years ago. Ensuring that the same ratios, ratio thresholds, and terminology used for PCA purposes also are used for deposit insurance assessment purposes will avoid differing capital definitions and potential confusion, and will decrease regulatory burden for banks because they will be subject to only a single set of capital category definitions.

Specifically, the FDIC proposes to revise the definitions of well capitalized and adequately capitalized for deposit insurance assessment purposes to reflect the threshold changes for the tier 1 risk-based capital ratio, to incorporate the common equity tier 1 capital ratio and its thresholds and, for those banks subject to the supplementary leverage ratio for PCA purposes, to incorporate the supplementary leverage ratio and its thresholds.[23] The definition of undercapitalized will remain unchanged. The FDIC proposes to make the revisions to the definitions of well capitalized and adequately capitalized for deposit insurance assessment purposes effective when the new PCA capital rules become effective. Therefore, some of the revisions for deposit insurance assessment purposes would become effective January 1, 2015 and the remaining revisions would become effective January 1, 2018.

Effective January 1, 2015, the FDIC proposes that for deposit insurance assessment purposes:

1. An institution will be well capitalized if it satisfies each of the following capital ratio standards: Total risk-based capital ratio, 10.0 percent or greater; tier 1 risk-based capital ratio, 8.0 percent or greater (as opposed to the current 6.0 percent or greater); leverage ratio, 5.0 percent or greater; and common equity tier 1 capital ratio, 6.5 percent or greater.

2. An institution will be adequately capitalized if it is not well capitalized but satisfies each of the following capital ratio standards: Total risk-based capital ratio, 8.0 percent or greater; tier 1 risk-based capital ratio, 6.0 percent or greater (as opposed to the current 4.0 percent or greater); leverage ratio, 4.0 percent or greater; and common equity tier 1 capital ratio, 4.5 percent or greater.

The definition of an undercapitalized institution remains the same: An institution will be undercapitalized if it does not qualify as either well capitalized or adequately capitalized.

The FDIC also proposes a technical amendment to Part 327 to replace the terms ''Total risk-based ratio,'' ''Tier 1 risk-based ratio,'' and ''Tier 1 leverage ratio,'' with ''total risk-based capital ratio,'' ''tier 1 risk-based capital ratio,'' and ''leverage ratio,'' respectively, wherever such terms appear.[24]

Table 2 summarizes the proposed ratios and ratio thresholds for determining capital evaluations for deposit insurance assessment purposes, to be effective January 1, 2015.

A (as supplemented by the risk-based capital requirements for banks subject to the market risk rule in appendix C). Effective January 1, 2015, the generally applicable risk-based capital rules will be based on the standardized approach for calculating risk-weighted assets under the Basel III capital rules, 12 CFR part 324, subpart D (as supplemented by the risk-based capital requirements for banks subject to the market risk rule in subpart F).

[17] See 12 CFR 324.10(c) (FDIC); 12 CFR 3.10(c) (OCC); and 12 CFR 217.10(c) (Federal Reserve).

[18] See 12 CFR part 324, subpart H.

[19] The supplementary leverage ratio includes many off-balance sheet exposures in its denominator, while the generally applicable leverage ratio does not.

[20] 78 FR at 62277 (OCC and Federal Reserve); 78 FR at 55592 (FDIC).

[21] 79 FR 24528 (May 1, 2014).

[22] 79 FR at 24530. IDI subsidiaries of a ''covered BHC'' are a subset of IDIs subject to advanced approaches requirements. A covered BHC is any U.S. top-tier U.S. BHC with more than $700 billion in total consolidated assets or more than $10 trillion in assets under custody. 79 FR at 24530. The list of ''covered BHCs'' is consistent with the list of banking organizations that meet the Basel Committee on Banking Supervision (BCBS) definition of a Global Systemically Important Bank (G–SIB), based on year-end 2011 data, and consistent with the revised list, based on year-end 2012 data. The revised list is available at *http://www.financialstabilityboard.org/publications/r_131111.pdf).*

[23] To the extent that the definitions of components of the ratios—such as tier 1 capital, total capital, and risk-weighted assets—change in the future for PCA purposes, the assessment system will automatically incorporate these changes as implemented under the Basel III capital rules. Thus, for example, if the Federal banking agencies adopt a final rule redefining the denominator of the supplementary leverage ratio, as they have proposed, 79 FR 24596 (May 1, 2014), the new definition will automatically become applicable to the assessment system.

[24] The FDIC has identified a slight inconsistency in terminology between the PCA capital rules of parts 324 and 325 and the deposit insurance assessment system of part 327. Currently, the risk-based assessment system under part 327 uses the terms ''Total risk-based ratio,'' ''Tier 1 risk-based ratio,'' and ''*Tier 1* leverage ratio.'' The PCA capital rules use the terms ''total risk-based *capital* ratio,'' ''tier 1 risk-based *capital* ratio,'' and ''leverage ratio'' (emphasis added). Despite this minor difference in nomenclature, the underlying calculations for each of these three ratios are the same under parts 324, 325 and 327 of the FDIC regulations.

TABLE 2—PROPOSED CAPITAL RATIOS USED TO DETERMINE CAPITAL EVALUATIONS FOR ASSESSMENT PURPOSES, EFFECTIVE JANUARY 1, 2015

Capital evaluations	Total risk-based capital ratio (percent)	Tier 1 risk-based capital ratio (percent)	Common equity tier 1 capital ratio (percent)	Leverage ratio (percent)
Well Capitalized	≥10	≥8	≥6.5	≥5
Adequately Capitalized *	≥8	≥6	≥4.5	≥4
Undercapitalized	Does not qualify as either Well Capitalized or Adequately Capitalized.			

* An institution is Adequately Capitalized if it is not Well Capitalized, but satisfies each of the listed capital ratio standards for Adequately Capitalized.

Effective January 1, 2018, the FDIC proposes to add the supplementary leverage ratio to its capital evaluations for deposit insurance assessment purposes to conform to the PCA capital rules. For assessment purposes, an advanced approaches bank, including an IDI subsidiary of a covered BHC, must have at least a 3.0 percent supplementary leverage ratio to be adequately capitalized, and an IDI subsidiary of a covered BHC must have at least a 6.0 percent supplementary leverage ratio to be well capitalized.

Table 3 summarizes the proposed ratios and ratio thresholds for determining capital evaluations for deposit insurance assessment purposes, to be effective January 1, 2018.

TABLE 3—PROPOSED CAPITAL RATIOS USED TO DETERMINE CAPITAL EVALUATIONS FOR ASSESSMENT PURPOSES, EFFECTIVE JANUARY 1, 2018

Capital evaluations	Total risk-based capital ratio (percent)	Tier 1 risk-based capital ratio (percent)	Common equity tier 1 capital ratio (percent)	Leverage ratio (percent)	Supplementary leverage ratio (advanced approaches banking organizations)	Supplementary leverage ratio (subsidiary IDIs of covered BHCs) (percent)
Well Capitalized	≥10	≥8	≥6.5	≥5	Not applicable	≥6
Adequately Capitalized *.	≥8	≥6	≥4.5	≥4	≥3	≥3
Undercapitalized	Does not qualify as either Well Capitalized or Adequately Capitalized.					

* An institution is Adequately Capitalized if it is not Well Capitalized, but satisfies each of the listed capital ratio standards for Adequately Capitalized.

C. Alternatives

Given the information available, the FDIC has considered whether there are reasonable alternatives. The only alternative the FDIC has identified would be to leave in place the current terminology and capital evaluations for deposit insurance assessment purposes. This would create unnecessary complexity and inconsistency between the ratios and ratio thresholds used to determine whether a bank is well capitalized, adequately capitalized or undercapitalized for deposit insurance assessment purposes and for PCA purposes. This complexity and inconsistency could lead to confusion and increase regulatory burden on banks.

II. Assessment Base Calculation for Custodial Banks

A. Background

The FDIC charges IDIs an amount for deposit insurance equal to the IDI's deposit insurance assessment base multiplied by its risk-based assessment rate. The Dodd-Frank Act directed the FDIC to amend its regulatory definition of ''assessment base'' for purposes of setting assessments for IDIs. Specifically, the Dodd-Frank Act required the FDIC to define the term ''assessment base'' with respect to a depository institution as an amount equal to:

- The average consolidated total assets of the insured depository institution during the assessment period; minus
- The sum of:
  - The average tangible equity of the insured depository institution during the assessment period, and
  - In the case of an insured depository institution that is a custodial bank (as defined by the Corporation, based on factors including the percentage of total revenues generated by custodial businesses and the level of assets under custody) . . ., an amount that the Corporation determines is necessary to establish assessments consistent with the definition under section 7(b)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1817(b)(1)) for a custodial bank.[25]

In February 2011, the FDIC implemented this requirement in the Assessments final rule.[26] The Assessments final rule defines a custodial bank and specifies the additional amount to be deducted from a custodial bank's average consolidated total assets for purposes of determining its assessment base. The assessment base deduction for custodial banks is defined as the daily or weekly average (depending upon the way the bank reports its average consolidated total assets) of a specified amount of certain low-risk, liquid assets, subject to the limitation that the daily or weekly

[25] Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111–203 (Dodd-Frank Act), 331(b), 124 Stat. 1376, 1538 (codified at 12 U.S.C. 1817(nt)).

[26] 76 FR at 10706.

average value of such assets not exceed the average value of deposits that are classified as transaction accounts and are identified by the bank as being directly linked to a fiduciary or custodial and safekeeping account.

Under the Assessments final rule, a custodial bank may deduct all asset types described in the instructions to lines 34, 35, 36, and 37 of Schedule RC–R of the Call Report as of December 31, 2010 with a Basel risk weight of 0 percent, regardless of maturity, and 50 percent of those asset types described in the instructions to those same lines with a Basel risk weight of 20 percent, again regardless of maturity.[27] These assets include cash and balances due from depository institutions, securities, federal funds sold, and securities purchased under agreements to resell.

Under the Basel III capital rules, the standardized approach introduces 2 percent and 4 percent risk weights for cleared transactions with Qualified Central Counterparties (QCCPs), as defined in the regulatory capital rules, subject to certain collateral requirements.[28] The lower risk weights reflect the Federal banking agencies' support for ''incentives designed to encourage clearing of derivative and repo-style transactions through a CCP [central counterparty] wherever possible in order to promote transparency, multilateral netting, and robust risk-management practices.'' [29] Nonetheless, the new 2 percent and 4 percent risk weights (being greater than 0) recognize that, while clearing transactions through a CPP significantly reduces counterparty credit risk, the clearing process does not eliminate risk altogether and that some degree of residual risk is retained.

Section 939A of the Dodd-Frank Act requires the removal of any regulatory reference to or requirement of reliance on credit ratings for assessing the credit-worthiness of a security or money market instrument and the substitution of new standards of credit-worthiness.[30] Consequently, the Basel III capital rules remove references to credit ratings for purposes of determining risk weights for risk-based capital calculations, and the standardized approach introduces a formula-based methodology for calculating risk-weighted assets for many securitization exposures. Risk weights under the standardized approach for certain other assets, including but not limited to exposures to foreign sovereigns, foreign banks, and foreign public sector entities, have also changed.

B. Proposed Assessment Base Calculation

The FDIC proposes to revise the assessment base deduction for custodial banks to conform to the new standardized approach for risk-weighted assets adopted in the Basel III capital rules. For deposit insurance assessment purposes, the FDIC proposes to continue using the generally applicable risk weights (as revised under the standardized approach, effective January 1, 2015), even for advanced approaches banks. Using a single set of risk weights assures that all custodial banks will be treated consistently for purposes of determining the assessment base deduction, whether or not they are advanced approaches banks. In addition, as described above, all banks, including advanced approaches banks, must calculate standardized approach risk weights to determine compliance with minimum capital requirements and the PCA standards. Thus, the FDIC's proposal should not increase reporting burden for advanced approaches banks.

The FDIC proposes to continue to define the assessment base deduction for custodial banks as the daily or weekly average of a certain amount of specified low-risk, liquid assets, subject to the limitation that the daily or weekly average value of these assets cannot exceed the daily or weekly average value of deposits that are classified as transaction accounts and are identified by the bank as being directly linked to a fiduciary or custodial and safekeeping account asset. Subject to this limitation, effective January 1, 2015, the FDIC proposes that the assessment base deduction be the daily or weekly average of:

1. 100 percent of those asset types described in the instructions to lines 1, 2, and 3 of Schedule RC of the Consolidated Report of Condition and Income with a standardized approach risk weight of 0 percent, regardless of maturity, excluding any asset that qualifies as a securitization exposure; plus

2. 50 percent of those asset types described in the instructions to lines 1, 2, and 3 of Schedule RC of the Consolidated Report of Condition and Income with a standardized approach risk weight greater than 0 and up to and including 20 percent, regardless of maturity, excluding any asset that qualifies as a securitization exposure.

In general, the assets described in lines 1, 2, and 3 of Schedule RC of the Call Report include cash and balances due from depository institutions, securities (both held-to-maturity and available-for-sale), federal funds sold, and securities under agreements to resell. The inclusion of these asset types in the assessment base deduction for custodial banks is consistent with the asset types included in the current adjustment.

The assessment base of a custodial bank is adjusted because of the custodial bank's need to hold low-risk, liquid assets to facilitate the payments and processing function associated with its custody and safekeeping accounts. For this reason, the FDIC is proposing to exclude from the assessment base deduction those asset types described in lines 1, 2, and 3 of Schedule RC of the Call Report that qualify as a securitization exposure as defined in the regulatory capital rules,[31] since these assets are often not liquid. Under the Basel III capital rules, a securitization exposure generally includes credit exposures with more than one underlying exposure where the credit risk associated with the underlying exposures has been separated into at least two tranches reflecting different levels of seniority.[32] Traditional collateralized mortgage obligations issued or guaranteed by the Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, or Government National Mortgage Association that do not have credit tranches generally do not meet this definition of a securitization exposure, and thus will generally continue to be included in the assessment base deduction for custodial banks.

In addition, 50 percent of assets described in line 3 of Schedule RC of the Call Report that are assigned a 2 or 4 percent risk weight may be included in the assessment base deduction for custodial banks. While these assets are generally liquid and low-risk, they are not risk-free and consequently do not merit a 100 percent inclusion in the assessment base deduction for custodial banks.

The FDIC also proposes a technical amendment to the definition of ''custodial bank.'' This amendment removes any reference to the Call Report

[27] Risk-weighted assets are generally determined by assigning assets to broad risk-weight categories. The amount of an asset is multiplied by its risk weight (for example, 0 percent or 20 percent) to calculate the risk-weighted asset amount.

[28] See 78 FR 62184–85 (OCC and Federal Reserve); 78 FR at 55502 (FDIC).

[29] See 78 FR at 62096 (OCC and Federal Reserve); 78 FR at 55414 (FDIC).

[30] See 15 U.S.C. 78o–7 note.

[31] 78 FR at 55482.

[32] Securitization exposure is defined as an on- or off-balance sheet credit exposure (including credit-enhancing representations and warranties) that arises from a traditional securitization or a synthetic securitization (including a re-securitization), or an exposure that directly or indirectly references a securitization exposure. See 78 FR at 62168 (OCC and Federal Reserve); 78 FR at 55482 (FDIC).

date of December 31, 2010 and ensures conformity with the Basel III capital rules.

C. Alternatives

Given the information available, the FDIC has considered whether there are reasonable alternatives to this proposal. One possible alternative would be to maintain the current assessment base calculation applicable to custodial banks. This alternative would create unnecessary complexity and inconsistency between the asset risk weights used for regulatory capital purposes and for deposit insurance assessment purposes. This complexity and inconsistency could lead to confusion and increase regulatory burden on banks.

As previously noted, the Basel III capital rules revise asset risk weights for capital purposes. The FDIC is proposing to adjust the assessment base deduction for custodial banks to conform to the revised risk weights under the Basel III capital rules. The Basel III capital rules introduce new 2 and 4 percent risk weights for cleared transactions with QCCPs. The FDIC is proposing to include in the assessment base deduction for custodial banks the daily or weekly average of 50 percent of certain low-risk assets assigned the new 2 or 4 percent risk weight. Alternatively, the FDIC has considered including 100 percent of these asset types in the adjustment. As previously stated, however, while these assets are generally liquid and low-risk, they are not risk-free and consequently the FDIC believes that they do not merit a 100 percent inclusion in the assessment base deduction for custodial banks.

III. Calculation of Counterparty Exposures in the Highly Complex Institution Scorecard

A. Background

Under section 7 of the Federal Deposit Insurance Act, the FDIC may establish a separate risk-based assessment system for large members of the Deposit Insurance Fund (DIF). In setting assessments for IDIs, the FDIC must consider certain enumerated factors, including the probability that the DIF will incur a loss with respect to an institution, taking into consideration the risks attributable to different categories and concentrations of assets and liabilities.[33] In the Assessments final rule, the FDIC adopted a revised assessment system for large banks—generally, those with at least $10 billion in total assets. This system, which went into effect in the second quarter of 2011, uses scorecards that combine CAMELS ratings and certain financial measures to assess the risk a large institution poses to the DIF. One scorecard applies to most large institutions and another applies to highly complex institutions, those that are structurally and operationally complex or that pose unique challenges and risks to the DIF in the event of failure.[34]

The scorecards for both large and highly complex institutions use quantitative measures that are useful in predicting a large institution's long-term performance. Most of the measures used in the highly complex institution scorecard are similar to the measures used in the large bank scorecard. The scorecard for highly complex institutions, however, includes additional measures, such as the ratio of top 20 counterparty exposures to Tier 1 capital and reserves and the ratio of the largest counterparty exposure to Tier 1 capital and reserves (collectively, the counterparty exposure measures). Both ratios are defined in the Assessments final rule.

The Assessments final rule defines counterparty exposure as the sum of exposure at default (EAD) associated with derivatives trading[35] and securities financing transactions (SFTs) and the gross lending exposure for each counterparty or borrower.[36] Generally, since June 30, 2011, when highly complex institutions began reporting for scorecard purposes, they have determined and reported their counterparty exposures for assessment purposes using certain methods permitted under the Assessments final rule.[37] The Assessments final rule allows use of an approach based on internal models (the Internal Models Method, or IMM) to calculate counterparty exposures subject to approval by primary federal regulators, but until recently no highly complex institution has been permitted to use the IMM.

The IMM is one component of the advanced approaches risk-based capital framework. Banking organizations that have received approval to use the advanced approaches do not automatically have approval to use the IMM, which requires a separate approval. Seven of the nine highly complex institutions recently received approval from their primary regulators to use the advanced approaches for regulatory capital beginning in the first quarter of 2014. Of these seven banks, some, but not all, have received approval from their primary regulator to use the IMM for calculating part of their counterparty credit risk beginning in the second quarter of 2014. Thus, some of the nine banks using the highly complex institution scorecard began calculating their counterparty exposure in the second quarter of 2014 using the IMM, while the others will use non-IMM methods.

Based on preliminary assessments data, the adoption of the IMM by itself will cause a significant reduction in counterparty exposure amounts and change the scorecard results in a way that significantly reduces deposit insurance assessments for the banks using the IMM. This significant reduction in assessments does not appear to be driven primarily by a change in risk exposure, but rather by a change in measurement methodology. Moreover, since the second quarter of 2014, the nine banks currently subject to the highly complex institution scorecard have been measuring counterparty risk in different ways, and the differences in assessments are driven primarily by the different methodologies these banks are using.

B. General Description and Rationale for Proposed Counterparty Exposure Calculation

Consequently, the FDIC is proposing that all banks using the highly complex institution scorecard calculate their counterparty exposure using standardized approach measures from the Basel III capital rules starting in the first quarter of 2015. Using the standardized approach has four primary advantages. First, all banks employing the highly complex institution scorecard would calculate their counterparty exposure using a common measurement framework. Using a common, consistent methodology for measuring counterparty exposure would ensure

[33] 12 U.S.C. 1817(b).

[34] A ''highly complex institution'' is defined as: (1) An IDI (excluding a credit card bank) that has had $50 billion or more in total assets for at least four consecutive quarters that either is controlled by a U.S. parent holding company that has had $500 billion or more in total assets for four consecutive quarters, or is controlled by one or more intermediate U.S. parent holding companies that are controlled by a U.S. holding company that has had $500 billion or more in assets for four consecutive quarters; or (2) a processing bank or trust company. 12 CFR 327.8(g).

[35] Derivatives trading exposures include both over-the-counter (OTC) derivatives and derivative contracts that an IDI has entered into with a central counterparty.

[36] Counterparty exposure excludes all counterparty exposure to the U.S. government and departments or agencies of the U.S. government that is unconditionally guaranteed by the full faith and credit of the United States.

[37] For example, permitted methods for derivatives exposures have included the credit equivalent amount as calculated under the Federal banking agencies' general risk based capital rules and the current exposure method (CEM) under the BCBS Basel II framework.

that methodological differences do not determine a bank's exposure relative to its peers. This advantage is an important consideration in a risk-based assessment system that in part functions by comparing banks according to specified risk metrics. Second, this approach would ensure a consistent measurement of counterparty exposure even among advanced approaches banks approved for the use of IMM. Third, as compared to allowing the IMM to determine the counterparty exposure measure for the scorecard, the FDIC's proposal is generally more consistent with the approach taken in the Federal banking agencies' regulatory capital framework, because most advanced approaches banks will be bound by the floor set by the standardized approach risk-based capital rules. Finally, all nine institutions currently using the highly complex institution scorecard would be using counterparty exposure measures they will compute for the standardized approach, so that the FDIC's proposal would not impose additional reporting burdens.

The FDIC's proposal to use the standardized approach is intended to be broadly consistent with the way banks have measured their counterparty exposure under the Assessments final rule (before adopting IMM). Under this NPR, exposure to a counterparty would be the sum of gross loans, the credit equivalent amount of all derivatives exposures as reported in the revised Basel III regulatory reporting instructions for the standardized approach, and the amount of SFTs subject to risk weighting. The proposal is described in more detail directly below.

C. Specifics of the Proposed Counterparty Exposure Calculation

For deposit insurance assessment purposes, the FDIC proposes that, effective January 1, 2015, all highly complex institutions calculate counterparty exposure amounts for the counterparty exposure measures based upon the standardized approach implemented under the Basel III capital rules. Counterparty exposure amounts would continue to include derivatives, SFTs and gross lending exposures (including all unfunded commitments). SFTs would include repurchase agreements, reverse repurchase agreements, security lending and borrowing, and margin lending transactions, where the value of the transactions depends on market valuations and the transactions are often subject to margin agreements. A cleared transaction, which is an exposure associated with an outstanding derivative contract or repo-style transaction that an IDI has entered into with a central counterparty, would be included in the counterparty exposure measures. Counterparty exposure would continue to exclude all counterparty exposure to the U.S. government and departments or agencies of the U.S. government that is unconditionally guaranteed by the full faith and credit of the United States.

Specifically, the FDIC proposes that, for deposit insurance assessment purposes, the counterparty exposure amount associated with derivatives, including OTC derivatives, a cleared transaction that is a derivative contract, or a netting set of derivative contracts,[38] would be calculated as the credit equivalent amount under the standardized approach. The credit equivalent amount under the standardized approach is the exposure amount set forth in 12 CFR 324.34(a) and is the sum of current credit exposure and potential future exposure without reduction for collateral.[39] This approach is generally consistent with the manner in which highly complex institutions have been measuring derivatives exposure for the counterparty exposure measures before their approval to use IMM.

The FDIC proposes that, for deposit insurance assessment purposes, the counterparty exposure amount associated with SFTs, including SFTs that are cleared transactions, would be calculated using either the simple approach or the collateral haircut approach contained in 12 CFR 324.37(b) and (c), respectively. This treatment is generally consistent with the manner in which highly complex institutions have been measuring counterparty exposure under the Assessments final rule.

For both derivative and SFT exposures, the amount of counterparty exposure to central counterparties must also include the default fund contribution, which is the funds contributed or commitments made by a clearing member to a central counterparty's mutualized loss sharing arrangement.

These proposals are likely to change the amounts that highly complex institutions report in their counterparty exposure measures. For banks that have begun reporting counterparty exposure using the IMM, the amounts reported under the proposals are likely to increase total scores and assessment rates compared to amounts reported under the IMM; however, the FDIC lacks sufficient data to determine the magnitude of the increases at this time. The proposals also may change the counterparty exposure amounts reported by banks that do not use the IMM because the standardized approach in the Basel III capital rules changes the generally applicable risk-based capital rules. Because banks will not begin reporting under the Basel III standardized approach until March 2015, the FDIC lacks sufficient data at this time to determine whether the proposals would increase or decrease total scores and assessment rates for these banks.

To ensure that scores for the counterparty exposure measures appropriately differentiate for risk, the FDIC may need to revise the conversion of the counterparty exposures measures to scores (that is, recalibrate the conversion) after reviewing data reported for some or all of 2015. The FDIC's Board would continue to reserve the right to make such a revision without further notice-and-comment rulemaking.[40] From time to time, the FDIC could add new data for subsequent reporting periods to its analysis and exclude some earlier reporting periods from its analysis. Updating the conversion of the counterparty exposure measures to scores would allow the FDIC to use the most recent data, thereby improving the accuracy of the scorecard method. The NPR also proposes that FDIC give banks at least one quarter notice before any revision takes effect.

D. Alternatives

Given the information available, the FDIC has considered reasonable alternatives to this proposal. One possible alternative would be to recalibrate the conversion of counterparty exposure measures into scores using exposures calculated using the IMM approach with the additional counterparty credit components included in the Basel III capital rules (that is, credit valuation adjustment[41] and default fund contribution charges). As described above, however, at the time of this rulemaking only some of the nine banks employing the highly complex institution scorecard are using

[38] A ''netting set'' is a group of transactions with a single counterparty that are subject to a qualifying master netting agreement or a qualifying cross-product master netting agreement. 12 CFR 324.2.

[39] For multiple OTC derivative contracts subject to a qualifying master netting agreement, however, the exposure amount equals the sum of the net current credit exposure and the adjusted sum of potential future exposure OTC derivative contracts subject to the qualifying master netting agreement, also without reduction for collateral.

[40] See 76 FR at 10700; 77 FR at 66016.

[41] Credit valuation adjustment means the fair value adjustment to reflect counterparty credit risk in valuation of OTC derivative contracts.

the IMM. Also, there may be differences in assumptions and measurement approaches among the banks using the IMM. Recent publications by the Basel Committee on Banking Supervision indicate that the use of internal models has resulted in a material amount of variability between banks, a significant amount of which may be driven by banks' individual modeling choices rather than distinctions in portfolio risk or risk management practices.[42] For these reasons, the FDIC believes it would be difficult to calibrate and adjust counterparty exposure measures in a way that appropriately reflects relative risk.

Another approach would be to provide full recognition for collateral posted in derivatives transactions; that is, to reduce the credit equivalent amount of derivatives using the collateral haircut approach. This approach recognizes benefits of collateral for derivatives in the same manner as the proposal recognizes them for repo-style transactions, margin loans and other secured transactions. In the context of a rulemaking that is designed to accommodate the transition to Basel III, the FDIC views this alternative as a material departure from past practice with deposit insurance assessments and one that could unduly underprice the risks associated with large volumes of derivatives activity.

Another approach would be to measure counterparty exposure using ''total leverage exposure,'' the exposure measure in the denominator of the supplementary leverage ratio as defined in the Basel III capital rules. Both in the existing Basel III capital rules and under the proposed denominator changes in a recent notice of proposed rulemaking,[43] the total leverage exposure measure is a more comprehensive measure of exposure. The definition of total leverage exposure, however, is the subject of an open interagency rulemaking, and while advanced approaches institutions are expected to begin reporting total leverage exposure in 2015, some of the associated reporting elements are new and some are unknown pending the outcome of the leverage rulemaking. The FDIC is seeking comment on the desirability and feasibility of implementing this approach for assessment purposes in the first quarter of 2015.

Whether the FDIC adopts the proposed approach or an alternative, the FDIC believes that it should take some action to ensure that counterparty exposures are meaningfully captured in the highly complex institution scorecard and converted to scores in a way that appropriately and consistently reflects risk. If the FDIC does not adopt the proposal set forth above, it would have to take other action, such as adopting one of the foregoing alternatives and ensuring that counterparty exposures are converted to scores in a way that appropriately and consistently reflects risk.

E. Request for Comments on Questions Related to Counterparty Exposures

The FDIC seeks comment on the following questions related to the counterparty exposure measures:

1. Should the FDIC consider methods other than the proposed approach to measure counterparty exposures consistently across institutions?

2. Would reduction of the credit equivalent amount for derivatives to reflect collateral better reflect relative risk across institutions; and, if so, would this benefit be outweighed by an understatement or underpricing of the potential risk associated with large volumes of derivatives activities with large counterparties?

3. Should the FDIC measure counterparty exposures using ''total leverage exposure'' as defined in the Basel III capital rules or the recent notice of proposed rulemaking proposing changes to the denominator of the supplementary leverage ratio?

4. Should exposure to particular counterparties (e.g., central counterparties, affiliates) be excluded from the counterparty exposure measure?

IV. Request for Comments

In addition to its request for comment on specific questions, the FDIC seeks comment on all aspects of this proposed rulemaking, including comments on possible alternatives and comments on potential benefits and costs of its proposals and any alternatives.

V. Effective Date

A. Ratios and Thresholds Relating to Capital Evaluations

As discussed above, the FDIC proposes two effective dates for the ratios and ratio thresholds relating to the capital evaluations used in its deposit insurance system: January 1, 2015, and January 1, 2018, the effective dates of the changes to the PCA capital rules.

B. Assessment Base Calculation for Custodial Banks

As discussed above, the FDIC proposes an effective date for the assessment base calculation for custodial banks of January 1, 2015.

C. Calculation of Counterparty Exposures in the Highly Complex Institution Scorecard

As discussed above, the FDIC proposes an effective date for the calculation of counterparty exposures in the highly complex institution scorecard of January 1, 2015.

VI. Regulatory Analysis and Procedure

A. Solicitation of Comments on Use of Plain Language

Section 722 of the Gramm-Leach-Bliley Act, Public Law 106–102, 113 Stat. 1338, 1471 (Nov. 12, 1999), requires the Federal banking agencies to use plain language in all proposed final rules published after January 1, 2000. The FDIC invites your comments on how to make this proposal easier to understand. For example:

- Has the FDIC organized the material to suit your needs? If not, how could the material be better organized?
- Are the requirements in the proposed regulation clearly stated? If not, how could the regulation be stated more clearly?
- Does the proposed regulation contain language or jargon that is unclear? If so, which language requires clarification?
- Would a different format (grouping and order of sections, use of headings, paragraphing) make the regulation easier to understand?

B. Regulatory Flexibility Act

The FDIC has carefully considered the potential impacts on all banking organizations, including community banking organizations, and has sought to minimize the potential burden of these changes where consistent with applicable law and the agencies' goals.

The Regulatory Flexibility Act (RFA) requires that each Federal agency either certify that a proposed rule would not, if adopted in final form, have a significant economic impact on a substantial number of small entities or prepare an initial regulatory flexibility analysis of the proposal and publish

[42] See, Basel Committee on Banking Supervision. (January 2013). ''Regulatory consistency assessment programme (RCAP)—Analysis of risk-weighted assets for market risk'', available online at *http://www.bis.org/publ/bcbs240.htm*; Basel Committee on Banking Supervision. (July 2013). ''Regulatory consistency assessment programme (RCAP)—Analysis of risk-weighted assets for credit risk in the banking book,'' available online at *http://www.bis.org/publ/bcbs256.htm*; and Basel Committee on Banking Supervision. (July 2013). ''The regulatory framework: Balancing risk sensitivity, simplicity and comparability—discussion paper,'' available online at *http://www.bis.org/publ/bcbs258.htm*.

[43] 79 FR 24596 (May 1, 2014).

analysis for comment.[44] Certain types of rules, such as rules of particular applicability relating to rates or corporate or financial structures, or practices relating to such rates or structures, are expressly excluded from the definition of ''rule'' for purposes of the RFA.[45] Nonetheless, the FDIC is voluntarily undertaking a regulatory flexibility analysis to aid the public in commenting on the effect of the proposed rule on small institutions.

As of December 31, 2013, of the 6,812 IDIs, there were 5,655 small IDIs as that term is defined for the purposes of the RFA (*i.e.,* institutions with $550 million or less in total assets). Under the revisions to the ratios and ratio thresholds for capital evaluations in the proposed rule, five small IDIs (0.09 percent of small IDIs) would have had higher deposit insurance assessments as of the end of December 2013 (assuming that they had not increased their capital in response to the new PCA capital rules). None would have had lower assessments. In the aggregate, these five small IDIs would have been assessed approximately $1 million more in annual assessments under the proposed rule. In aggregate, the proposed rule would have increased small IDIs' assessments by 0.01 percent of all small IDIs' income before taxes.

Four additional IDIs that meet the RFA definition of a small IDI were identified as subsidiaries of custodial banks subject to assessments adjustments. The FDIC estimates that under the proposed rule, the assessments for these additional small IDIs would not be affected.

The proposed rule regarding the calculation of counterparty exposures in the highly complex institution scorecard, if adopted in final form, would not affect any small IDIs.

Thus, the proposed rule, if adopted in final form, would not have a significant economic impact on a substantial number of small entities.

C. Paperwork Reduction Act

No collections of information pursuant to the Paperwork Reductions Act (44 U.S.C. 3501 *et seq.*) are contained in the proposed rule.

D. The Treasury and General Government Appropriations Act, 1999—Assessment of Federal Regulations and Policies on Families

The FDIC has determined that the proposed rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, enacted as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Pub. L. 105–277, 112 Stat. 2681).

List of Subjects in 12 CFR Part 327

Bank deposit insurance, Banks, Savings Associations.

For the reasons set forth above, the FDIC proposes to amend 12 CFR part 327 as follows:

PART 327—ASSESSMENTS

■ 1. The authority for 12 CFR Part 327 continues to read as follows:

Authority: 12 U.S.C. 1441, 1813, 1815, 1817–19, 1821.

■ 2. In part 327, subpart A, remove the term ''Tier 1 leverage ratio'' and add in its place ''Leverage ratio'' wherever it appears.

■ 3. In § 327.5, revise paragraphs (c)(1) and (2) to read as follows:

§ 327.5 Assessment base.

* * * * *

(c) * * *

(1) *Custodial bank defined.* A custodial bank for purposes of calculating deposit insurance assessments shall be an insured depository institution with previous calendar-year trust assets (fiduciary and custody and safekeeping assets, as described in the instructions to Schedule RC–T of the Consolidated Report of Condition and Income) of at least $50 billion or an insured depository institution that derived more than 50 percent of its total revenue (interest income plus non-interest income) from trust activity over the previous calendar year.

(2) *Assessment base calculation for custodial banks.* A custodial bank shall pay deposit insurance assessments on its assessment base as calculated in paragraph (a) of this section, but the FDIC will exclude from that assessment base the daily or weekly average (depending on how the bank reports its average consolidated total assets) of all asset types described in the instructions to lines 1, 2, and 3 of Schedule RC of the Consolidated Report of Condition and Income with a standardized approach risk weighting of 0 percent, regardless of maturity, except those assets that qualify as securitization exposures (as defined in § 324.2), plus 50 percent of those asset types described in the instructions to lines 1, 2, and 3 of Schedule RC of the Consolidated Report of Condition and Income, with a standardized approach risk-weighting greater than 0 and up to and including 20 percent, regardless of maturity, except those assets that qualify as securitization exposures (as defined in § 324.2), subject to the limitation that the daily or weekly average (depending on how the bank reports its average consolidated total assets) value of all assets deducted under this section cannot exceed the daily or weekly average value of those deposits that are classified as transaction accounts in the instructions to Schedule RC–E of the Consolidated Report of Condition and Income and that are identified by the institution as being directly linked to a fiduciary or custodial and safekeeping account asset.

* * * * *

■ 4. In § 327.9, revise paragraphs (a)(2)(i) and (ii) to read as follows:

[January 1, 2015 Revision]

§ 327.9 Assessment pricing methods.

(a) * * *

(2) * * *

(i) *Well Capitalized.* A Well Capitalized institution is one that satisfies each of the following capital ratio standards: Total risk-based capital ratio, 10.0 percent or greater; tier 1 risk-based capital ratio, 8.0 percent or greater; leverage ratio, 5.0 percent or greater; and common equity tier 1 capital ratio, 6.5 percent or greater.

(ii) *Adequately Capitalized.* An Adequately Capitalized institution is one that does not satisfy the standards of Well Capitalized in paragraph (a)(2)(i) of this section but satisfies each of the following capital ratio standards: Total risk-based capital ratio, 8.0 percent or greater; tier 1 risk-based capital ratio, 6.0 percent or greater; leverage ratio, 4.0 percent or greater; and common equity tier 1 capital ratio, 4.5 percent or greater.

* * * * *

[January 1, 2018 Revision]

§ 327.9 Assessment pricing methods.

(a) * * *

(2) * * *

(i) *Well Capitalized.* A Well Capitalized institution is one that satisfies each of the following capital ratio standards: Total risk-based capital ratio, 10.0 percent or greater; tier 1 risk-based capital ratio, 8.0 percent or greater; leverage ratio, 5.0 percent or greater; common equity tier 1 capital ratio, 6.5 percent or greater; and, if the institution is an insured depository institution subject to the enhanced supplementary leverage ratio standards under 12 CFR 6.4(c)(1)(iv)(B), 12 CFR 208.43(c)(iv)(B), or 12 CFR 324.403(b)(1)(v), as each may be amended from time to time, a

[44] See 5 U.S.C. 603 and 605.

[45] See 5 U.S.C. 601.

supplementary leverage ratio of 6.0 percent or greater.

(ii) *Adequately Capitalized.* An Adequately Capitalized institution is one that does not satisfy the standards of Well Capitalized in paragraph (a)(2)(i) of this section but satisfies each of the following capital ratio standards: Total risk-based capital ratio, 8.0 percent or greater; tier 1 risk-based capital ratio, 6.0 percent or greater; leverage ratio, 4.0 percent or greater; common equity tier 1 capital ratio, 4.5 percent or greater; and, if the institution is subject to the advanced approaches risk-based capital rules under 12 CFR 6.4(c)(2)(iv)(B), 12 CFR 208.43(c)(2)(iv)(B), or 12 CFR 324.403(b)(2)(vi), as each may be amended from time to time, a supplementary leverage ratio of 3.0 percent or greater.

* * * * *

■ 5. In Appendix A to Subpart A, in the table under the section heading ''VI. Description of Scorecard Measures,'' revise the descriptions of ''(2) Top 20 Counterparty Exposure/Tier 1 Capital and Reserves'' and ''(3) Largest Counterparty Exposure/Tier 1 Capital and Reserves'' under the subheading ''Concentration Measure for Highly Complex Institutions'' to read as follows:

Appendix A to Subpart A of Part 327—Method to Derive Pricing Multipliers and Uniform Amount

* * * * *

VI. DESCRIPTION OF SCORECARD MEASURES

Scorecard measures [1]	Description
* *	* * * * * *
Concentration Measure for Highly Complex Institutions.	Concentration score for highly complex institutions is the highest of the following three scores:
* *	* * * * * *
(2) Top 20 Counterparty Exposure/Tier 1 Capital and Reserves.	Sum of the 20 largest total exposure amounts to counterparties divided by Tier 1 capital and reserves. The total exposure amount is equal to the sum of the institution's exposure amounts to one counterparty (or borrower) for derivatives, securities financing transactions (SFTs), and cleared transactions, and its gross lending exposure (including all unfunded commitments) to that counterparty (or borrower). Exposures to entities that are affiliates of each other are treated as exposures to one counterparty (or borrower). Counterparty exposure excludes all counterparty exposure to the U.S. government and departments or agencies of the U.S. government that is unconditionally guaranteed by the full faith and credit of the United States. The exposure amount for derivatives, including OTC derivatives, cleared transactions that are derivative contracts, and netting sets of derivative contracts, must be calculated using the methodology set forth in 12 CFR 324.34(a), without any reduction for collateral. The exposure amount associated with SFTs, including cleared transactions that are SFTs, must be calculated using the standardized approach set forth in 12 CFR 324.37(b) or (c). For both derivatives and SFT exposures, the exposure amount to central counterparties must also include the default fund contribution.[2]
(3) Largest Counterparty Exposure/Tier 1 Capital and Reserves.	The largest total exposure amount to one counterparty divided by Tier 1 capital and reserves. The total exposure amount is equal to the sum of the institution's exposure amounts to one counterparty (or borrower) for derivatives, SFTs, and cleared transactions, and its gross lending exposure (including all unfunded commitments) to that counterparty (or borrower). Exposures to entities that are affiliates of each other are treated as exposures to one counterparty (or borrower). Counterparty exposure excludes all counterparty exposure to the U.S. government and departments or agencies of the U.S. government that is unconditionally guaranteed by the full faith and credit of the United States. The exposure amount for derivatives, including OTC derivatives, cleared transactions that are derivative contracts, and netting sets of derivative contracts, must be calculated using the methodology set forth in 12 CFR 324.34(a), without any reduction for collateral. The exposure amount associated with SFTs, including cleared transactions that are SFTs, must be calculated using the standardized approach set forth in 12 CFR 324.37(b) or (c). For both derivatives and SFT exposures, the exposure amount to central counterparties must also include the default fund contribution.[2]
* *	* * * * * *

[1] The FDIC retains the flexibility, as part of the risk-based assessment system, without the necessity of additional notice-and-comment rulemaking, to update the minimum and maximum cutoff values for all measures used in the scorecard. The FDIC may update the minimum and maximum cutoff values for the higher-risk assets to Tier 1 capital and reserves ratio in order to maintain an approximately similar distribution of higher-risk assets to Tier 1 capital and reserves ratio scores as reported prior to April 1, 2013, or to avoid changing the overall amount of assessment revenue collected. 76 FR 10672, 10700 (February 25, 2011). The FDIC will review changes in the distribution of the higher-risk assets to Tier 1 capital and reserves ratio scores and the resulting effect on total assessments and risk differentiation between banks when determining changes to the cutoffs. The FDIC may update the cutoff values for the higher-risk assets to Tier 1 capital and reserves ratio more frequently than annually. The FDIC will provide banks with a minimum one quarter advance notice of changes in the cutoff values for the higher-risk assets to Tier 1 capital and reserves ratio with their quarterly deposit insurance invoice.

[2] SFTs include repurchase agreements, reverse repurchase agreements, security lending and borrowing, and margin lending transactions, where the value of the transactions depends on market valuations and the transactions are often subject to margin agreements. The default fund contribution is the funds contributed or commitments made by a clearing member to a central counterparty's mutualized loss sharing arrangement. The other terms used in this description are as defined in 12 CFR Part 324, Subparts A and D, unless defined otherwise in 12 CFR Part 327.

* * * * *

Dated at Washington, DC, this 15th day of July, 2014.

By order of the Board of Directors. Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2014–16963 Filed 7–22–14; 8:45 am]

BILLING CODE 6714–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2013–0548; Directorate Identifier 2013–NM–008–AD]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (NPRM); reopening of comment period.

SUMMARY: We are revising an earlier proposed airworthiness directive (AD) for certain Bombardier, Inc. Model BD–700–1A11 airplanes. The NPRM proposed to require replacement of certain oxygen mask lanyards. The NPRM was prompted by a report that certain lanyards for the passenger oxygen masks are longer than the specified length, possibly leading to inactive oxygen masks in an emergency. This action revises the NPRM by proposing to require revised service information with corrected instructions. We are proposing this AD to detect and correct lanyards of incorrect length, which might not activate the flow of oxygen in an emergency, resulting in injury to passengers. Since these actions impose an additional burden over that proposed in the NPRM, we are reopening the comment period to allow the public the chance to comment on these proposed changes.

DATES: We must receive comments on this proposed AD by September 8, 2014.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.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:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email *thd.crj@aero.bombardier.com*; Internet *http://www.bombardier.com.* You may review this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the Mandatory Continuing Airworthiness Information (MCAI), the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE–171, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone (516) 228–7318; fax (516) 794–5531.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2013–0548; Directorate Identifier 2013–NM–008–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We issued an NPRM to amend 14 CFR part 39 by adding an AD that would apply to certain Bombardier, Inc. Model BD–700–1A11 airplanes. The NPRM published in the **Federal Register** on July 18, 2013 (78 FR 42893). The NPRM proposed to require replacement of certain oxygen mask lanyards.

Actions Since Previous NPRM Was Issued

Since we issued the NPRM (78 FR 42893, July 18, 2013), the airplane manufacturer found that the service information cited in the NPRM had information that caused some airplanes to not be corrected. Also, we have identified an additional Supplemental Type Certificate that is affected by the identified unsafe condition.

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2012–31R1, dated September 17, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products, because the previous MCAI referred to the faulty service information. The MCAI states:

> The aeroplane manufacturer has determined that the Oxygen Dispensing Unit (ODU) lanyards, in several locations throughout the aeroplane cabin, are excessively long. In an emergency situation where oxygen is required, it is possible that certain occupants may put their oxygen mask on without automatically activating the oxygen flow which could result in a fatal injury.
>
> The original issue of this [TCCA] AD mandated the replacement of the existing ODU lanyards with lanyards of the correct length.
>
> After the issuance of the original [TCCA] AD, the aeroplane manufacturer discovered that operators had not replaced all of the affected ODU lanyards due to misinterpretation of the accomplishment instructions of the Basic Issue of SB 700–1A11–35–009. Revision 1 of this [TCCA] AD is issued to mandate the incorporation of the revised SB with clarified accomplishment instructions.

You may obtain further information by examining the MCAI in the AD docket on the Internet at *http://www.regulations.gov/#!documentDetail;D=FAA-2013-0548-0002.*

Relevant Service Information

Bombardier, Inc. has issued Service Bulletin 700–1A11–35–009, Revision 02, dated May 28, 2013. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

Comments

We gave the public the opportunity to comment on the NPRM (78 FR 42893, July 18, 2013). We received no comments on the NPRM or on the determination of the cost to the public.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another

country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Certain changes described above expand the scope of the NPRM (78 FR 42893, July 18, 2013). As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this proposed AD.

''Contacting the Manufacturer'' Paragraph in This Proposed AD

Since late 2006, we have included a standard paragraph titled ''Airworthy Product'' in all MCAI ADs in which the FAA develops an AD based on a foreign authority's AD.

The MCAI or referenced service information in an FAA AD often directs the owner/operator to contact the manufacturer for corrective actions, such as a repair. Briefly, the Airworthy Product paragraph allowed owners/operators to use corrective actions provided by the manufacturer if those actions were FAA-approved. In addition, the paragraph stated that any actions approved by the State of Design Authority (or its delegated agent) are considered to be FAA-approved.

In another NPRM, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), we proposed to prevent the use of repairs that were not specifically developed to correct the unsafe condition, by requiring that the repair approval provided by the State of Design Authority or its delegated agent specifically refer to the FAA AD. This change was intended to clarify the method of compliance and to provide operators with better visibility of repairs that are specifically developed and approved to correct the unsafe condition. In addition, we proposed to change the phrase ''its delegated agent'' to include a design approval holder (DAH) with State of Design Authority design organization approval (DOA), as applicable, to refer to a DAH authorized to approve required repairs for the proposed AD.

One commenter to the other NPRM, Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), stated the following: ''The proposed wording, being specific to repairs, eliminates the interpretation that Airbus messages are acceptable for approving minor deviations (corrective actions) needed during accomplishment of an AD mandated Airbus service bulletin.''

This comment has made the FAA aware that some operators have misunderstood or misinterpreted the Airworthy Product paragraph to allow the owner/operator to use messages provided by the manufacturer as approval of deviations during the accomplishment of an AD-mandated action. The Airworthy Product paragraph does not approve messages or other information provided by the manufacturer for deviations to the requirements of the AD-mandated actions. The Airworthy Product paragraph only addresses the requirement to contact the manufacturer for corrective actions for the identified unsafe condition and does not cover deviations from other AD requirements. However, deviations to AD-required actions are addressed in 14 CFR 39.17, and anyone may request the approval for an alternative method of compliance to the AD-required actions using the procedures found in 14 CFR 39.19.

To address this misunderstanding and misinterpretation of the Airworthy Product paragraph, we have changed that paragraph and retitled it ''Contacting the Manufacturer.'' This paragraph now clarifies that for any requirement in this proposed AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the FAA, TCCA, or Bombardier's TCCA Design Approval Organization (DAO). Where necessary throughout this proposed AD, we also replaced any reference to approvals of corrective actions with a reference to the Contacting the Manufacturer paragraph.

The Contacting the Manufacturer paragraph also clarifies that, if approved by the DAO, the approval must include the DAO-authorized signature. The DAO signature indicates that the data and information contained in the document are TCCA-approved, which is also FAA-approved. Messages and other information provided by the manufacturer that do not contain the DAO-authorized signature approval are not TCCA-approved, unless TCCA directly approves the manufacturer's message or other information.

This clarification does not remove flexibility previously afforded by the Airworthy Product paragraph. Consistent with long-standing FAA policy, such flexibility was never intended for required actions. This is also consistent with the recommendation of the Airworthiness Directive Implementation Aviation Rulemaking Committee to increase flexibility in complying with ADs by identifying those actions in manufacturers' service instructions that are ''Required for Compliance'' with ADs. We continue to work with manufacturers to implement this recommendation. But once we determine that an action is required, any deviation from the requirement must be approved as an alternative method of compliance.

Costs of Compliance

We estimate that this proposed AD affects 22 airplanes of U.S. registry. We also estimate that it would take about 16 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $0 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $29,920, or $1,360 per product.

Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here.

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.

We are 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 proposed 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

We 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. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The 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 (AD):

Bombardier, Inc.: Docket No. FAA–2013–0548; Directorate Identifier 2013–NM–008–AD.

(a) Comments Due Date

We must receive comments by September 8, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bombardier, Inc. Model BD–700–1A11 airplanes, certificated in any category, modified by FAA Supplemental Type Certificate (STC) ST02140NY, issued October 14, 2005 (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/6B8CF26D01F5E6DE862570C7006DCD7E?OpenDocument&Highlight=st02140ny*) and to airplanes, certificated in any category, modified by FAA STC ST02033NY, issued December 2, 2004 (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgstc.nsf/0/99FF781E0BD20AD886256FA300558250?OpenDocument&Highlight=02033*).

(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Reason

This AD was prompted by a report that certain lanyards for the passenger oxygen masks are longer than the specified length, possibly leading to inactive oxygen masks in an emergency. We are issuing this AD to detect and correct lanyards of incorrect length, which might not activate the flow of oxygen in an emergency, resulting in injury to passengers.

(f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

(g) Replacement

Within 750 flight hours or 15 months after the effective date of this AD, whichever occurs first: Replace lanyards having part numbers (PN) B431564–503 and –505 for all passenger oxygen dispensing units, with lanyards having PN B431564–507, in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 700–1A11–35–009, Revision 02, dated May 28, 2013.

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office (ACO), ANE–170, 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 ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, New York ACO, ANE–170, Engine and Propeller Directorate, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(i) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Canadian Airworthiness Directive CF–2012–31, dated December 7, 2012, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2013–0548.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; email *thd.crj@aero.bombardier.com*; Internet *http://www.bombardier.com.* You may review this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on July 15, 2014.

John P. Piccola,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–17332 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0454; Directorate Identifier 2013–NM–138–AD]

RIN 2120–AA64

Airworthiness Directives; the Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2002–07–08, which applies to certain The Boeing Company Model 737 airplanes. AD 2002–07–08 currently requires repetitive inspections for cracking of the lower skin at the lower row of fasteners in the lap joints of the fuselage; repair of any cracking found; modification of the fuselage lap joints at certain locations, which terminates the repetitive inspections of the modified areas; and replacement of a certain preventive modification with an improved modification. Since we issued AD 2002–07–08, we have determined that adjacent stringers and window frames have cracked in locations outside the inspection areas addressed by AD 2002–07–08. This proposed AD would add repetitive inspections for cracking at certain window corner fastener holes, a preventive modification, post-repair/alteration and butt joint repetitive inspections, and repair if necessary. We are proposing this AD to detect and correct fatigue cracking of the fuselage lap joints, which could result in reduced structural integrity and sudden decompression of the airplane.

DATES: We must receive comments on this proposed AD by September 8, 2014.

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 *http://www.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.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com*. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0454; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6447; fax: 425–917–6590; email: *wayne.lockett@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2014–0454; Directorate Identifier 2013–NM–138–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

On April 2, 2002, we issued AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), for certain the Boeing Company Model 737 airplanes. AD 2002–07–08 requires repetitive inspections for cracking of the lower skin at the lower row of fasteners in the lap joints of the fuselage; repair of any cracking found; modification of the fuselage lap joints at certain locations, which terminates the repetitive inspections of the modified areas; and replacement of a certain preventive modification with an improved modification. AD 2002–07–08 resulted from the FAA's determination that, in light of additional crack findings, certain modifications of the fuselage lap joints did not provide an acceptable level of safety. We issued AD 2002–07–08 to detect and correct cracking of the fuselage lap joints, which could result in sudden decompression of the airplane.

Widespread Fatigue Damage

Structural fatigue damage is progressive. It begins as minute cracks, and those cracks grow under the action of repeated stresses. This can happen because of normal operational conditions and design attributes, or because of isolated situations or incidents such as material defects, poor fabrication quality, or corrosion pits, dings, or scratches. Fatigue damage can occur locally, in small areas or structural design details, or globally. Global fatigue damage is general degradation of large areas of structure with similar structural details and stress levels. Multiple-site damage is global damage that occurs in a large structural element such as a single rivet line of a lap splice joining two large skin panels. Global damage can also occur in multiple elements such as adjacent frames or stringers. Multiple-site-damage and multiple-element-damage cracks are typically too small initially to be reliably detected with normal inspection methods. Without intervention, these cracks will grow, and eventually compromise the structural integrity of the airplane, in a condition known as widespread fatigue damage (WFD). As an airplane ages, WFD will likely occur, and will certainly occur if the airplane is operated long enough without any intervention.

The FAA's WFD final rule (75 FR 69746, November 15, 2010) became effective on January 14, 2011. The WFD rule requires certain actions to prevent structural failure due to WFD throughout the operational life of certain existing transport category airplanes and all of these airplanes that will be certificated in the future. For existing and future airplanes subject to the WFD rule, the rule requires that design approval holders (DAHs) establish a limit of validity (LOV) of the engineering data that support the structural maintenance program. Operators affected by the WFD rule may not fly an airplane beyond its LOV, unless an extended LOV is approved.

The WFD rule (75 FR 69746, November 15, 2010) does not require identifying and developing maintenance actions if the DAHs can show that such actions are not necessary to prevent WFD before the airplane reaches the LOV. Many LOVs, however, do depend on accomplishment of future maintenance actions. As stated in the WFD rule, any maintenance actions necessary to reach the LOV will be mandated by airworthiness directives through separate rulemaking actions.

In the context of WFD, this action is necessary to enable DAHs to propose LOVs that allow operators the longest operational lives for their airplanes, and still ensure that WFD will not occur. This approach allows for an implementation strategy that provides flexibility to DAHs in determining the timing of service information development (with FAA approval), while providing operators with certainty regarding the LOV applicable to their airplanes.

Actions Since AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), Was Issued

Since we issued AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), we have determined that adjacent stringers and window frames have cracked in locations outside the inspection areas addressed by AD 2002–07–08. More extensive inspections over a larger area are therefore necessary.

Relevant Service Information

We reviewed Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, which describes procedures for certain new actions that were not included in previous revisions of this service information. These new actions include repetitive inspections for cracking at certain window corner

fastener holes, a preventive modification, and post-repair/alteration and butt joint repetitive inspections and repair if necessary. For information on the procedures and compliance times, see this service information at *http://www.regulations.gov* by searching for Docket No. FAA–2014–0454.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would retain certain requirements of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002). This proposed AD would also require accomplishing the actions specified in the service information described previously, except as discussed under ''Difference Between this Proposed AD and the Service Information.''

Related ADs

Boeing has identified a group of airplanes affected by AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), that did not specify crown lap splice inspections until they reached their modification threshold of 50,000 total flight cycles. This was determined to be a safety concern. We have issued AD 2013–09–01, Amendment 39–17442 (78 FR 27001, May 9, 2013), to require these crown lap splice inspections for the affected airplanes, and this proposed AD would remove the overlapping requirements (paragraphs (a), (b), (c), and (f)) from AD 2002–07–08. Those crown lap splice inspections are described in Boeing Service Bulletin 737–53A1255, Revision 2, dated August 7, 2012.

AD 2013–09–01, Amendment 39–17442 (78 FR 27001, May 9, 2013), applies to certain Model 737 airplanes and requires various repetitive inspections for cracking of certain fuselage crown lap joints. The lap joint modification/repair specified in this proposed AD would terminate certain inspections of AD 2013–09–01.

Difference Between the Proposed AD and the Service Information

Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, specifies to contact the manufacturer for instructions for certain actions, but this proposed AD would require accomplishment of those actions in one of the following ways:

- In accordance with a method that we approve; or
- Using data that meet the certification basis of the airplane, and that have been approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) whom we have authorized to make those findings.

This proposed AD will address only Model 737 airplanes with line numbers 292 through 2565. Model 737 airplanes with line numbers 1 through 291 have been addressed in AD 2003–23–03, Amendment 39–13367 (68 FR 64980, November 18, 2003).

Additional Changes to AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002)

Boeing Commercial Airplanes has received an ODA. This proposed AD would delegate the authority to approve an alternative method of compliance for any repair or modification required by this proposed AD to the Boeing Commercial Airplanes ODA rather than a Designated Engineering Representative (DER).

Explanation of a Certain Compliance Time

The compliance time for the preventive modification specified in this proposed AD for addressing WFD was established to ensure that discrepant structure is modified before WFD develops in airplanes. Standard inspection techniques cannot be relied on to detect WFD before it becomes a hazard to flight. We will not grant any extensions of the compliance time to complete any AD-mandated service bulletin related to WFD without extensive new data that would substantiate and clearly warrant such an extension.

Costs of Compliance

We estimate that this proposed AD affects 247 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS—REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Retained lap joint modification	4,650 work-hours × $85 per hour = $395,250.	Up to $204,000	$599,250	$95,280,750 (estimated 159 airplanes).
Retained lap joint inspection	90 work-hours × $85 per hour = $7,650 per inspection cycle.	$0	$7,650 per inspection cycle.	$1,889,550 per inspection cycle.
Retained post-NACA inspection	110 work-hours × $85 per hour = $9,350 per inspection cycle.	$0	$9,350 per inspection cycle.	$308,550 per inspection cycle (estimated 33 airplanes).
Retained window corner inspection	36 work-hours × $85 per hour = $3,060 per inspection cycle.	$0	$3,060 per inspection cycle.	$755,820 per inspection cycle.
New window corner inspection	108 work-hours × $85 per hour = $9,180 per inspection cycle.	$0	$9,180 per inspection cycle.	$2,267,460 per inspection cycle.

ESTIMATED COSTS—OPTIONAL ACTIONS

Action	Labor cost	Parts cost	Cost per product
New preventive modification	134 work-hours × $85 per hour = $11,390	$0	$11,390

We estimate the following costs to do any necessary corrective actions that would be required based on the results of the proposed inspection. We have no way of determining the number of aircraft that might need these corrective actions:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per corner
Window corner repair, per corner	9 work-hours × $85 per hour = $765	(1)	$765

[1] Parts fabricated by operator; cost unknown.

The cost estimate figures discussed above are based on assumptions that no operator has yet accomplished any of the actions required by this proposed AD, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. However, we have been advised that the lap joint modification has already been installed on some affected airplanes. Therefore, based on the current number of U.S.-registered airplanes below the threshold of 50,000 total flight cycles, the future economic cost impact of this proposed AD on U.S. operators is expected to be less than the cost impact figure indicated above.

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.

We are 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 proposed 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

We have 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 that the proposed regulation:

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

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

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

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

List of Subjects in 14 CFR Part 39

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

The 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 removing Airworthiness Directive (AD) 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), and adding the following new AD:

The Boeing Company: Docket No. FAA–2014–0454; Directorate Identifier 2013–NM–138–AD.

(a) Comments Due Date

The FAA must receive comments on this AD action by September 8, 2014.

(b) Affected ADs

This AD replaces AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002). Certain provisions of this AD affect certain requirements of AD 2013–09–01, Amendment 39–17442 (78 FR 27001, May 9, 2013).

(c) Applicability

This AD applies to The Boeing Company Model 737–200, –200C, –300, –400, and –500 series airplanes, certificated in any category, line numbers 292 through 2565 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by an evaluation by the design approval holder (DAH) indicating that certain fuselage lap joints are subject to widespread fatigue damage (WFD). We are issuing this AD to detect and correct fatigue cracking of the fuselage lap joints, which could result in reduced structural integrity and sudden decompression of the airplane.

(f) Compliance

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

(g) Retained Lap Joint Modification (Repair)—Crown Areas

This paragraph restates the actions required by paragraph (g) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. Except as provided by paragraph (h) of this AD: Install the lap joint repair as specified in Part 1.E.1. (''Compliance'') of Boeing Service Bulletin 737–53A1177, Revision 4, dated September 2, 1999; Boeing Service Bulletin 737–53A1177, Revision 5, dated February 15, 2001; or Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; per PART III or IV (''Lap Joint Repair''), as applicable; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; per PART III, IV, VI, or VII (''Lap Joint Modification (Repair)''), as applicable, of the Accomplishment Instructions of the applicable service bulletin; at the time specified in paragraph (g)(1), (g)(2), (g)(3), (g)(4), or (g)(5) of this AD, as applicable. Accomplishment of this repair terminates the repetitive inspections required by paragraph (j) of this AD. As of the effective date of this AD, only Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, may be used to do the actions required by this paragraph. A lap splice modification (repair) done in accordance with the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, terminates the inspections required by paragraphs (g) and (i) of AD 2013–09–01, Amendment 39–17442 (78 FR 27001, May 9, 2013), for the modified (repaired) area only.

(1) For airplanes that have accumulated 70,000 total flight cycles or more as of May 17, 2002 (the effective date of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002)): Within 600 flight cycles after May 17, 2002, do the lap joint repair.

(2) For airplanes that have accumulated 65,000 total flight cycles or more, but fewer than 70,000 total flight cycles as of May 17, 2002 (the effective date of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002)): Do the repair at the later of the times specified in paragraphs (g)(2)(i) and (g)(2)(ii) of this AD.

(i) Before the accumulation of 70,000 total flight cycles.

(ii) Within 600 flight cycles after May 17, 2002 (the effective date of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002)).

(3) For airplanes that have accumulated 45,000 total flight cycles or more, but fewer than 65,000 total flight cycles as of May 17, 2002 (the effective date of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002)): Within 5,000 flight cycles after May 17, 2002.

(4) For airplanes that have accumulated less than 45,000 total flight cycles as of May 17, 2002 (the effective date of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002)): Before the accumulation of 50,000 total flight cycles.

(5) Notwithstanding the times specified in paragraphs (g)(1), (g)(2), (g)(3), and (g)(4) of this AD, for airplanes on which the ''Preventive Change'' (NACA modification) has been accomplished per PART III of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1177, Revision 1, dated September 19, 1996; Revision 2, dated July 24, 1997; or Revision 3, dated September 18, 1997: Within 18,000 flight cycles after accomplishment of the NACA modification.

(h) Retained Lap Joint Modification for Certain Airplanes

This paragraph restates the requirements of paragraph (h) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information and revised airplane groups.

(1) For airplanes identified as Groups 3 and 5 in Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001: Install the lap joint repair at stringers 4R and 10R, as specified in Part 1.E.1. (''Compliance'') of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001, at the time specified in paragraph (g)(1), (g)(2), (g)(3), (g)(4), or (g)(5) of this AD, as applicable, using a method approved in accordance with the procedures specified in paragraph (t) of this AD.

(2) For airplanes identified in Groups 6, 7, and 8 in Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013: Install the lap joint repair at stringers 4R and 10R, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, at the time specified in paragraph (g)(1), (g)(2), (g)(3), (g)(4), or (g)(5) of this AD, as applicable, unless previously accomplished as specified in paragraph (h)(1) of this AD.

(i) Retained Repetitive Low Frequency Eddy Current (LFEC) Inspections—Outside Crown Areas

This paragraph restates the actions required by paragraph (i) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. Before the accumulation of 70,000 total flight cycles, or within 2,500 flight cycles after May 17, 2002 (the effective date of AD 2002–07–08), whichever comes later: Do an LFEC inspection to find cracking of the lap joints of the fuselage, as specified in Part 1.E.2. (''Compliance'') of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; and as identified in Figures 2 through 6 of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or as identified in Figures 50 through 64 of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. Do the inspection per Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. As of the effective date of this AD, only Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, may be used to do the actions required by this paragraph. Repeat the inspection after that at intervals not to exceed 5,000 flight cycles.

(j) Retained Post-NACA Modification Inspections—Crown Areas

This paragraph restates the actions required by paragraph (j) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. For airplanes that have the ''Preventive Change'' (NACA modification) of the crown lap joint stringers (''Crown Laps'') done per PART III of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1177, Revision 1, dated September 19, 1996; Boeing Service Bulletin 737–53A1177, Revision 2, dated July 24, 1997; or Boeing Service Bulletin 737–53A1177, Revision 3, dated September 18, 1997: Within 12,000 flight cycles after accomplishment of the NACA modification, or within 750 flight cycles after May 17, 2002 (the effective date of AD 2002–07–08), whichever is later, do either an external (Figure 8) or internal (Figure 9) LFEC inspection to find cracking and corrosion as specified in Part 1.E.4.a. (''Compliance'') of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; per PART I (''Inspection'') of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. As of the effective date of this AD, only Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, may be used to do the actions required by this paragraph.

(1) If the external inspection is done: Repeat the inspection after that at intervals not to exceed 1,500 flight cycles until accomplishment of the lap joint repair required by paragraph (g) of this AD.

(2) If the internal inspection is done: Repeat the inspection after that at intervals not to exceed 4,500 flight cycles until accomplishment of the lap joint repair required by paragraph (g) of this AD.

(k) Retained Post-NACA Modification Inspections—Outside Crown Areas

This paragraph restates the actions required by paragraph (k) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. For airplanes that have the ''Preventive Change'' (NACA modification) outside the crown areas done per PART III of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1177, Revision 1, dated September 19, 1996; Boeing Service Bulletin 737–53A1177, Revision 2, dated July 24, 1997; or Boeing Service Bulletin 737–53A1177, Revision 3, dated September 18, 1997: Before the accumulation of 20,000 flight cycles after accomplishment of the NACA modification, or within 750 flight cycles after May 17, 2002 (the effective date of AD 2002–07–08), whichever is later, do either an external (Figure 8) or internal (Figure 9) LFEC inspection to find cracking and corrosion as specified in Part 1.E.4.b. (''Compliance'') of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; per PART I (''Inspection'') of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. As of the effective date of this AD, only Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, may be used to do the actions required by this paragraph.

(1) If the external inspection is done: Repeat the external inspection after that at intervals not to exceed 1,500 flight cycles.

(2) If the internal inspection is done: Repeat the internal inspection after that at intervals not to exceed 4,500 flight cycles.

(l) Retained Modification of Tear Strap Splice Straps

This paragraph restates the actions required by paragraph (l) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. For airplanes that have the ''lap joint repair,'' as specified in Part IV of the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1177, Revision 2, dated July 24, 1997, or Revision 3, dated September 18, 1997: Within 45,000 flight cycles after accomplishment of this lap joint repair, modify the splice straps per Figures 10, 11, and 12 of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. As of the effective date of this AD, only Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, may be used to do the actions required by this paragraph.

(m) Retained Follow-On LFEC Inspections

This paragraph restates the actions required by paragraph (m) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. Within 45,000 flight cycles after accomplishment of the lap joint repair required by paragraph (g) or (h) of this AD, as applicable: Do either an external or internal (Figure 9) LFEC inspection as specified in Part 1.E.7. (''Compliance'') of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; to find cracking of the lap joint repair, per PART I (''Inspection'') of

the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. As of the effective date of this AD, only Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, may be used to do the actions required by this paragraph. Repeat the inspection after that at intervals not to exceed 2,800 flight cycles.

(n) Retained Repetitive High Frequency Eddy Current (HFEC) Inspections—Window Corners

This paragraph restates the actions required by paragraph (n) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. For airplanes having line numbers 520 through 2565 inclusive: Before the accumulation of 50,000 total flight cycles, or within 2,250 flight cycles after May 17, 2002 (the effective date of AD 2002–07–08), whichever comes later, do an HFEC inspection to find cracking as specified in Part 1.E.10 (''Compliance'') of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001, or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; per PART V (''Window Corner Fastener Hole Cracking, Inspection and Repair'') of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. Repeat the inspection after that at intervals not to exceed 4,500 flight cycles, until the initial actions required by paragraph (p) of this AD have been done. Accomplishment of the modification (which includes removing and discarding fasteners, oversizing fastener holes, and installing rivets or Hi-Lok fasteners, as applicable), per PART V of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 5, dated February 15, 2001; or Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; constitutes terminating action for the inspections required by this paragraph.

(o) Retained Crack Repair

This paragraph restates the actions required by paragraph (d) of AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), with revised service information. If any crack is found during any inspection required by paragraph (i), (j), (k), (m), or (n) of this AD: Before further flight, repair per PART II (''Crack Repair'') of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; or Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; except as required by paragraph (s)(2) of this AD. As of the effective date of this AD, only Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, may be used to do the actions required by this paragraph.

(p) New Inspections, Repair, and Preventive Modification

For airplanes identified as Groups 2 through 28 in Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013: At the applicable times specified in tables 8, 9, 10, and 11 of paragraph 1.E.10 of the Compliance section of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, except as required by paragraph (s)(1) of this AD, do a surface HFEC inspection for cracking at the applicable window corner fastener holes, and do a preventive modification, as applicable, in accordance with Part V of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, except as required by paragraph (s)(2) of this AD. Repair any crack found before further flight in accordance with Part V of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, except as required by paragraph (s)(2) of this AD. Repeat the applicable inspection thereafter at the applicable times specified in tables 8, 9, 10, and 11 of paragraph 1.E.10 of the Compliance section of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. Accomplishment of the initial inspection specified in this paragraph terminates the repetitive inspection requirements of paragraph (n) of this AD. Accomplishment of the preventive modification specified in this paragraph terminates the repetitive inspection requirements of this paragraph for the applicable corner fastener locations specified in Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013.

(q) Optional Terminating Action

(1) Accomplishment of the actions specified in Part VIII or Part IX, as applicable, of the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, terminates the repetitive inspections at the window corners specified in paragraph (p) of this AD.

(2) Replacement of the skin panel as specified in Part VIII or Part IX, as applicable, of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, terminates the lap joint modification required by paragraph (g) of this AD for the S–10 and S–14 lap joints common to the replaced panel only.

(r) Post-Repair/Alteration Inspections and Repair

For airplanes identified as Groups 2 through 28 in Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013: Except as provided by paragraph (s)(1) of this AD, at the time specified in tables 12, 13, 14, 15, 16, 17, and 18, as applicable, of paragraph 1.E., ''Compliance,'' of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, do the applicable post-repair and post-alteration inspections (including an internal HFEC inspection, external surface inspection, surface inspection, and internal surface HFEC inspections), and butt joint inspections (including internal surface HFEC and detailed inspections) for cracking at the applicable locations, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013. Repair any crack before further flight using a method approved in accordance with the procedures specified in paragraph (t) of this AD. Repeat the applicable inspections thereafter at the time specified in tables 12, 13, 14, 15, 16, 17, and 18, as applicable, of paragraph 1.E., ''Compliance,'' of Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013.

(s) Exceptions to Service Information Specifications

(1) Where Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013, specifies a compliance time ''after the Revision 7 date of this service bulletin,'' this AD requires compliance within the specified compliance time after the effective date of this AD.

(2) Where Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; and Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; specify to contact Boeing for certain procedures: Do the specified actions before further flight using a method approved in accordance with the procedures specified in paragraph (t) of this AD.

(3) Where Boeing Service Bulletin 737–53A1177, Revision 6, dated May 31, 2001; and Boeing Service Bulletin 737–53A1177, Revision 7, dated June 14, 2013; include the phrase ''or is Boeing or FAA approved,'' this AD requires the ''Boeing Approval'' to be requested in accordance with the procedures specified in paragraph (t) of this AD.

(t) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle Aircraft Certification Office (ACO), 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 ACO, send it to the attention of the person identified in paragraph (u)(1) of this AD. Information may be emailed to: *9–ANM-Seattle-ACO–AMOC-Requests@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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved for AD 2002–07–08, Amendment 39–12702 (67 FR 17917, April 12, 2002), are approved as AMOCs for the corresponding provisions of this AD.

(u) Related Information

(1) For more information about this AD, contact Wayne Lockett, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6447; fax: 425–917–6590; email: *wayne.lockett@faa.gov.*

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, WA 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on July 13, 2014.

Jeffrey E. Duven,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–17324 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0455; Directorate Identifier 2014–NM–006–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all Airbus Model A319 series airplanes, Model A320–211, –212, –214, –231, –232, and –233 airplanes, and A321 series airplanes. This proposed AD was prompted by reports that 67during a full scale fatigue test, several broken frames in certain areas of the cargo compartment have been found, especially on the cargo floor support fittings and open tack holes on the left-hand side. This proposed AD would require a rototest inspection of the open tack holes and rivet holes at the cargo floor support fittings of the fuselage, modification of the fuselage, including doing all applicable related investigative actions, and repair if necessary. We are proposing this AD to detect and correct cracking in the open tack holes and rivet holes at the cargo floor support fittings of the fuselage, which could affect the structural integrity of the airplane.

DATES: We must receive comments on this proposed AD by September 8, 2014.

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 *http://www.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:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Airbus, Airworthiness Office—EAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* Internet *http://www.airbus.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0455; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM 116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1405; fax 425–227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2014–0455; Directorate Identifier 2014–NM–006–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2013–0310, dated December 20, 2013 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> During a full scale fatigue test, several broken frames in the cargo compartment area between Frame (FR) 50 and FR 63, have been found, especially on the cargo floor support fittings and open tack holes on [the] left hand side.
>
> This condition, if not detected and corrected, could affect the structural integrity of the aeroplane.
>
> For the reason described above, this [EASA] AD requires repetitive inspections of the frames in the cargo compartment area and of the cargo floor support fittings and open tack holes on the left hand (LH) side, and depending on findings the accomplishment of applicable corrective action(s). This [EASA] AD also requires a modification, which constitutes terminating action for the repetitive inspections required by this [EASA] AD.

The actions in this AD include a rototest inspection for cracking of the open tack holes and rivet holes at the cargo floor support fittings of the fuselage, modification of the fuselage, including doing all applicable related investigative actions, and repair if necessary. Related investigative actions include rotating probe inspections for cracking of the holes. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0455.

Relevant Service Information

Airbus has issued Service Bulletin A320–53–1257, dated December 21, 2012, and Service Bulletin A320–53–1261, dated December 21, 2012. The

actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

''Contacting the Manufacturer'' Paragraph in This Proposed AD

Since late 2006, we have included a standard paragraph titled ''Airworthy Product'' in all MCAI ADs in which the FAA develops an AD based on a foreign authority's AD.

The MCAI or referenced service information in an FAA AD often directs the owner/operator to contact the manufacturer for corrective actions, such as a repair. Briefly, the Airworthy Product paragraph allowed owners/operators to use corrective actions provided by the manufacturer if those actions were FAA-approved. In addition, the paragraph stated that any actions approved by the State of Design Authority (or its delegated agent) are considered to be FAA-approved.

In an NPRM having Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), we proposed to prevent the use of repairs that were not specifically developed to correct the unsafe condition, by requiring that the repair approval provided by the State of Design Authority or its delegated agent specifically refer to the FAA AD. This change was intended to clarify the method of compliance and to provide operators with better visibility of repairs that are specifically developed and approved to correct the unsafe condition. In addition, we proposed to change the phrase ''its delegated agent'' to include a design approval holder (DAH) with State of Design Authority design organization approval (DOA), as applicable, to refer to a DAH authorized to approve required repairs for the proposed AD.

One commenter to the NPRM having Directorate Identifier 2012–NM–101–AD (78 FR 78285, December 26, 2013), stated the following: ''The proposed wording, being specific to repairs, eliminates the interpretation that Airbus messages are acceptable for approving minor deviations (corrective actions) needed during accomplishment of an AD mandated Airbus service bulletin.''

This comment has made the FAA aware that some operators have misunderstood or misinterpreted the Airworthy Product paragraph to allow the owner/operator to use messages provided by the manufacturer as approval of deviations during the accomplishment of an AD-mandated action. The Airworthy Product paragraph does not approve messages or other information provided by the manufacturer for deviations to the requirements of the AD-mandated actions. The Airworthy Product paragraph only addresses the requirement to contact the manufacturer for corrective actions for the identified unsafe condition and does not cover deviations from other AD requirements. However, deviations to AD-required actions are addressed in 14 CFR 39.17, and anyone may request the approval for an alternative method of compliance to the AD-required actions using the procedures found in 14 CFR 39.19.

To address this misunderstanding and misinterpretation of the Airworthy Product paragraph, we have changed that paragraph and retitled it ''Contacting the Manufacturer.'' This paragraph now clarifies that for any requirement in this proposed AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the FAA, the European Aviation Safety Agency (EASA), or Airbus's EASA DOA.

The Contacting the Manufacturer paragraph also clarifies that, if approved by the DOA, the approval must include the DOA-authorized signature. The DOA signature indicates that the data and information contained in the document are EASA-approved, which is also FAA-approved. Messages and other information provided by the manufacturer that do not contain the DOA-authorized signature approval are not EASA-approved, unless EASA directly approves the manufacturer's message or other information.

This clarification does not remove flexibility previously afforded by the Airworthy Product paragraph. Consistent with long-standing FAA policy, such flexibility was never intended for required actions. This is also consistent with the recommendation of the Airworthiness Directive Implementation Aviation Rulemaking Committee to increase flexibility in complying with ADs by identifying those actions in manufacturers' service instructions that are ''Required for Compliance'' with ADs. We continue to work with manufacturers to implement this recommendation. But once we determine that an action is required, any deviation from the requirement must be approved as an alternative method of compliance.

Costs of Compliance

We estimate that this proposed AD affects 847 airplanes of U.S. registry.

We also estimate that it would take about 471 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts (for the modification) would cost about $6,570 per product. Based on these figures, we estimate the cost of this proposed AD on U.S. operators to be $39,474,435, or $46,605 per product.

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this proposed AD.

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.

We are 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 proposed 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

We 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. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The 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 (AD):

Airbus: Docket No. FAA–2014–0455; Directorate Identifier 2014–NM–006–AD.

(a) Comments Due Date

We must receive comments by September 8, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Model A319–111, –112, –113, –114, –115, –131, –132, and –133 airplanes; Model A320–211, –212, –214, –231, –232, and –233 airplanes; and Model A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes; certificated in any category; all manufacturer serial numbers.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Reason

This AD was prompted by reports that during a full scale fatigue test, several broken frames in certain areas of the cargo compartment have been found, especially on the cargo floor support fittings and open tack holes on the left-hand side. We are issuing this AD to detect and correct cracking in the open tack holes and rivet holes at the cargo floor support fittings of the fuselage, which could affect the structural integrity of the airplane.

(f) Compliance

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

(g) Inspection

At the applicable compliance times specified in paragraphs (g)(1) through (g)(3) of this AD: Do a rototest inspection for cracking of the open tack holes and rivet holes at the cargo floor support fittings of the fuselage between frame (FR) 50 and FR 63 (LH side only) for Model A320–211, –212, –214, –231, –232, and –233 airplanes, and A321 airplanes; and between FR 53 and FR 63 (LH side only) for Model A319 airplanes; in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320–53–1257, dated December 21, 2012. Repeat the inspection thereafter at intervals not to exceed 5,000 flight cycles or 10,000 flight hours, whichever occurs first.

(1) For airplanes that have equal to or more than 45,000 total flight cycles or 90,000 total flight hours as of the effective date of this AD: Do the inspection in paragraph (g) of this AD within 1,000 flight cycles or 2,000 flight hours after the effective date of this AD, whichever occurs first.

(2) For airplanes that have equal to or more than 36,200 total flight cycles or 72,400 total flight hours, but less than 45,000 total flight cycles and 90,000 total flight hours as of the effective date of this AD: Do the inspection in paragraph (g) of this AD within 2,000 flight cycles or 4,000 flight hours after the effective date of this AD, whichever occurs first, but no later than before the accumulation of 46,000 total flight cycles or 92,000 total flight hours, whichever occurs first.

(3) For airplanes that have less than 36,200 total flight cycles and 72,400 total flight hours as of the effective date of this AD: Do the inspection in paragraph (g) of this AD before exceeding 38,200 total flight cycles or 76,400 total flight hours, whichever occurs first.

(h) Modification

Before exceeding 48,000 total flight cycles or 96,000 total flight hours, whichever occurs first: Modify the fuselage, including doing all applicable related investigative actions, in accordance with the Accomplishment Instructions of Airbus Service Bulletin A320–53–1261, dated December 21, 2012. Do all related investigative actions before exceeding 48,000 total flight cycles or 96,000 total flight hours, whichever occurs first. Modification of the fuselage as required by this paragraph constitutes as a terminating action for the repetitive inspections required by paragraph (g) of this AD.

(i) Corrective Action

If any crack is found during any inspection required by this AD: Before further flight, repair using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, 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 International Branch, send it to ATTN: Sanjay Ralhan, Aerospace Engineer, International Branch, ANM 116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1405; fax 425–227–1149. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* 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. The AMOC approval letter must specifically reference this AD.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA Airworthiness Directive 2013–0310, dated December 20, 2013, for related information. This MCAI may be found in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0455.

(2) For service information identified in this AD, contact Airbus, Airworthiness Office—EAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* Internet *http://www.airbus.com.* You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on July 16, 2014.

John P. Piccola,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–17318 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0493; Directorate Identifier 2013–SW–019–AD]

RIN 2120–AA64

Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Sikorsky Model S–92A helicopters. This proposed AD would require installing a main gearbox (MGB) failed pump sensor and vacuum switch wiring, installing an MGB oil auto bypass system, activating Aircraft Management System (AMS) 7.1 software to show a new visual warning, and installing updated enhanced ground proximity warning system (EGPWS) software that includes an aural annunciation of a complete oil pressure loss condition. This proposed AD would also require inserting a Rotorcraft Flight Manual (RFM) Supplement into the applicable RFM. This proposed AD is prompted by investigation results of in-service oil leakage incidents. The proposed actions are intended to alert and prevent MGB oil loss, which could lead to failure of the MGB and subsequent loss of control of the helicopter.

DATES: We must receive comments on this proposed AD by September 22, 2014.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Docket:* Go to *http://www.regulations.gov.* Follow the online instructions for sending your comments electronically.
- *Fax:* 202–493–2251.
- *Mail:* Send comments to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.
- *Hand Delivery:* Deliver to the ''Mail'' address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the Docket Operations Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the economic evaluation, any comments received, and other information. The street address for the Docket Operations Office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For the Sikorsky service information identified in this proposed AD, contact Sikorsky Aircraft Corporation, Customer Service Engineering, 124 Quarry Road, Trumbull, CT 06611; telephone 1–800-Winged-S or 203–416–4299; email *sikorskywcs@sikorsky.com*; or at *http://www.sikorsky.com.* For the Honeywell service information identified in this proposed AD, contact Honeywell International, Inc., at 15001 NE. 36 Street, Redmond, WA 98052–5316, telephone (800) 601–3099; email *www.myaerospace.com.* You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

FOR FURTHER INFORMATION CONTACT: Michael Schwetz, Aviation Safety Engineer, Boston Aircraft Certification Office, Engine & Propeller Directorate, FAA, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238–7761; email *michael.schwetz@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit only one time.

We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

Discussion

We propose to adopt a new AD for Sikorsky Model S–92A helicopters. This proposed AD would require, depending on the helicopter's serial number, installing an MGB failed pump sensor and vacuum switch wiring, installing an MGB oil auto bypass system, activating AMS 7.1 software to show a new MGB ''OIL OUT'' visual warning, updating the EGPWS software to include an aural annunciation of a complete oil pressure loss condition, and inserting an RFM Supplement into the applicable RFM.

This proposed AD is prompted by one accident and one in-service oil leakage incident where it was discovered during subsequent investigations that the pilot failed to activate the bypass valve within 5 seconds of the oil pressure dropping below 35 psi, as required by the RFM. Both accident and incident investigations found that the pilot activated the bypass valve well beyond the 5 seconds.

The manual operation of the bypass valve within 5 seconds of the oil pressure dropping below 35 psi has proven not to be a realistic expectation. The MGB failed pump sensor and vacuum switch wiring is a system that will detect an oil pressure drop in the input module and alert the pilot if the low oil pressure is the result of a failed oil pump. The MGB oil auto bypass system eliminates the need for the pilot to manually switch the bypass valve when the oil pressure drops below 35 psi. The AMS software upgrade is to automate the bypass valve and to alert the pilot that the low oil pressure may be the result of a failed oil pump. Knowing the low oil pressure is the result of a failed oil pump and not due to oil leakage will allow the pilot to switch the bypass valve out of bypass to cool the oil. When the oil is not cooled, the hot oil may cause the input module seals to fail allowing an excessive amount of oil to leak resulting in failure of the MGB. There have been several incidents of a pump failure where the oil had the potential to reach a high enough temperature to damage the seals. The EGPWS software change provides a new aural warning of a complete oil pressure loss.

FAA's Determination

We are proposing this AD because we evaluated all known relevant information and determined that an unsafe condition exists and is likely to exist or develop on other helicopters of this same type design.

Related Service Information

Sikorsky has issued the following service information:

• Alert Service Bulletin (ASB) No. 92–63–024C, Revision C, dated October 7, 2011, for certain serial-numbered helicopters specifies installing a main module input gear box switch assembly and modifying the MGB vacuum switch wiring. Before making the modification, the ASB states an AMS 4.1 or greater version must first be installed and the following Customer Service Notices (CSN) completed: CSN 92–068C, Revision C, dated March 27, 2012, and CSN 92–069A, Revision A, dated November 10, 2011.

• ASB 92–63–027, Basic Issue, dated January 21, 2013, for certain serial-numbered helicopters specifies installing an MGB oil pressure automatic bypass system, activating an MGB ''OIL OUT'' visual warning in the AMS 7.1 software, and performing systems operational checkout procedures. Before or when installing the MGB oil pressure auto bypass system, the ASB states the following must be complied with: CSN 92–089, Basic Issue, dated January 10, 2013; ASB 92–34–002, Basic Issue, dated January 21, 2013; and ASB 92–63–024C, Revision C, dated October 7, 2011.

• ASB 92–34–002, Basic Issue, dated January 21, 2013, for certain serial-numbered helicopters with certain part-numbered EGPWS installed, specifies installing EGPWS updated software version 030, which adds an MGB ''OIL OUT'' aural warning, in accordance with Honeywell International, Inc., Service Bulletin 965–1595–34–23, Revision 0, dated March 13, 2012. Before or during installation of the updated software, the ASB states the following must be complied with: ASB 92–63–027, Basic Issue, dated January 21, 2013, and CSN 92–089, Basic Issue, dated January 10, 2013.

Proposed AD Requirements

The proposed AD would require, within 500 hours time-in-service (TIS):

• Inserting a copy of the Sikorsky S–92A RFM Supplement No. 45, Part I, dated July 30, 2012, into the RFM.

• For certain serial-numbered helicopters, installing an MGB failed pump sensor and MGB vacuum switch wiring.

• For certain other serial-numbered helicopters, installing an MGB auto bypass system, activating AMS 7.1 software, and installing EGPWS software version 030.

Differences Between This Proposed AD and the Service Information

This AD proposes compliance within 500 hours TIS, and the service information specifies certain dates and calendar times.

Costs of Compliance

We estimate that this proposed AD would affect 44 helicopters of U.S. Registry.

We estimate that operators may incur the following costs in order to comply with this AD. Labor costs are estimated at $85 per hour. The work hours and required parts costs are estimated as follows:

• .5 work hour to insert the RFM Supplement into the RFM.

• 8 work hours plus $2,200 for required parts to install an MGB failed pump sensor;

• 4 work hours plus $250 for required parts to install MGB vacuum switch wiring;

• 71.7 work hours plus $4,100 for required parts to install an MGB oil pressure auto bypass system;

• 1 work hour to activate AMS 7.1; and

• 1 work hour plus $500 for required parts to install EGPWS software.

The total cost of compliance for all actions would be about $14,377 per helicopter and $632,588 for the U.S. fleet.

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.

We are 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 proposed 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

We 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, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

3. Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; and

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

We prepared an economic evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

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 (AD):

Sikorsky Aircraft Corporation: Docket No. FAA–2014–0493; Directorate Identifier 2013–SW–019–AD.

(a) Applicability

This AD applies to Model S–92A helicopters, serial number (S/N) 920006 through 920179, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as main gearbox (MGB) oil loss, which could lead to failure of the MGB and subsequent loss of control of the helicopter.

(c) Comments Due Date

We must receive comments by September 22, 2014.

(d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(e) Required Actions

Within 500 hours time-in-service:

(1) Insert a copy of the Sikorsky S–92A Rotorcraft Flight Manual (RFM) Supplement No. 45, Part I, dated July 30, 2012, into the RFM.

(2) For helicopters with S/N 920006 through 920132:

(i) Install an MGB failed pump sensor, Modification Kit Part Number (P/N) 92070–35007–011.

(ii) Install MGB vacuum switch wiring, Modification Kit P/N 92070–55039–013.

(3) For helicopters with S/N 920006 through 920179:

(i) Install an MGB auto bypass system, Modification Kit P/N 92070–55061–011.

(ii) Activate Aircraft Management System 7.1 software to show a new MGB ''OIL OUT'' visual warning.

(iii) Install enhanced ground proximity warning system software version 030.

(f) Special Flight Permit

Special flight permits are prohibited.

(g) Alternative Methods of Compliance (AMOC)

(1) The Manager, Boston Aircraft Certification Office, FAA, may approve AMOCs for this AD. Send your proposal to: Michael Schwetz, Aviation Safety Engineer, Boston Aircraft Certification Office, Engine & Propeller Directorate, FAA, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (781) 238–7761; email *michael.schwetz@faa.gov.*

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office before operating any aircraft complying with this AD through an AMOC.

(h) Additional Information

Sikorsky Alert Service Bulletin (ASB) No. 92–63–024C, Revision C, dated October 7, 2011; Sikorsky ASBs 92–63–027 and 92–34–002, both Basic Issue and both dated January 21, 2013; Sikorsky Customer Service Notice (CSN) 92–068C, Revision C, dated March 27, 2012; CSN 92–069A, Revision A, dated November 10, 2011; CSN 92–089, Basic Issue, dated January 10, 2013; and Honeywell International, Inc., Service Bulletin 965–1595–34–23, Revision 0, dated March 13, 2012, which are not incorporated by reference, contain additional information about the subject of this AD. For service information identified in this AD, contact Sikorsky Aircraft Corporation, Customer Service Engineering, 124 Quarry Road, Trumbull, CT 06611; telephone 1–800-Winged-S or 203–416–4299; email *sikorskywcs@sikorsky.com*; or at *http://www.sikorsky.com* and Honeywell International, Inc., at 15001 NE. 36 Street, Redmond, WA 98052–5316, telephone (800) 601–3099; or at *www.myaerospace.com.* You may review a copy of this service information at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

(i) Subject

Joint Aircraft Service Component (JASC) Code: 6320 Main Rotor Gearbox.

Issued in Fort Worth, Texas, on July 17, 2014.

S. Frances Cox,

Acting Directorate Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2014–17334 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0494; Directorate Identifier 2014–CE–017–AD]

RIN 2120–AA64

Airworthiness Directives; Pacific Aerospace Limited Airplanes

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

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for Pacific Aerospace Limited Model 750XL airplanes. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the fin forward pickup due to possible fatigue cracks. We are issuing this proposed AD to require actions to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by September 8, 2014.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.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:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Pacific Aerospace Unlimited, Airport Road, Hamilton, Private Bag HN3027, Hamilton 3240, New Zealand, phone: +64 7 843 6144; fax: +64 7 843 6134; email: *pacific@aerospace.co.nz*, internet: *www.aerospace.co.nz.* You may review this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0494; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4123; fax: (816) 329–4090; email: *Karl.Schletzbaum@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2014–0494; Directorate Identifier 2014–CE–017–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

The Civil Aviation Authority (CAA), which is the aviation authority for New Zealand, has issued AD DCA/750XL/16A, dated June 18, 2014 (referred to after this as ''the MCAI''), to correct an

unsafe condition for Pacific Aerospace Limited Model 750XL airplanes and was based on mandatory continuing airworthiness information originated by an aviation authority of another country. The MCAI states:

> To prevent failure of the fin forward pickup due to possible fatigue cracks, inspect the fitting per the instructions in Pacific Aerospace Limited Mandatory Service Bulletin (MSB) PACSB/XL/068 issue 3, dated 29 May 2014.
>
> If any cracks are found, replace both plates per PACSB/XL/068, before further flight.

You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0494.

Relevant Service Information

Pacific Aerospace Limited has issued Mandatory Service Bulletin (MSB) PACSB/XL/068, issue 3, dated May 29, 2014. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of the Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

We estimate that this proposed AD will affect 17 products of U.S. registry. We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be $1,445, or $85 per product.

In addition, we estimate that any necessary follow-on actions would take about 5 work-hours and require parts costing $328, for a cost of $753 per product. We have no way of determining the number of products that may need these actions.

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.

We are 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 proposed 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

We 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) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

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

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

List of Subjects in 14 CFR Part 39

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

The 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 AD:

Pacific Aerospace Limited: Docket No. FAA–2014–0494; Directorate Identifier 2014–CE–017–AD.

(a) Comments Due Date

We must receive comments by September 8, 2014.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Pacific Aerospace Limited Model 750XL airplanes, all serial numbers, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 53: Fuselage.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as failure of the fin forward pickup due to possible fatigue cracks. We are issuing this proposed AD to detect and correct cracked fin forward pickup fittings to prevent failure of the fin forward pickup.

(f) Actions and Compliance

Do the following actions as specified in paragraphs (f)(1) through (f)(2), including all subparagraphs, of this AD, unless already done:

(1) Inspect the fin forward pickup fittings for cracks on or before 2,000 hours total time-in-service (TTIS) or 150 hours time-in-service (TIS) after the effective date of this AD, whichever occurs later, and repetitively thereafter at intervals not to exceed 600 hours TIS or annual inspection, whichever occurs first. Follow Pacific Aerospace Limited Mandatory Service Bulletin (MSB) PACSB/XL/068, issue 3, dated May 29, 2014.

Note 1 to paragraph (f)(1) of this AD: The MCAI mentions actions that are different for standard category versus restricted category airplanes. The Pacific Aerospace Limited Model 750XL airplane is only type certificated in the normal (standard) category in the United States so these are the actions that are specified in this AD.

(2) If you find any cracks as a result of any inspection required by paragraph (f)(1) of this AD, before further flight, replace both plates. Do the replacement following Pacific Aerospace Limited Mandatory Service Bulletin (MSB) PACSB/XL/068, issue 3, dated May 29, 2014.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4123; fax: (816) 329–4090; email: *Karl.Schletzbaum@faa.gov.*

Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(h) Related Information

Refer to MCAI New Zealand Civil Aviation Authority (CAA) AD DCA/750XL/16A, dated June 18, 2014, for related information. You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0494. For service information related to this AD, contact Pacific Aerospace Unlimited, Airport Road, Hamilton, Private Bag HN3027, Hamilton 3240, New Zealand, phone: +64 7 843 6144; fax: +64 7 843 6134; email: *pacific@aerospace.co.nz*, internet: *www.aerospace.co.nz.* You may review this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Issued in Kansas City, Missouri, on July 17, 2014.

Kelly A. Broadway,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2014–17339 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2014–0309; Airspace Docket No. 14–AWP–3]

Proposed Amendment of Class E Airspace; Lakeport, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class E airspace at Lakeport, CA. Controlled airspace is necessary to accommodate Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures at Lampson Field. The FAA is proposing this action to enhance the safety and management of aircraft operations at the airport.

DATES: Comments must be received on or before September 8, 2014.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–9826. You must identify FAA Docket No. FAA–2014–0309; Airspace Docket No. 14–AWP–3, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA 98057; telephone (425) 203–4517.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA–2014–0309 and Airspace Docket No. 14–AWP–3) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at *http://www.regulations.gov.*

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: ''Comments to FAA Docket No. FAA–2014–0309 and Airspace Docket No. 14–AWP–3''. The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 1601 Lind Avenue SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267–9677, for a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by creating Class E airspace extending upward from 700 feet above the surface within a 4-mile radius of Lampson Field, Lakeport, CA. Controlled airspace is needed for RNAV (GPS) standard instrument approaches and departures. This action would enhance the safety and management of aircraft operations at the airport.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9X, dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation; (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated

impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority for the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify controlled airspace at Lampson Field, Lakeport, CA.

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

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

■ 1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR Part 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 8, 2013, and effective September 15, 2013 is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

AWP CA E5 Lakeport, CA [Amended]

Lampson Field, CA
(Lat. 38°59′26″ N., long. 122°54′03″ W.)
Sutter Lakeside Hospital Heliport, CA Point in Space Coordinates
(Lat. 39°06′09″ N., long. 122°53′19″ W.)

That airspace extending upward from 700 feet above the surface within a 4-mile radius of Lampson Field, and within a 5-mile radius of the Point in Space serving the Sutter Lakeside Hospital Heliport.

Issued in Seattle, Washington, on July 17, 2014.

Christopher Ramirez,

Acting Manager, Operations Support Group, Western Service Center.

[FR Doc. 2014–17371 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1112 and 1228

[Docket No. CPSC–2014–0018]

Safety Standard for Sling Carriers

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Danny Keysar Child Product Safety Notification Act, Section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA), requires the United States Consumer Product Safety Commission (Commission or CPSC) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be ''substantially the same as'' applicable voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product. The Commission is proposing a safety standard for sling carriers in response to the direction under Section 104(b) of the CPSIA.

DATES: Submit comments by October 6, 2014.

ADDRESSES: You may submit comments related to the Paperwork Reduction Act (PRA) aspects of the marking, labeling, and instructional literature of the proposed rule to the Office of Information and Regulatory Affairs, OMB, Attn: CPSC Desk Officer, FAX: 202–395–6974, or emailed to: *oira_submission@omb.eop.gov.*

You may submit other comments, identified by Docket No. CPSC–2014–0018, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: *http://www.regulations.gov.* Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through *www.regulations.gov.* The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions by mail/hand delivery/courier to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: *http://www.regulations.gov.* Do not submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: *http://www.regulations.gov,* and insert the docket number CPSC–2014–0018, into the ''Search'' box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Hope E J. Nesteruk, Project Manager, Division of Human Factors, Directorate for Engineering Sciences, Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: 301–987–2579; email: *hnesteruk@cpsc.gov.*

SUPPLEMENTARY INFORMATION:

I. Background and Statutory Authority

The Consumer Product Safety Improvement Act of 2008 (CPSIA, Pub. L. 110–314) was enacted on August 14, 2008. Section 104(b) of the CPSIA, part of the Danny Keysar Child Product Safety Notification Act, requires the Commission to: (1) Examine and assess the effectiveness of voluntary consumer product safety standards for durable infant or toddler products, in consultation with representatives of consumer groups, juvenile product manufacturers, and independent child product engineers and experts; and (2) promulgate consumer product safety standards for durable infant and toddler products. These standards are to be ''substantially the same as'' applicable

voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product. Section 104(f)(1) of the CPSIA defines the term ''durable infant or toddler product'' as ''a durable product intended for use, or that may be reasonably expected to be used, by children under the age of 5 years.'' Section 104(f)(1)(H) provides that the term ''durable infant or toddler product'' includes ''infant carriers.''

Section 104 also requires manufacturers of durable infant or toddler products to comply with a registration program that the Commission establishes. Section 104(d).

In this document, the Commission is proposing a safety standard for sling carriers. Section 104(f)(2)(H) of the CPSIA lists ''infant carriers'' as one of the categories of durable infant or toddler products identified for purposes of section 104. As indicated by a review of ASTM's standards and retailers' Web sites, the category of ''infant carriers'' includes hand-held infant carriers, soft infant carriers, frame backpack carriers, and sling carriers. The Commission has issued final rules for hand-held infant carriers (78 FR 73415 (December 6, 2013)) and soft infant carriers (78 FR 20511 (April 5, 2013)) and a proposed rule on frame backpack carriers (79 FR 28458 (May 16, 2014)). In the Commission's product registration card rule identifying additional products that the Commission considered durable infant or toddler products necessitating compliance with the product registration card requirements, the Commission specifically identified infant slings, or sling carriers, as a durable infant or toddler product. 76 FR 68668 (December 29, 2009). The durability of infant slings is discussed in section II.B. of this document.

Because the voluntary standard on infant slings, ASTM 2907–14a, ''Standard Consumer Safety Specification for Sling Carriers,'' refers to ''infant slings'' as ''sling carriers,'' the notice of proposed rulemaking refers to infant slings as ''sling carriers.'' The terms are intended to be interchangeable and have the same meaning.

Pursuant to Section 104(b)(1)(A), the Commission consulted with manufacturers, retailers, trade organizations, laboratories, consumer advocacy groups, consultants, and members of the public in the development of this proposed standard, largely through the ASTM process. CPSC staff participated in the ASTM sling carrier subcommittee meetings and task group meetings and worked with the ASTM sling carrier task groups to develop ballot language for revisions to the sling carrier voluntary standard. The proposed rule is based on the voluntary standard developed by ASTM International (formerly the American Society for Testing and Materials), ASTM F2907–14a, ''Standard Consumer Safety Specification for Sling Carriers'' (ASTM F2907–14a), without change.

The ASTM standard is copyrighted, but the standard is available as a read-only document during the comment period on this proposal only, at: *http://www.astm.org/cpsc,* by permission of ASTM.

II. Product Description

A. Definition of Sling Carrier

ASTM F2907–14a ''Standard Consumer Safety Specification for Sling Carriers'' defines a ''sling carrier'' as ''a product of fabric or sewn fabric construction, which is designed to contain a child in an upright or reclined position while being supported by the caregiver's torso.'' These products generally are intended for children starting at full-term birth until a weight of about 35 pounds. The designs of infant slings vary, but the designs generally range from unstructured hammock-shaped products that suspend from the caregiver's body, to long lengths of material or fabric that are wrapped around the caregiver's body. Infant slings normally are worn with the infant positioned on the front, hip, or back of the consumer, and with the infant facing toward or away from the consumer. As stated in the sling carrier definition, these products generally allow the infant to be placed in an upright or reclined position. However, the reclined position is intended to be used only when the infant is worn on the front of the consumer. The ability to carry the infant in a reclined position is the primary feature that distinguishes sling carriers from soft infant and toddler carriers, another subset of sling carriers.

The Commission identified three broad classes of sling carrier products available in the United States:

- Ring slings are hammock-shaped fabric products, in which one runs fabric through two rings to adjust and tighten the sling.
- Pouch slings are similar to ring slings but do not use rings for adjustment. Many pouch slings are sized rather than designed to be adjustable. Other pouch slings are more structured and use buckles or other fasteners to adjust the size.
- Wrap slings are generally composed of a long length of fabric, upwards of six yards long, and up to two feet wide. A wrap sling is completely unstructured with no fasteners or other means of structure; instead, the caregiver uses different methods of wrapping the material around the caregiver's body and the child's body to support the child. Wrap-like slings mimic the manner in which a wrap supports the child but use fabric in other manners, such as loops, to reduce the need for caregivers to learn wrapping methods.

Ring slings, modifications of wraps and pouch slings, and other products that meet the definition of a sling carrier contain parts that are also considered durable from an engineering perspective and suggest they were selected for long-term use. In addition, the test methods in ASTM F2907–14a combine to ensure that slings meet a minimum level of durability.

ASTM F2907 does not distinguish among the type of slings. The voluntary standard's requirements apply equally to all slings.

B. Sling Carrier Use

ASTM F2907–14a states that sling carriers generally are intended for children starting at full-term birth, until a weight of about 35 pounds (15.9 kg). According to the data tables used to produce the 2000 Centers for Disease Control and Prevention (CDC) U.S. growth charts, the median (50th percentile) weight of a child does not exceed 35 pounds until about 46 months for boys and 49 months for girls (CDC, 2000). Moreover, the 5th percentile bodyweight of a child does not exceed 35 pounds until about 65 months for boys and 69 months for girls. This means that more than half of all 3-year-olds are likely to be at or below the maximum weight of 35 pounds, and that even some 5-year-olds are likely to be at or below this upper weight limit. Although the Commission believes that sling carriers are most likely to be used with infants, it seems reasonably foreseeable that some portion of the user population will use these carriers with preschool-aged children.

Evidence suggests that sling carriers are often reused for multiple children. For example, according to a 2005 survey conducted by the American Baby Group (2006 *Baby Products Tracking Study*), nearly one-third (31 percent) of mothers who own slings had a sling that was handed down or purchased secondhand. Preliminary data from CPSC's Durable Nursery Products Exposure Survey found that 21 percent of sling owners acquired the sling used. The Survey also found that after the owner discontinued use of the sling,

only 4 percent threw away the sling; 96 percent of owners stored the sling for future use, sold the sling, gave the sling away, or returned the sling to the original owner. These results suggest that most sling owners at least perceive sling carriers to have a future useful life, even if the sling had been used previously.

The Commission is aware of several online Web sites, forums, and ''babywearing'' groups dedicated to buying, selling, and trading previously used sling carriers. (''Babywearing'' is commonly used to describe the wearing or carrying of a baby in a sling or similar carrier.) For example, a simple search of sold listings for a used ''baby sling'' on eBay resulted in more than 1,700 listings during a roughly 3-month period. Although some of the products in these ads do not meet the definition of a ''sling carrier,'' a brief examination of the most recent 200 sales suggests that a very large percentage of these products would be considered a sling carrier. Thus, many consumers appear to be purchasing slings secondhand.

C. Market Description

The Commission has identified 47 suppliers to the U.S. market, but there may be hundreds more suppliers that produce small quantities of slings. (The Commission made these determinations using information from Dun & Bradstreet and Reference USAGov, as well as firm Web sites.) Web sites such as Etsy show thousands of listings for artisans producing slings and wraps (although each firm may have multiple listings), which accounts for additional suppliers who are not among the 47 suppliers identified. Sling carriers are distributed by a variety of methods, such as mass merchandisers, small specialty juvenile products stores, and Internet-only distributors.

Of the 47 sling carrier suppliers identified, 33 companies are based in the United States: 25 are manufacturers, and four are importers. Available information does not identify the supply source for four firms. There are also 14 foreign companies that export directly to the United States via Internet sales or directly to U.S. retailers.

A sling carrier is an uncomplicated product to produce, typically requiring only fabric, thread, rings (and in some cases, fasteners), and a sewing machine. A common scenario for a sling manufacturer starts with a mother using various slings or soft carriers and then deciding to make her own design in her home. Some of these home businesses grow into larger businesses that become more specialized and sophisticated, typically designing and marketing their own products but having the product manufactured overseas. However, the newer home businesses may be relatively unsophisticated and may not be aware of the sling carrier voluntary standard effort or know that sling carriers may be subject to existing federal regulations on children's products.

According to a the 2006 *Baby Products Tracking Study,* 17 percent of new mothers own sling carriers. As noted previously, approximately 31 percent of sling carriers were handed down or purchased secondhand. Thus, about 69 percent of sling carriers were acquired new. (The data collected for the *Baby Products Tracking Study* do not represent an unbiased statistical sample. American Baby Products surveyed potential respondents from its mailing lists to generate a sample of 3,600 new and expectant mothers. Additionally, because the most recent survey information is from 2005, the data may not reflect the current market.) This information suggests annual sales of about 471,000 sling carriers ($.17 \times .69 \times 4$ million births per year), with prices ranging from $30 to around $150. (U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC), National Center for Health Statistics, National Vital Statistics System, ''Births: Final Data for 2009,'' *National Vital Statistics Reports* Volume 61, Number 1 (August 28, 2012): Table I. Number of births in 2010 is rounded from 3,999,386.)

However, this sales estimate may be a substantial underestimate for two reasons: (1) Industry sources state that slings have increased in popularity since the survey was done in 2005; and (2) other products like wraps, pouches, and some soft carriers, which fall under the standard, may not have been included in the *Baby Products Tracking* study. Based on discussions with an industry representative, sales of these other products that fall under the proposed rule for sling carriers could increase the Commission's sales estimate to about 600,000 to 1 million units annually.

III. Incident Data

The Commission is aware of a total of 122 incidents (16 fatal and 106 nonfatal) related to sling carriers, which were reported to have occurred from January 1, 2003 through October 27, 2013. Because reporting is ongoing, the number of reported fatalities, nonfatal injuries, and non-injury incidents may change in the future. Given that reporting is incomplete, the Commission strongly discourages drawing inferences based on the year-to-year increase or decrease shown in the reported data. (The CPSC databases searched were the In-Depth Investigation (INDP) file, the Injury or Potential Injury Incident (IPII) file, the Death Certificate (DTHS) file, and the National Electronic Injury Surveillance System (NEISS). These reported deaths and incidents do not provide a complete count of all deaths and incidents that occurred during that time period. However, they do provide a minimum number of deaths and incidents occurring during this time period and illustrate the circumstances involved in the incidents related to sling carriers.)

Among the incidents in which age was reported, all but one of the children were 12 months old or younger; the age of the oldest child was reported to be 3 years. Some incident reports did not indicate the age because there was no injury involved or age was unknown. Table 1 provides the age breakdown as reported in the 122 incidents.

TABLE 1—AGE DISTRIBUTION AS REPORTED IN SLING CARRIER-RELATED INCIDENTS

[01/01/03–10/27/13]

Age of Child	All Incidents		Fatal and Nonfatal Injuries	
	Frequency	Percentage	Frequency	Percentage
Unreported*	31	25	1	1
One—Three Months	70	57	54	77
Four—Six Months	11	9	8	11
Seven—Nine Months	7	6	4	6
Ten—Twelve Months	2	2	2	3
Three Years	1	1	1	1

TABLE 1—AGE DISTRIBUTION AS REPORTED IN SLING CARRIER-RELATED INCIDENTS—Continued

[01/01/03–10/27/13]

Age of Child	All Incidents		Fatal and Nonfatal Injuries	
	Frequency	Percentage	Frequency	Percentage
Total	122	100	70	100

Source: CPSC epidemiological databases IPII, INDP, DTHS, and NEISS.
Note: Percentages do not add to 100 due to rounding.
*: Age was unknown or the incident reported no injury.

A. Fatalities

CPSC received reports of 16 fatalities associated with the use of a sling carrier that occurred during the period from January 1, 2003 through October 27, 2013. Eleven of the 16 decedents were 1-month olds; the remaining five were between 3- and 5-months old. Nine of the decedents were described as having died of smothering, (also known as ''suffocation,'' or ''positional asphyxia.'') Suffocation can occur when babies are contained entirely within the pouch of a sling. Infants who are placed with their heads below the rim of the sling are likely to stay in the same position because they are surrounded by unyielding fabric under the tension of their weight, and are tightly confined within the product, typically with their faces directed towards or held against the parent's body. The highest risk of suffocation occurs when the infant's face (nose and mouth) is pressed against the mother's body, blocking the infant's breathing, and rapidly suffocating the baby within a few minutes. The cause of death was undetermined for the remaining decedents.

One fatal victim was 5 months old. The age range of the remaining 15 fatal victims was from birth to 3 months; 11 infants were ages 1 month and younger, and the remaining four were 3 months old. Infants younger than 4 months old are at a high risk for suffocation because they have relatively immature physiological systems controlling breathing and arousal.

B. Nonfatalities

Of the 106 sling carrier-related nonfatal incidents that were reported to have occurred from January 1, 2003 through October 27, 2013, 54 reports reflected an injury to the infant during use of the product. Age was unreported for one of the injured, and one report stated that a 3-year-old was injured. For the rest of the incidents, the child's age ranged from 1 month to 11 months.

Among the 54 reported nonfatal injuries, nine were reported as involving hospitalizations. Among the hospitalizations, one injury was described as a permanent brain injury due to breathing difficulties suffered by the infant. The rest of the hospitalizations were serious head injuries, such as a fracture and/or brain hemorrhage, which resulted from infants falling from the carrier. Eleven additional skull/face/wrist fracture injuries were reported, but none of these incidents was reported to involve hospitalizations. The remaining non-hospitalized injuries included closed-head injuries, contusions/abrasions, lacerations/scratches, among others. (A closed head injury is a head injury where the skull remained intact. A closed head injury can range from a minor bump to the head to a severe life threatening traumatic brain injury.) A majority of the injuries resulted from falls from the carrier; most of these falls resulted from the caregiver slipping, tripping, or bending over while carrying the infant in the sling. The remaining injuries were due to miscellaneous product-related issues or other caregiver missteps, such as the caregiver not allowing enough safety clearance for the child in the sling carrier while the caregiver performed daily activities.

The remaining 52 incident reports stated that no injury had occurred or provided no information about any injury.

C. Hazard Pattern Identification

The Commission considered all 122 reported incidents (16 fatal and 106 nonfatal) to identify hazard patterns associated with sling carriers. In order of frequency of incident reports, the Commission grouped the hazard patterns into the following categories:

1. Problems with the *positioning* of the infant in the sling carrier: Thirty-one of the 122 reported incidents (25 percent) were in this category. Among them were nine deaths due to smothering, one permanent brain impairment injury due to breathing difficulty, and two other injuries—one related to breathing difficulty and the other related to blood-circulation in the infant's leg. The rest of the incidents reported that the infant suffered breathing problems while in the carrier or that the caregiver had difficulty safely positioning the infant in the sling carrier to avoid the potential for suffocation.

2. *Caregiver missteps:* Twenty of the 28 incidents (23 percent) in this category were reported to have occurred when the caregiver slipped, tripped, or bent over, causing the infant in the sling to either fall with the caregiver or fall out of the carrier. Eight additional incidents among the 28 reported in this category occurred when caregivers dropped the infant during placement into/removal out of the carrier or failed to provide enough safety clearance for the infant in the carrier as the caregivers conducted their daily activities. Examples of the latter scenario include an infant getting struck by a door or a falling object, or an infant hitting a wall. Although these 28 incidents did not involve any fatalities, all but one incident resulted in an injury to the infant. These incidents included 11 reports of skull fractures and one report of bleeding in the brain. Other injuries included closed-head injuries, contusions of the head/leg/back, and a finger laceration.

3. *Undetermined* or *unspecified* cause: Twenty five reported incidents (20 percent) included seven fatalities, two hospitalized injuries, and 13 non-hospitalized injuries, with very little information available on the circumstances leading to the incidents. The official reports did not indicate a specific cause of death. Among the injuries, which included fractures of the skull/wrist, as well as other serious head injuries, most were reported through hospital emergency departments with very little scenario-specific information.

4. Problems with *buckles:* Twelve of the 122 incidents (10 percent) reported buckles releasing, slipping, or breaking, causing infants to fall or nearly fall. There was one hospitalization for a skull fracture and two non-hospitalized injuries. There were no fatalities in this category.

5. *Miscellaneous product-related* issues: There were nine incident reports (seven percent) in which consumers complained of a design flaw posing a possible strangulation hazard, a broken

component, rough fabric, or a sharp surface; or consumers indicated an unspecified product failure. Although these reports did not include any fatalities, there were six injuries reported in this category, including one skull fracture.

6. *Consumer comments:* There were 17 non-event reports (14 percent) of consumer comments or observations of perceived safety hazards. In most of these cases, the consumer did not own the sling carrier in question. None of these reports indicates that any event actually occurred.

D. Product Recalls

Since January 1, 2003, the CPSC has issued five consumer-level recalls involving sling carriers. All five recalls were for product defects that created a substantial product hazard and resulted in the recall of about 1.1 million sling carriers. Two of the recalled products posed a suffocation hazard, while three recalls were related to structural integrity and fall or potential fall hazards.

IV. Other Standards

A. International Standards

The Commission identified one European standard that covers fabric carriers without rigid structure. In addition, a guideline for sling carriers is under development in Europe.

1. British Standard EN13209–2:2005, *Child Use and Care Articles—Baby Carriers—Safety Requirements and Test Methods—Part 2: Soft Carriers* (27 September 2005), is the European standard for soft, fabric carriers. However, EN13209 specifically states that the scope is intended for a ''product [that] has holes designed to accommodate the child's legs.'' Sling carriers do not have holes through which a child's legs pass. Although some individual requirements in the EN13209 standard may be more stringent than those in F2907–14a, the reported incidents do not suggest that these are prevalent hazard patterns associated with sling carriers. Therefore, the Commission does not believe that incorporating these more stringent requirements would further reduce the risk of injury associated with sling carriers.

2. CEN/TR 16512, *Child use and care articles—Guidelines for the safety of children's slings,* is a guideline that is under development in Europe. However, because this guideline, once completed would not be a standard, CEN/TR 16512 is not an option for consideration. The Commission expects that this guideline, when published, will contain recommendations similar to EN13209, but with recommendations adapted for the unique attributes of sling carriers.

The Commission notes that the ASTM F15.21 subcommittee has worked to make F2907 the most appropriate standard for the unique nature of sling carriers by harmonizing with other standards (*e.g.,* EN13209 and ASTM F2236), when appropriate, but also addressing the uniqueness of sling carriers, when needed. The Commission believes that ASTM F2907–14a is the most comprehensive standard that addresses the incident hazard patterns and that F2907–14a adequately addresses the hazards identified to date.

Voluntary Standard—ASTM F2907

1. Description of Standard

ASTM F2907, ''Standard Consumer Safety Performance Specification for Sling Carriers,'' establishes safety performance requirements, test methods, and labeling requirements to minimize the hazards to children presented by sling carriers. ASTM first published a consumer product safety standard for sling carriers in 2012. ASTM has revised the voluntary standard five times since then. The current version, ASTM F2907–14a, was approved on February 15, 2014, and published in March 2014. ASTM F15.21 subcommittee issued a ballot on May 16, 2014, that proposed a modification in the occupant retention test pass/fail criteria. According to the ballot, ''the current Occupant Retention test criteria (section 6.3) are not accurately separating good ring slings from poorly-constructed ring slings.'' The modification ASTM has proposed would increase from 1 inch to 3 inches the amount the ring sling attachment system may slip while still passing the standard. At the time of writing, the Commission does not have sufficient information to assess this change. Staff welcomes comments on the issue.

The current version of the sling carrier standard, ASTM F2907–14a, contains requirements to address the following issues:

- Laundering;
- Hazardous sharp points or edges;
- Small parts;
- Lead in paint;
- Wood parts;
- Locking and latching;
- Openings;
- Scissoring, shearing, and pinching;
- Monofilament threads;
- Flammability;
- Marking and labeling; and
- Instructional literature.

In addition, F2907–14a includes construction, quality, and durability test methods that are specific to sling carriers in the static, dynamic, occupant retention, and restraint system tests. These test methods combine to ensure that slings meet a minimum level of durability.

- Static load test: This test checks that the sling can support the sling's maximum recommended weight with a safety factor of three, by gradually applying a weight of three times the manufacturer's maximum recommended weight, or 60 lbs., whichever is greater, in the support area of the sling, and maintain the weight for one minute.
- Dynamic load test: This test assesses the durability of the sling and proper functioning of the sling's fasteners by dropping a 35-lb. load into the sling's support area in each recommended carrying position every 4 seconds for up to 1,000 cycles.
- Occupant retention test: This test assesses whether the sling retains the occupant as the caregiver moves about. The test also assesses the sling's durability. The sling is attached to a test torso, and a test mass is placed in the sling. The test torso will move up and down at a rate of two times per second (approximately a brisk walking speed). The sling is tested to determine whether the adjustment mechanisms (*e.g.* rings, knots) release.
- Restraint system test: This test assesses whether any child restraints used by the sling are sufficient. Each restraint system is tested with a 45-lb. force on the restraint and again with a CAMI dummy. The anchorages for the restraint system are not to separate from their attachment points during or after testing.

2. Adequacy of Requirements in Addressing Identifiable Hazard Patterns

Positioning. The Commission identified positioning as the primary hazard pattern in 31 cases. This includes nine deaths due to smothering, one permanent brain impairment injury due to breathing difficulty, and two other injuries—one related to breathing difficulty and the other related to blood circulation in the infant's leg.

As noted previously, the Commission identified suffocation/asphyxia related to positioning as a risk associated with sling carriers. Suffocation can occur when babies are contained entirely within the pouch of a sling. The highest risk of suffocation occurs when the infant's face (nose and mouth) is pressed against the mother's body, blocking the infant's breathing and rapidly suffocating a baby within a few minutes. Furthermore, because of its shape and lack of support, a sling carrier can facilitate an infant being positioned

within the confines of the sling in a manner that causes acute neck hyper-flexion (chin touching the chest). Infants found in this compromised position are likely to stay in the position because infant neck muscles are too weak to support the weight of their head. Infants who stay for prolonged periods of time in this position can experience compromised airflow to the lungs, resulting in an inadequate supply of oxygen to the brain. Oxygen deprivation to the brain can lead to loss of consciousness and death.

Although there is no performance test for positioning in ASTM F2907–14a, ASTM F2907–14a requires statements in the warnings and instructions for sling carriers to caution against the hazards identified by the Commission through examination of the sling carrier incidents. Section 8.3.3 of F2907–14a specifies the warnings that must appear on each sling and addresses each of the hazard patterns the Commission found in the suffocation data. In short, all sling carriers must: (1) Include a safety alert symbol

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and the signal word ''WARNING,'' (2) warn that failure to follow the manufacturer's instructions can result in ''death or serious injury,'' (3) state the minimum and maximum recommended weights for the sling, and (4) warn about the potential suffocation and fall hazards associated with sling carriers.

More specifically, according to ASTM F2097–14a, the warnings that pertain to suffocation and positioning must address:

- the risk of suffocation to infants younger than 4 months if the infant's face is pressed against the caregiver's body within the confines of the sling and the increased risk of suffocation to infants born prematurely or those with respiratory problems;
- the need to check often to make sure that the infant's face remains uncovered, clearly visible to the caregiver, and away from the caregiver's body at all times;
- the importance of making sure that the infant does not curl into a position with the chin resting on or near the infant's chest, which can interfere with breathing even when nothing is covering the nose or mouth;
- the need to reposition the infant after nursing so the infant's face is not pressed against the caregiver's body; and
- the importance of never using the sling with infants smaller than 8 pounds, without seeking the advice of a healthcare professional.

Lastly, the warning label prescribed by ASTM F2907–14a must include a pictogram that illustrates proper and improper infant positioning within the sling. ASTM F2907–14a includes an example of the type of pictogram sought but does not specify a particular design.

Section 9 of ASTM F2907–14a specifies what instructional literature must be provided with the sling. This section requires that the instructions contain an image of each manufacturer's recommended carrying position, include all of the warning statements that are required to appear on the sling, and provide several additional instructions.

ASTM subcommittees for other durable nursery product standards have also tried to address positioning hazards related to a C-shaped curl in an infant's head, neck, and torso area; however, there has been no repeatable performance test identified. The Commission attempted to address the positioning hazard associated with sling carriers in a new manner, based on the recognition that a sling carrier is worn by the caregiver and involves direct contact with the caregiver, thereby allowing for the possibility of the caregiver seeing a child who is in distress. Specifically, the Commission explored a ''face exposure'' test that, at a minimum, could keep a sling from preventing the caregiver from observing the infant's face. The Commission pursued this possible test with the ASTM task group but found that the available anthropomorphic mannequins, *e.g.,* CAMI dummies, do not accurately represent the manner in which a child sits in a sling, and that the variable nature of sling products makes the repeatability of a test questionable. Together with the ASTM task group, the Commission concluded that a test to address positioning hazards is technically infeasible at this point.

Ultimately, the Commission concluded that warning requirements about proper and improper infant positioning present in ASTM F2907–14a is the only feasible hazard-mitigation strategy at this time. The Commission will continue to consider possible performance requirements pertaining to this issue and will pursue such an approach with the ASTM Subcommittee in the future, if an approach becomes feasible. Because there is no feasible performance test and because the warning statements in ASTM F2907 were developed considering both known hazard patterns for sling carriers and established practices for warning labels, the Commission believes that the warnings and instructions published in ASTM F2907–14a are adequate to inform caregivers about how to reduce the likelihood of positioning incidents.

Caregiver Missteps. Incidents involving caregiver missteps included 11 reports of skull fractures and one episode of bleeding in the brain. Other injuries included closed head injuries, contusions of the head/leg/back, and a finger laceration. The Commission determined that these incidents were related directly to the actions, often accidental, of the caregiver. Examples include a caregiver slipping or tripping while wearing the sling carrier with the child inside, or incidental contact occurring between the child and an object, such as a door or wall. Although these types of incidents cannot be addressed directly through a performance test, the standard addresses these incidents by alerting caregivers of the hazard and making sure that the sling contains the infant. ASTM F2907–14a requires the following statement to appear on the on-product label to address the fall hazard to infants associated with ''caregiver missteps,'' such as tripping or bending over:

FALL HAZARD—Leaning, bending over, or tripping can cause baby to fall. Keep one hand on baby while moving.

In addition, the occupant retention test in ASTM F2907–14a is intended to reduce the likelihood that the child will fall out of the sling due to a caregiver misstep. ASTM F2907–14a requires the test mass to be contained within the sling for the duration of the test.

Buckles. Twelve of the incidents involved buckles releasing, slipping, or breaking, and included a hospitalization for a skull fracture and two non-hospitalized injuries. ASTM F2907–14a addresses this hazard in several ways, using the static, dynamic, occupant retention, and restraint system tests. For the reasons described previously, the Commission believes that the performance tests in F2907–14a adequately address hazards associated with buckle failure.

V. Effective Date

The Administrative Procedure Act (APA) requires that the effective date of the rule be at least 30 days after publication of the final rule, 5 U.S.C. 553(d). The Commission generally considers 6 months sufficient time for suppliers to come into compliance with a proposed durable infant and toddler product rule. Six months is the period the Juvenile Products Manufacturers Association (JPMA) typically allows for products in JPMA's certification program to shift to a new voluntary standard once that new voluntary standard is published. Therefore,

juvenile product manufacturers are accustomed to adjusting to new standards with this time frame. However, in this instance, a large number of very small suppliers potentially will experience significant economic impacts complying with the rule. In addition, because ASTM F2907 has only been in existence for approximately 2 years, there is relatively little information regarding compliance with the voluntary standard. Thus, the Commission is proposing a 12-month effective date. The Commission invites comment on whether 12 months is an appropriate length of time for sling carrier manufacturers to come into compliance with the rule.

VI. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires agencies to review proposed rules for a rule's potential economic impact on small entities, including small businesses. Section 603 of the RFA generally requires that agencies prepare an initial regulatory flexibility analysis (IRFA) and make the analysis available to the public for comment when the agency publishes a general notice of proposed rulemaking. The IRFA must describe the impact of the proposed rule on small entities and identify any alternatives that may reduce the impact. Specifically, the IRFA must contain:

- a description of, and where feasible, an estimate of the number of small entities to which the proposed rule will apply;
- a description of the reasons why action by the agency is being considered;
- a succinct statement of the objectives of, and legal basis for, the proposed rule;
- a description of the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities subject to the requirements and the types of professional skills necessary for the preparation of reports or records; and
- identification, to the extent possible, of all relevant federal rules which may duplicate, overlap, or conflict with the proposed rule.

1. Reason for Agency Action and Legal Basis for the Proposed Rule

The Danny Keysar Child Product Safety Notification Act, section 104 of the CPSIA, requires the CPSC to promulgate mandatory standards for nursery products that are substantially the same as, or more stringent than, the voluntary standard. The Commission worked closely with ASTM to develop the new requirements and test procedures that have been incorporated into ASTM F2907–14a, which the Commission proposes to incorporate by reference.

2. Compliance Requirements of the Proposed Rule

The Commission is incorporating by reference the current voluntary standard, with no revision, to form the proposed rule. Some of the more significant requirements of the current voluntary standard for sling carriers (ASTM F2907–14a) include static and dynamic load testing to verify the structural integrity of the sling carriers and occupant retention testing to help ensure that the child is not ejected from the sling carrier. The ASTM standard requires that the buckles, fasteners, and knots that secure the sling carrier remain in position before and after these three performance tests. There is also a separate restraint system test to help ensure that any restraints used by the sling do not release while in use.

The voluntary standard also includes:

- requirements for several features to prevent cuts (hazardous sharp points or edges, and wood parts);
- small parts;
- marking and labeling requirements;
- flammability requirements;
- requirements for the permanency and adhesion of labels; and
- requirements for instructional literature.

The updated warning statements provide additional details of the fall and suffocation hazards and are intended to address the primary fatality risk associated with infant slings, suffocation.

3. Other Federal Rules

Section 14(a)(2) of the Consumer Product Safety Act (CPSA) requires every manufacturer and private labeler of a children's product that is subject to a children's product safety rule to certify, based on third party testing conducted by a CPSC-accepted laboratory, that the product complies with all applicable children's product safety rules. Section 14(i)(2) of the CPSA requires the Commission to establish protocols and standards by rule for, among other things, making sure that a children's product is tested periodically and when there has been a material change in the product, and safeguarding against the exercise of undue influence by a manufacturer or private labeler against a conformity assessment body. A final rule implementing sections 14(a)(2) and 14(i)(2) of CPSA, Testing and Labeling Pertaining to Product Certification (16 CFR part 1107), became effective on February 13, 2013 (the 1107 rule). When the sling carrier rule is finalized, sling carriers will be subject to a mandatory children's product safety rule. Accordingly, sling carriers will also be subject to the third party testing requirements of section 14 of the CPSA and the 1107 rule. Slings are already subject to lead and phthalates testing under the 1107 Rule. This rule adds certain mechanical tests and other requirements to the third party testing requirement.

In addition, the 1107 rule requires certifiers to use CPSC-accredited laboratories to conduct the third party testing of children's products. Section 14(a)(3) of the CPSA required the Commission to publish a notice of requirements (NOR) for the accreditation of third party conformance assessment bodies (*i.e.,* testing laboratories) to test for conformance with each children's product safety rule. The NORs for existing rules are set forth in 16 CFR part 1112. Consequently the Commission is proposing an amendment to 16 CFR part 1112 that would establish the requirements for the accreditation of testing laboratories to test for compliance with the sling carrier final rule.

4. Impact on Small Businesses

Of the 47 identified suppliers of sling carriers to the U.S. market, 33 are domestic firms. (We limit our analysis to domestic firms because U.S. Small Business Administration (SBA) guidelines pertain to U.S.-based entities.) Under SBA guidelines, a manufacturer of sling carriers is small if it has 500 or fewer employees, and importers and wholesalers are small if the importers or wholesalers have 100 or fewer employees. Based on these guidelines, 31 of the domestic firms supplying sling carriers to the U.S. market appear to be small businesses. These businesses consist of 23 manufacturers, four importers, and four firms with unknown supply sources.

Additionally, as noted previously, an unquantified number of producers supply baby slings to the U.S. market via Web sites such as Etsy. Although we have no information on these suppliers, based on the general nature of suppliers selling products on Etsy and similar markets, we assume that these suppliers are well within SBA criteria for small business. For purposes of analysis, we refer to these suppliers as ''very small manufacturers'' to distinguish them from the more established manufacturers, but this is not an official SBA designation.

Before preparation of a regulatory flexibility analysis, the Commission conducts a screening analysis to determine whether a regulatory flexibility analysis or a certification statement of no significant impact on a substantial number of small entities is appropriate for a proposed rule. The SBA gives considerable flexibility in defining the threshold for ''no significant economic impact.'' However, the Commission typically uses 1 percent of gross revenue as a threshold; unless the impact is expected to fall below the 1 percent threshold for the small businesses evaluated, the Commission prepares a regulatory flexibility analysis.

Because we were unable to demonstrate that the draft proposed rule would impose an economic impact less than 1 percent of gross revenue for the affected firms, the Commission did not prepare a certification statement, but conducted an IRFA.

Small Manufacturers

JPMA and the Baby Carrier Industry Alliance (BCIA) have advised some manufacturers of F2907–12, F2907–13a, F2907–13b, and F2907–14. These organizations are offering assistance to member manufacturers on testing and compliance with the ASTM sling carrier standards. However, the ASTM sling carrier standards are relatively new, and there is no established history of compliance among manufacturers.

As of January 2014, only two of the 23 known small manufacturers of sling carriers are listed on the JPMA Web site as certified compliant. Based on our review of small firm Web sites and a conversation with a small ring sling manufacturer, we have identified three additional firms (not JPMA certified) that have conducted testing to some version of the ASTM standard, for a total of five firms that have conducted testing to some version of the ASTM standard. These firms may have already experienced the impacts of the proposed rule and may not experience any additional impacts. The remaining firms are likely to incur some cost associated with the proposed rule.

Due to the nature of the product and the relative ease of production, the Commission believes that most of the physical changes needed to meet the standard, such as changing fabrics, changing stitching, adding reinforcements, changing buckles, changing rings, changing labels, and changing instructions, are unlikely to be costly. Because sling carriers are largely made of fabric, tooling costs are not usually a large factor.

Some manufacturers of ring slings are having difficulties with their products passing the occupant retention tests consistently. The problem appears to be variation in testing results based on how the sling is positioned on the test fixture. At this time, the precise cost of changes necessary to satisfy testing under the ASTM standard is unknown; and we cannot rule out the potential for costs high enough to lead to significant economic impacts, especially for the very small manufacturers.

According to one manufacturer, changes to warning labels required under the proposed rule may have an impact on very small suppliers. We do not have sufficient data to determine whether this impact is expected to be economically significant. For example, if the cost of printing and sewing in the labels is 30 cents per sling, then the impact would be 1 percent of the sales price for a $30 sling. CPSC staff contacted a representative from the BCIA to obtain label prices but has no independent estimate at this time. An additional consideration is that the labels are relatively large and may reduce the appeal of the product if they cannot be readily concealed. However, this impact will apply to all sling manufacturers.

Another manufacturer also expressed concerns that minor deviations from the font sizes required by the standard on the labels could force manufacturers to redo portions of the testing. This phenomenon may diminish as businesses become familiar with the requirements. Testing costs are discussed below.

The majority of the costs associated with the proposed standard will probably be related to testing. Few of the sling carrier manufacturers have the technical capability or the equipment to conduct any testing in house; and most small and very small manufacturers probably will have to rely on third party testing during product development. Some small and very small manufacturers could experience significant costs simply testing to find out initially whether their products comply with the proposed standard and with any additional testing necessary to develop complying products.

In addition, under section 14 of the CPSA, sling carriers are subject to third party testing and certification. Once the new requirements become effective, all manufacturers will be subject to the additional costs associated with the third party testing and certification requirements under the testing rule, Testing and Labeling Pertaining to Product Certification (16 CFR part 1107). This will include any physical and mechanical test requirements specified in the final rule; lead and phthalates testing, if applicable, are already required; hence, lead and phthalates testing are not included in this discussion.

According to a BCIA representative, third party testing to the ASTM sling carrier voluntary standard could cost around $500 – $1,050 per model sample, with $700 as an average cost. Third party testing consists of two costs: the testing costs unique to F2907 associated with the dynamic load test, the static load test, the occupant retention test, and the restraints test; and the general testing costs associated with testing for flammability, small parts, sharp edges, instructions, and labels. The testing costs unique to sling carriers vary widely, from $210 to $650, depending on whether the testing is done in China or the United States and whether a discount, such as the discount negotiated by the BCIA for its members, is applied. The general testing costs may amount to $300 to $400. The very small firms that manufacture in the United States will probably also test in the United States to avoid logistical difficulties, thus incurring higher costs.

The $700 estimate for average testing costs includes all the required testing, such as flammability, sharp edges, etc. If a very small manufacturer with one model only needed to conduct one third party test annually, the costs of testing would amount to $700. A very small manufacturer producing 20 to 30 low-priced slings a month might have annual revenues of $10,800 (30 slings per month × 12 months × $30 per sling). Testing one sample at $700 would amount to 6.5 percent ($700/$10,800) of annual revenue for this hypothetical very small manufacturer, which we would clearly classify as a significant economic impact. Even if this manufacturer could sell its slings for $150, testing one sample at $700 would amount to 1.3 percent of annual revenue of $54,000 (360 slings*$150 per sling).

As a comparison, third party testing costs for soft infant and toddler carriers (SITCs) were estimated at $500 – $600 per sample for the SITC standard, ASTM F2236–14. However, the higher testing costs for slings could reflect additional testing for occupant retention, which is not part of the SITC standard.

Based upon the previous example, even in the unlikely case that very small sling manufacturers are able to develop a complying product without incurring significant economic impacts, very small sling manufacturers are still likely to incur significant economic impacts complying with section 14 of the CPSA.

These types of impacts would apply to the very small producers marketing their products primarily via Etsy and other Web sites.

Although information on sales revenue is limited to half of all manufacturers, we estimate that most of the 23 small domestic manufacturers have substantially larger sales volumes than the example above, with annual sales ranging between $200,000 and $16 million. Thus, product development and testing costs would be a lower percentage of sales revenue than the example above. At the lower range of $200,000 in revenues, significant economic impacts would occur if the producer had to test three models per year. Firms with revenues closer to the upper end of the range, $16 million, would need to test more than 200 models per year to experience significant economic impacts from testing. The number of tests needed for product development purposes or to meet the ''high degree of assurance'' criteria under section 14 of the CPSA is not known.

About a third of firms (8 of 23) also have other product lines, which may cushion the impact of design changes and increased testing costs for sling carriers. These other products may be similar products, such as mei tais (a traditional Asian unstructured soft carrier falling under the SITC standard) or SITCs, or these other products may be completely unrelated juvenile products.

Small Importers

At this time, only one of the four importers identified is in compliance with F2907–12, F2907–13a or F2907–13b. Depending upon the costs of coming into compliance incurred by the importers' suppliers and whether the importers' suppliers are able to pass on the costs, the other three importers could experience a significant economic impact. Three of the four importers are owned by foreign parent companies that supply the importers' slings. These parent companies must make the business decision to comply or to discontinue U.S. operations. Two of the four importers could respond by simply discontinuing their sling product line altogether because these importers have varied product lines.

As is the case with manufacturers, all importers will be subject to third party testing and certification requirements. Consequently, these importers will experience the associated costs of compliance. The resulting costs could have a significant impact on these small importers.

As mentioned previously, four of the small domestic firms have unknown supply sources, and none of these supply sources has claimed compliance with any version of F2907. However, two firms have varied product lines and may be in a better position to comply without incurring significant economic impacts. The other two appear to be small firms specializing in slings, and therefore, these small firms may be impacted more heavily by compliance and testing costs.

5. Alternatives

Under the Danny Keysar Child Product Safety Notification Act, section 104 of the CPSIA, one alternative would be to set an effective date later than 12 months. Setting a later effective date would reduce the economic impact on firms in two ways. First, firms would be less likely to experience a lapse in production, which could result if firms are unable to comply within the required timeframe. Second, firms could spread costs over a longer time period, thereby reducing their annual costs and the present value of their total costs. Given the large number of very small suppliers who potentially will experience significant economic impacts, a later effective date may warrant consideration. The Commission welcomes comments regarding an appropriate effective date.

VII. Environmental Considerations

The Commission's regulations address whether we are required to prepare an environmental assessment or an environmental impact statement. If our rule has ''little or no potential for affecting the human environment,'' our rule will be categorically exempted from this requirement. 16 CFR 1021.5(c)(1). The proposed rule falls within the categorical exemption.

VIII. Paperwork Reduction Act

This proposed rule contains information collection requirements that are subject to public comment and review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). In this document, pursuant to 44 U.S.C. 3507(a)(1)(D), we set forth:

- a title for the collection of information;
- a summary of the collection of information;
- a brief description of the need for the information and the proposed use of the information;
- a description of the likely respondents and proposed frequency of response to the collection of information;
- an estimate of the burden that shall result from the collection of information; and
- notice that comments may be submitted to the OMB.

Title: Safety Standard for Sling Carriers.

Description: The proposed rule would require each sling carrier to comply with ASTM F2907–14a, *Standard Consumer Safety Specification for Sling Carriers.* Sections 8 and 9 of ASTM F2907–14a contain requirements for marking, labeling, and instructional literature. These requirements fall within the definition of ''collection of information,'' as defined in 44 U.S.C. 3502(3).

Description of Respondents: Persons who manufacture or import sling carriers.

Estimated Burden: We estimate the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN

16 CFR Section	Number of respondents	Frequency of responses	Total annual responses	Hours per response	Total burden hours
1228	47	3	141	1	141

Our estimates are based on the following:

Section 8.1.1 of ASTM F2907–14a requires that the name and the place of business (city, state, mailing address, including zip code, or telephone number) and Web site, if applicable, of the manufacturer, distributor, or seller be marked clearly and legibly on each product and its retail package. Section 8.1.2 of ASTM F2907–14a requires a code mark or other means that identifies the date (month and year, as a minimum) of manufacture.

There are 47 known entities supplying sling carriers to the U.S. market. All 47 firms are assumed to use labels already on both their products

and their packaging, but the firms might need to make some modifications to their existing labels. The estimated time required to make these modifications is about 1 hour per model. Each entity supplies an average of three different models of sling carrier; therefore, the estimated burden associated with labels is 1 hour per model × 47 entities × 3 models per entity = 141 hours. We estimate the hourly compensation for the time required to create and update labels is $27.71 (U.S. Bureau of Labor Statistics, ''Employer Costs for Employee Compensation,'' September 2013, Table 9, total compensation for all sales and office workers in goods-producing private industries: *http://www.bls.gov/ncs/*). Therefore, the estimated annual cost to industry associated with the labeling requirements is $3,907.11 ($27.71 per hour × 141 hours = $3,907.11). There are no operating, maintenance, or capital costs associated with the collection.

Section 9.1 of ASTM F2907–14a requires instructions to be supplied with the product. Sling carriers do not generally require assembly, but require instructions for proper use, fit, and adjustment on a caregiver's body, as well as maintenance, cleaning, and storage. Under the OMB's regulations (5 CFR 1320.3(b)(2)), the time, effort, and financial resources necessary to comply with a collection of information that would be incurred by persons in the ''normal course of their activities'' are excluded from a burden estimate, where an agency demonstrates that the disclosure activities required to comply are ''usual and customary.'' Therefore, because we are unaware of sling carriers that generally require some instructions for use, but lack any instructions to the user, we estimate tentatively that there are no burden hours associated with section 9.1 of ASTM F803–13 because any burden associated with supplying instructions with sling carriers would be ''usual and customary'' and would not within the definition of ''burden'' under the OMB's regulations.

Based on this analysis, the proposed standard for sling carriers would impose a burden to industry of 141 hours, at an estimated cost of $3,907.11 annually.

In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), we have submitted the information collection requirements of this rule to the OMB for review. Interested persons are requested to submit comments regarding information collection by August 22, 2014, to the Office of Information and Regulatory Affairs, OMB (see the ADDRESSES section at the beginning of this notice).

Pursuant to 44 U.S.C. 3506(c)(2)(A), we invite comments on:

- whether the collection of information is necessary for the proper performance of the CPSC's functions, including whether the information will have practical utility;
- the accuracy of the CPSC's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- ways to enhance the quality, utility, and clarity of the information to be collected;
- ways to reduce the burden of the collection of information on respondents, including the use of automated collection techniques, when appropriate, and other forms of information technology; and
- the estimated burden hours associated with label modification, including any alternative estimates.

IX. Preemption

Section 26(a) of the CPSA, 15 U.S.C. 2075(a), provides that where a consumer product safety standard is in effect and applies to a product, no state or political subdivision of a state may either establish or continue in effect a requirement dealing with the same risk of injury, unless the state requirement is identical to the federal standard. Section 26(c) of the CPSA also provides that states or political subdivisions of states may apply to the Commission for an exemption from this preemption under certain circumstances. Section 104(b) of the CPSIA refers to the rules to be issued under that section as ''consumer product safety rules.'' Therefore, the preemption provision of section 26(a) of the CPSA would apply to a rule issued under section 104.

X. Certification and Notice of Requirements (NOR)

The CPSA establishes certain requirements for product certification and testing. Products subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, must be certified as complying with all applicable CPSC-enforced requirements. 15 U.S.C. 2063(a). Certification of children's products subject to a children's product safety rule must be based on testing conducted by a CPSC-accepted third party conformity assessment body. *Id.* 2063(a)(2). The Commission must publish a notice of requirements (NOR) for the accreditation of third party conformity assessment bodies (or laboratories) to assess conformity with a children's product safety rule to which a children's product is subject. *Id.* 2063(a)(3). Thus, the proposed rule for 16 CFR part 1228, ''Safety Standard for Sling Carriers,'' when issued as a final rule, will be a children's product safety rule that requires the issuance of an NOR.

To meet the requirement that the Commission issue an NOR for the sling carrier standard, the Commission proposes to amend an existing rule. The Commission published a final rule, *Requirements Pertaining to Third Party Conformity Assessment Bodies,* 78 FR 15836 (March 12, 2013), which is codified at 16 CFR part 1112 (referred to here as Part 1112). This rule took effect on June 10, 2013. Part 1112 establishes requirements for accreditation of third party conformity assessment bodies (or laboratories) to test for conformance with a children's product safety rule in accordance with Section14(a)(2) of the CPSA. The final rule also codifies all of the NORs that the CPSC had published to date. All new NORs, such as the sling carrier standard, require an amendment to part 1112. Accordingly, the proposed rule would amend part 1112 to include the sling carrier standard, along with the other children's product safety rules for which the CPSC has issued NORs.

Laboratories applying for acceptance as a CPSC-accepted third party conformity assessment body to test to the new standard for sling carriers would be required to meet the third party conformity assessment body accreditation requirements in part 1112. When a laboratory meets the requirements as a CPSC-accepted third party conformity assessment body, the laboratory can apply to the CPSC to have 16 CFR part 1228, *Safety Standard for Sling Carriers,* included in the laboratory's scope of accreditation of CPSC safety rules listed for the laboratory on the CPSC Web site at: *www.cpsc.gov/labsearch.*

As required by the RFA, staff conducted a final regulatory flexibility analysis (FRFA) when the Commission issued the part 1112 rule (78 FR 15836, 15855–58). Briefly, the FRFA concluded that the accreditation requirements would not have a significant adverse impact on a substantial number of small laboratories because no requirements were imposed on laboratories that did not intend to provide third party testing services. The only laboratories that were expected to provide such services were those that anticipated receiving sufficient revenue from the mandated testing to justify accepting the requirements as a business decision.

Based on similar reasoning, amending the part 1112 rule to include the NOR for the sling carrier standard will not have a significant adverse impact on

small laboratories. Moreover, based upon the number of laboratories in the United States that have applied for CPSC acceptance of the accreditation to test for conformance to other juvenile product standards, we expect that only a few laboratories will seek CPSC acceptance of their accreditation to test for conformance with the sling carrier standard. Most of these laboratories will have already been accredited to test for conformance to other juvenile product standards, and the only costs to them would be the cost of adding the sling carrier standard to their scope of accreditation. As a consequence, the Commission certifies that the NOR for the sling carrier standard will not have a significant impact on a substantial number of small entities.

XI. Request for Comments

This proposed rule begins a rulemaking proceeding under section 104(b) of the CPSIA to issue a consumer product safety standard for sling carriers. We invite all interested persons to submit comments on any aspect of the proposed rule.

Comments should be submitted in accordance with the instructions in the **ADDRESSES** section at the beginning of this notice.

List of Subjects

16 CFR Part 1112

Administrative practice and procedure, Audit, Consumer protection, Reporting and recordkeeping requirements, Third party conformity assessment body.

16 CFR Part 1228

Consumer protection, Imports, Incorporation by reference, Infants and children, Labeling, Law enforcement, Toys.

For the reasons discussed in the preamble, the Commission proposes to amend Title 16 of the Code of Federal Regulations as follows:

PART 1112—REQUIREMENTS PERTAINING TO THIRD PARTY CONFORMITY ASSESSMENT BODIES

■ 1. The authority citation for part 1112 continues to read as follows:

Authority: Pub. L. 110–314, section 3, 122 Stat. 3016, 3017 (2008); 15 U.S.C. 2063.

■ 2. Amend § 1112.15, by adding paragraph (b)(39) to read as follows:

§ 1112.15 When can a third party conformity assessment body apply for CPSC acceptance for a particular CPSC rule and/or test method?

* * * * *

(b)(39) 16 CFR part 1228, Safety Standard for Sling Carriers.

* * * * *

■ 3. Add part 1228 to read as follows:

PART 1228—SAFETY STANDARD FOR SLING CARRIERS

Sec.
1228.1 Scope.
1228.2 Requirements for sling carriers.

Authority: Pub. L. 110–314, sec. 104, 122 Stat. 3016 (August 14, 2008); Pub. L. 112–28, 125 Stat. 273 (August 12, 2011).

§ 1228.1 Scope.

This part establishes a consumer product safety standard for sling carriers.

§ 1228.2 Requirements for sling carriers.

(a) Each sling carrier must comply with all applicable provisions of ASTM F2907–14a, Standard Consumer Safety Specification for Sling Carriers, approved on February 15, 2014. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from ASTM International, 100 Bar Harbor Drive, P.O. Box 0700, West Conshohocken, PA 19428; *http://www.astm.org/cpsc.htm*. You may inspect a copy at the Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814, telephone 301–504–7923, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federalregulations/ibr_locations.html*.

(b) [Reserved]

Dated: July 10, 2014.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2014–16792 Filed 7–22–14; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 40

[Docket No. RM14–15–000]

Physical Security Reliability Standard

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: Pursuant to the section regarding Electric Reliability of the Federal Power Act, the Federal Energy Regulatory Commission (Commission) proposes to approve Reliability Standard CIP–014–1 (Physical Security). The North American Electric Reliability Corporation, the Commission-certified Electric Reliability Organization, submitted the proposed Reliability Standard for Commission approval in response to a Commission order issued on March 7, 2014. The purpose of proposed Reliability Standard CIP–014–1 is to enhance physical security measures for the most critical Bulk-Power System facilities and thereby lessen the overall vulnerability of the Bulk-Power System against physical attacks. The Commission proposes to approve Reliability Standard CIP–014–1. In addition, the Commission proposes to direct NERC to develop two modifications to the physical security Reliability Standard and seeks comment on other issues.

DATES: Comments are due September 8, 2014. Reply comments are due September 22, 2014.

ADDRESSES: Comments, identified by docket number, may be filed in the following ways:

- *Electronic Filing through http://www.ferc.gov/:* Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format.
- *Mail/Hand Delivery:* Those unable to file electronically may mail or hand-deliver comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Comment Procedures Section of this document

FOR FURTHER INFORMATION CONTACT:

Regis Binder (Technical Information), Office of Electric Reliability, Division of Reliability Standards and Security, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (301) 665–1601, *Regis.Binder@ferc.gov.*

Matthew Vlissides (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, Telephone: (202) 502–8408, *Matthew.Vlissides@ferc.gov.*

SUPPLEMENTARY INFORMATION:

1. Pursuant to section 215 of the Federal Power Act (FPA), the

Commission proposes to approve Reliability Standard CIP–014–1 (Physical Security). The North American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization (ERO), submitted the proposed Reliability Standard for Commission approval in response to a Commission order issued on March 7, 2014.[1] The purpose of the proposed Reliability Standard CIP–014–1 is to enhance physical security measures for the most critical Bulk-Power System facilities and thereby lessen the overall vulnerability of the Bulk-Power System facilities against physical attacks. The Commission proposes to approve Reliability Standard CIP–014–1. In addition, the Commission proposes to direct NERC to develop two modifications to the physical security Reliability Standard. Further, the Commission seeks comment on other concerns regarding the proposed Reliability Standard, as discussed below.

I. Background

A. Section 215 and Mandatory Reliability Standards

2. Section 215 of the FPA requires the Commission to certify an ERO to develop mandatory and enforceable Reliability Standards, subject to Commission review and approval.[2] Once approved, the Reliability Standards may be enforced in the United States by the ERO, subject to Commission oversight, or by the Commission independently.[3]

B. March 7 Order

3. In the March 7 Order, the Commission determined that physical attacks on the Bulk-Power System could adversely impact the reliable operation of the Bulk-Power System, resulting in instability, uncontrolled separation, or cascading failures. Moreover, the Commission observed that the current Reliability Standards do not specifically require entities to take steps to reasonably protect against physical security attacks on the Bulk-Power System. Accordingly, to carry out section 215 of the FPA and to provide for the reliable operation of the Bulk-Power System, the Commission directed NERC, pursuant to FPA section 215(d)(5), to develop and file for approval proposed Reliability Standards that address threats and vulnerabilities to the physical security of critical facilities on the Bulk-Power System.[4]

4. The March 7 Order indicated that the Reliability Standards should require owners or operators of the Bulk-Power System to take at least three steps to address the risks that physical security attacks pose to the reliable operation of the Bulk-Power System. Specifically, the March 7 Order directed that: (1) The Reliability Standards should require owners or operators of the Bulk-Power System to perform a risk assessment of their systems to identify their ''critical facilities;'' (2) the Reliability Standards should require owners or operators of the identified critical facilities to evaluate the potential threats and vulnerabilities to those identified facilities; and (3) the Reliability Standards should require those owners or operators of critical facilities to develop and implement a security plan designed to protect against attacks to those identified critical facilities based on the assessment of the potential threats and vulnerabilities to their physical security.

5. The March 7 Order stated that the risk assessment used by an owner or operator to identify critical facilities should be verified by an entity other than the owner or operator, such as by NERC, the relevant Regional Entity, a reliability coordinator, or another entity.[5] In addition, the March 7 Order indicated that the Reliability Standards should include a procedure for the verifying entity, as well as the Commission, to add or remove facilities from an owner's or operator's list of critical facilities.[6] The March 7 Order further stated that the determination of threats and vulnerabilities and the security plan should be reviewed by NERC, the relevant Regional Entity, the reliability coordinator, or another entity with appropriate expertise.

6. The March 7 Order stated that, because the three steps of compliance with the contemplated Reliability Standards could contain sensitive or confidential information that, if released to the public, could jeopardize the reliable operation of the Bulk-Power System, NERC should include in the Reliability Standards a procedure that will ensure confidential treatment of sensitive or confidential information but still allow for the Commission, NERC and the Regional Entities to review and inspect any information that is needed to ensure compliance with the Reliability Standards.

7. The Commission directed NERC to submit the proposed Reliability Standards to the Commission for approval within 90 days of issuance of the March 7 Order (i.e., June 5, 2014).

C. NERC Petition

8. On May 23, 2014, NERC petitioned the Commission to approve proposed Reliability Standard CIP–014–1 and its associated violation risk factors and violation severity levels, implementation plan, and effective date.[7] NERC maintains that the proposed Reliability Standard is just, reasonable, not unduly discriminatory, or preferential, and in the public interest. In addition, NERC asserts that the proposed Reliability Standard complies with the Commission's directives in the March 7 Order.

9. NERC explains that proposed Reliability Standard CIP–014–1 ''serves the vital reliability goal of enhancing physical security measures for the most critical Bulk-Power System facilities and lessening the overall vulnerability of the Bulk-Power System to physical attacks.'' [8] NERC maintains that the ''appropriate focus of the proposed Reliability Standard is Transmission stations and Transmission substations, which are uniquely essential elements of the Bulk-Power System.'' [9] The proposed Reliability Standard is applicable to transmission owners that satisfy the Applicability Sections 4.1.1.1, 4.1.1.2, 4.1.1.3, or 4.1.1.4 and to transmission operators. NERC states that the transmission facilities covered by Applicability Sections 4.1.1.1 through 4.1.1.4 match the ''Medium Impact'' transmission facilities listed in Attachment 1 of Reliability Standard

[1] *Reliability Standards for Physical Security Measures,* 146 FERC ¶ 61,166 (2014) (March 7 Order).

[2] 16 U.S.C. 824o.

[3] *Id.* 824o(e).

[4] *Id.* 824o(d)(5).

[5] March 7 Order, 146 FERC ¶ 61,166 at P 11.

[6] *Id.*

[7] NERC explains that, to meet the 90-day deadline in the March 7 Order, the NERC Standards Committee approved waivers to the Standard Processes Manual to shorten the comment and ballot periods for the Standards Authorization Request and draft Reliability Standard. NERC Petition at 13–14. Proposed Reliability Standard CIP–014–1 is not attached to the notice of proposed rulemaking. The complete text of proposed Reliability Standard CIP–014–1 is available on the Commission's eLibrary document retrieval system in Docket No. RM14–15–000 and is posted on the ERO's Web site, available at *http://www.nerc.com.*

[8] NERC Petition at 15–16.

[9] *Id.* at 18. NERC states that, although the terms ''Transmission stations'' and ''Transmission substations'' are sometimes used interchangeably, the proposed Reliability Standard uses the term ''Transmission substation'' to refer to a facility contained within a physical border (e.g., a fence or wall) that contains one or more autotransformers. *Id.* According to NERC, the term ''Transmission station,'' as used in the proposed Reliability Standard, refers to a facility that functions as a switching station or switchyard but does not contain autotransformers. *Id.* at 18–19.

CIP–002–5.1.[10] According to NERC, the ''standard drafting team determined that using the criteria for 'Medium Impact' Transmission Facilities set forth in Reliability Standard CIP–002–5.1 is an appropriate applicability threshold as the Commission has acknowledged that it is [ ] a technically sound basis for identifying Transmission Facilities, which, if compromised, would present an elevated risk to the Bulk-Power System.'' [11]

10. Proposed Reliability Standard CIP–014–1 has six requirements. Requirement R1 requires applicable transmission owners to perform risk assessments on a periodic basis to identify their transmission stations and transmission substations that, if rendered inoperable or damaged, could result in widespread instability, uncontrolled separation, or cascading within an Interconnection. Requirement R1 also requires transmission owners to identify the primary control center that operationally controls each of the identified transmission stations or transmission substations.

11. Requirement R2 requires that each applicable transmission owner have an unaffiliated third party with appropriate experience verify the risk assessment performed under Requirement R1. Requirement R2 states that the transmission owner must either modify its identification of facilities consistent with the verifier's recommendation or document the technical basis for not doing so. In addition, Requirement R2 requires each transmission owner to implement procedures for protecting sensitive or confidential information made available to third party verifiers or developed under the proposed Reliability Standard from public disclosure.

12. Requirement R3 requires the transmission owner to notify a transmission operator that operationally controls a primary control center identified under Requirement R1 of such identification to ensure that the transmission operator has notice of the identification so that it may timely fulfill its obligations under Requirements R4 and R5 to protect the primary control center.

13. Requirement R4 requires each applicable transmission owner and transmission operator to conduct an evaluation of the potential threats and vulnerabilities of a physical attack on each of its respective transmission stations, transmission substations, and primary control centers identified as critical in Requirement R1.

14. Requirement R5 requires each transmission owner and transmission operator to develop and implement documented physical security plans that cover each of their respective transmission stations, transmission substations, and primary control centers identified as critical in Requirement R1.

15. Requirement R6 requires that each transmission owner and transmission operator subject to Requirements R4 and R5 have an unaffiliated third party with appropriate experience review its Requirement R4 evaluation and Requirement R5 security plan. Requirement R6 states that the transmission owner or transmission operator must either modify its evaluation and security plan consistent with the recommendation, if any, of the reviewer or document its reasons for not doing so.

II. Discussion

16. Pursuant to FPA section 215(d)(2), we propose to approve proposed Reliability Standard CIP–014–1 as just, reasonable, not unduly discriminatory or preferential, and in the public interest. In addition, the Commission proposes to approve the violation risk factors, violation severity levels, implementation plan, and effective date proposed by NERC.

17. The proposed Reliability Standard CIP–014–1 largely satisfies the directives in the March 7 Order concerning the development and submittal of proposed physical security Reliability Standards. However, as discussed below, the Commission proposes to direct NERC to develop a modification to the physical security Reliability Standard to allow applicable governmental authorities (i.e., the Commission and any other appropriate federal or provincial authorities) to add or subtract facilities from an applicable entity's list of critical facilities under Requirement R1. The Commission also proposes to direct NERC to modify the physical security Reliability Standard to remove the term ''widespread.''

18. In addition to the proposed modifications to the physical security Reliability Standard, the Commission proposes to direct NERC to make an informational filing within six months of the effective date of a final rule in this proceeding addressing the possibility that, as described below, proposed Reliability Standard CIP–014–1 may not provide physical security for all ''High Impact'' control centers, as that term is defined in Reliability Standard CIP–002–5.1, necessary for the reliable operation of the Bulk-Power System. The Commission also proposes to direct NERC to make an informational filing within one year of the effective date of a final rule in this proceeding addressing possible resiliency measures that can be taken to maintain the reliable operation of the Bulk-Power System following the loss of critical facilities.

19. Below, the Commission discusses and seeks comment from NERC and interested entities on the following issues: (A) Providing for applicable governmental authorities to add or subtract facilities from an entity's list of critical facilities; (B) the standard for identifying critical facilities; (C) control centers; (D) exclusion of generators from the applicability section of the proposed Reliability Standard; (E) third-party recommendations; (F) resiliency; (G) violation risk factors and violation severity levels; and (H) implementation plan and effective date.

A. Applicable Governmental Authority's Ability To Add or Subtract Facilities From an Entity's List of Critical Facilities

March 7 Order

20. In the March 7 Order, the Commission stated that:

> [T]he risk assessment used by an owner or operator to identify critical facilities should be verified by an entity other than the owner or operator. Such verification could be performed by NERC, the relevant Regional Entity, a Reliability Coordinator, or another entity. The Reliability Standards should include a procedure for the verifying entity, as well as the Commission, to add or remove facilities from an owner's or operator's list of critical facilities. Similarly, the determination of threats and vulnerabilities and the security plan should also be reviewed by NERC, the relevant Regional Entity, the Reliability Coordinator, or another entity with appropriate expertise. Finally, the Reliability Standards should require that the identification of the critical facilities, the assessment of the potential risks and vulnerabilities, and the security plans be periodically reevaluated and revised to ensure their continued effectiveness. NERC should establish a timeline for when such reevaluations should occur.[12]

NERC Petition

21. The proposed Reliability Standard does not include a procedure that allows the Commission to add or subtract facilities from an applicable entity's list of critical facilities under Requirement R1. Instead, NERC states that the Commission has the existing authority to enforce NERC Reliability Standards pursuant to FPA section

[10] *Id.* at 25 (citing Reliability Standard CIP–002–5.1 (Cyber Security — BES Cyber System Categorization), Attachment 1 (Impact Rating Criteria)).

[11] *Id.*

[12] March 7 Order, 146 FERC ¶ 61,166 at P 11.

215(e)(3).[13] NERC explains that a transmission owner must be able to demonstrate that its method for performing its risk assessment under Requirement R1 ''was technically sound and reasonably designed to identify its critical Transmission stations and Transmission substations.'' [14] NERC maintains that if ''in the course of assessing an entity's compliance with the proposed Reliability Standard, NERC, a Regional Entity or [the Commission] finds that the entity's transmission analysis was patently deficient and that the Requirement R2 verification process did not cure those deficiencies, they could use their enforcement authority to compel Transmission Owners to re-perform the risk assessment using assumptions designed to identify the appropriate critical facilities.'' [15]

Discussion

22. The proposed Reliability Standard does not include a procedure that allows the Commission to add or subtract facilities from an applicable entity's list of critical facilities. Accordingly, if the Commission determines through an audit of an applicable entity, or through some other means, that a critical facility does not appear on the entity's list of critical facilities, there is no provision in the proposed Reliability Standard to allow the Commission to require its inclusion. We agree with NERC that failure to identify a critical facility would be a violation of Requirement R1, and thus could subject the relevant applicable entity to compliance or enforcement actions. However, we believe that NERC's proposal is not an equally efficient or effective alternative to the directive in the March 7 Order. While the Commission anticipates that we would exercise such authority only rarely, we propose to direct NERC to modify the physical security Reliability Standard to include a procedure that would allow applicable governmental authorities to add or subtract facilities from an applicable entity's list of critical facilities.

23. As discussed above, we agree with NERC that an applicable entity's failure to develop an appropriate list of critical facilities consistent with Requirement R1, even if the list is verified by a third-party under Requirement R2, constitutes non-compliance with Requirement R1. According to NERC, the corrective action for non-compliance would be to require the applicable entity to correct and repeat the Requirement R1 assessment, with the expectation that the omitted facility would then be assessed as critical. While NERC appears to expect that correcting and re-performing the assessment would result in the applicable entity adding to its critical facilities list the previously omitted facility or facilities that the Commission thought critical, there is no guarantee that would happen in a timely manner, if at all. We are concerned that, as currently proposed, the Commission, NERC, or Regional Entities cannot ''effectively require Transmission Owners to add or remove facilities'' under Requirement R1.[16] Accordingly, we propose to determine that NERC's proposal does not satisfy the directive in the March 7 Order, either directly or in an equally efficient and effective manner. We therefore propose to direct that NERC develop a modification to the physical security Reliability Standard to include a procedure that would allow applicable governmental authorities, i.e., the Commission and any other appropriate federal or provincial authorities, to add or subtract facilities from an applicable entity's list of critical facilities.

24. The Commission seeks comment on this proposed directive.

B. Standard for Identifying Critical Facilities

March 7 Order

25. The March 7 Order stated that a critical facility is ''one that, if rendered inoperable or damaged, could have a critical impact on the operation of the interconnection through instability, uncontrolled separation or cascading failures on the Bulk-Power System.'' [17]

NERC Petition

26. The proposed Reliability Standard states that its purpose is to ''identify and protect Transmission stations and Transmission substations, and their associated primary control centers, that if rendered inoperable or damaged as a result of a physical attack could result in widespread instability, uncontrolled separation, or Cascading within an Interconnection.'' Requirement R1 of the proposed Reliability Standard states that the ''initial and subsequent risk assessments shall consist of a transmission analysis or transmission analyses designed to identify the Transmission station(s) and Transmission substation(s) that if rendered inoperable or damaged could result in widespread instability, uncontrolled separation, or Cascading within an Interconnection.'' In the technical guidance document appended to the proposed Reliability Standard, which is intended to assist applicable entities to identify critical facilities under Requirement R1, NERC indicates that, in performing its risk assessment to identify critical transmission stations and transmission substations, ''[a]n entity could remove all lines, without regard to the voltage level, to a single Transmission station or Transmission substation and review the simulation results to assess system behavior to determine if Cascading of Transmission Facilities, uncontrolled separation, or voltage or frequency instability is likely to occur over a significant area of the Interconnection.'' [18] The NERC petition also uses the term ''uncontrollable impact'' to describe the scope of the proposed Reliability Standard.[19]

Discussion

27. The Commission proposes to direct NERC to modify the physical security Reliability Standard to remove the term ''widespread'' as it appears in the proposed Reliability Standard in the phrase ''widespread instability.'' The phrase ''widespread instability'' is undefined by NERC and is inconsistent with the March 7 Order's explanation of ''critical facility'' and the definition of ''reliable operation'' in FPA section 215(a)(4).[20]

28. The phrase ''widespread instability'' in Requirement R1 could, depending on the meaning of ''widespread,'' narrow the scope (and number) of identified critical facilities under the proposed Reliability Standard beyond what was contemplated in the March 7 Order. The March 7 Order required the identification of facilities whose loss could result in instability, uncontrolled separation, or cascading failures, which is consistent with the definition of ''reliable operation'' in FPA section 215(a)(4). The term ''widespread'' is undefined and could potentially render the Reliability Standard unenforceable or could lead to an inadequate level of reliability by

[13] NERC Petition at 37.

[14] *Id.*

[15] *Id.*

[16] *Id.*

[17] March 7 Order, 146 FERC ¶ 61,166 at P 6.

[18] NERC Petition, Exhibit A (Proposed Reliability Standard) at 23.

[19] NERC Petition at 22.

[20] ''[A facility] that, if rendered inoperable or damaged, could have a critical impact on the operation of the interconnection through instability, uncontrolled separation or cascading failures on the Bulk-Power System.'' March 7 Order, 146 FERC ¶ 61,166 at P 6; 16 U.S.C. 824o(a)(4) (''The term 'reliable operation' means operating the elements of the bulk-power system within equipment and electric system thermal, voltage, and stability limits so that instability, uncontrolled separation, or cascading failures of such system will not occur as a result of a sudden disturbance, including a cybersecurity incident, or unanticipated failure of system elements.'').

omitting facilities that are critical to the reliable operation of the Bulk-Power System.

29. Accordingly, pursuant to section 215(d)(5) of the FPA, we propose to direct that NERC develop a modification to Reliability Standard CIP–014–1 to remove the term ''widespread'' as it appears in the proposed standard in the phrase ''widespread instability.'' The Commission seeks comment on this proposal.

C. Control Centers

March 7 Order

30. The March 7 Order stated that a ''critical facility is one that, if rendered inoperable or damaged, could have a critical impact on the operation of the interconnection through instability, uncontrolled separation or cascading failures on the Bulk-Power System.'' [21] The March 7 Order, while not mandating that a minimum number of facilities be deemed critical under the physical security Reliability Standards, explained that the ''Commission expects that critical facilities generally will include, but not be limited to, critical substations and critical control centers.'' [22]

NERC Petition

31. NERC states that the proposed Reliability Standard addresses the protection of primary control centers, which NERC defines as facilities that ''operationally control[] a Transmission station or Transmission substation when the electronic actions from the control center can cause direct physical actions at the identified Transmission station or Transmission substation, such as opening a breaker.'' [23]

32. NERC maintains that ''[c]ontrol centers that provide back-up capability and control centers that cannot operationally control a critical Transmission station or Transmission substation do not present similar direct risks to Real-time operations if they are the target of a physical attack,'' and thus they are not covered by the proposed Reliability Standard.[24] NERC explains that the destruction of a back-up control center would ''have no direct reliability impact in Real-time as the entity can continue operating . . . from its primary control center.'' [25] With respect to control centers that do not physically operate Bulk-Power System facilities, such as control centers operated by reliability coordinators, NERC states that, while ''certain monitoring and oversight capabilities might be lost as a result of a physical attack on such control centers, the Transmission Owner or Transmission Operator that operationally controls the critical Transmission station or Transmission substation would be able to continue operating its transmission system to prevent widespread instability, uncontrolled separation, or Cascading within an Interconnection.'' [26]

33. NERC acknowledges that certain control centers categorized as ''High Impact'' or ''Medium Impact'' under Reliability Standard CIP–002–5.1 (Cyber Security—BES Cyber System Categorization) would not be covered control centers under the proposed Reliability Standard.[27] NERC explains that this:

> Reflects the different nature of cyber security risks and physical security risks at control centers . . . [a] primary cyber security concern for control centers is the corruption of data or information and the potential for operators to take action based on corrupted data or information . . . [and] [t]his concern exists at control centers that operationally control Bulk-Power System facilities and those that do not. As such, there is no distinction in CIP–002–5.1 between these control centers . . . however, such a distinction is appropriate in the physical security context.[28]

34. NERC points out that Reliability Standard CIP–006–5 already requires physical security protections that are ''designed to restrict physical access to locations containing High and Medium Impact Cyber Systems,'' which include control centers and backup control centers for reliability coordinators, balancing authorities, transmission operators and generation operators irrespective of their ability to operationally control Bulk-Power System facilities.[29]

Discussion

35. The Commission proposes to direct NERC to make an informational filing within six months of the effective date of a final rule in this proceeding indicating whether the development of Reliability Standards that provide physical security for all ''High Impact'' control centers, as that term is defined in Reliability Standard CIP–002–5.1, is necessary for the reliable operation of the Bulk-Power System.

36. Proposed Reliability Standard CIP–014–1, Requirement R1.2 requires applicable transmission owners to ''identify the primary control center that operationally controls each Transmission station or Transmission substation identified in the Requirement R1 risk assessment.'' Thus the proposed Reliability Standard, while addressing transmission owners' primary control centers, does not encompass transmission owner back-up control centers or any control centers owned or operated by other functional entity types, such as reliability coordinators, balancing authorities, and generator operators.

37. Primary and back-up control centers of functional entities other than transmission owners and operators identified as ''High Impact'' may warrant assessment and physical security controls under this Reliability Standard because a successful attack could prevent or impair situational awareness, especially from a wide-area perspective, or could allow attackers to distribute misleading and potentially harmful data and operating instructions that could result in instability, uncontrolled separation, or cascading failures.

38. NERC's petition recognizes that Reliability Standard CIP–006–5 (Cyber Security—Physical Security of BES Cyber Systems) already requires certain physical security protections for applicable primary and backup control centers of reliability coordinators, balancing authorities, transmission operators, and generator operators. Reliability Standard CIP–006–5 applies to primary and backup control centers containing BES Cyber Systems that are ''High Impact'' or ''Medium Impact,'' as defined in Reliability Standard CIP–002–5.1, Attachment 1. ''High Impact'' facilities include the control centers and backup control centers of reliability coordinators and certain balancing authorities, transmission operators, and generator operators. The ''Medium Impact'' categorization applies to all transmission operator primary and backup control centers not categorized as ''High Impact'' and to primary and backup control centers for certain generator operators and balancing authorities.

39. The proposed informational filing should address whether there is a need for consistent treatment of ''High Impact'' control centers for cybersecurity and physical security purposes through the development of Reliability Standards that afford physical protection to all ''High Impact'' control centers. The Commission notes that the development of physical security protections for all ''High Impact'' control centers would not be

[21] March 7 Order, 146 FERC ¶ 61,166 at P 6.

[22] *Id.* P 6, n.6.

[23] NERC Petition at 19.

[24] *Id.*

[25] *Id.* at 20.

[26] *Id.* at 20–21.

[27] Reliability Standard CIP–002–5.1 (Cyber Security—BES Cyber System Categorization), Attachment 1 (Impact Rating Criteria).

[28] *Id.* at 22 n.55.

[29] *Id.* at 21.

without precedent because, as noted above, Reliability Standard CIP–006–5 already requires that ''High Impact'' control centers have some physical protections, including restrictions on physical access, to protect BES Cyber Assets. However, the security measures required by Reliability Standard CIP–006–5 may not be comparable to those required by proposed Reliability Standard CIP–014–1, and thus may not be sufficient to ''deter, detect, delay, assess, communicate, and respond to potential threats and vulnerabilities'' as required in Requirement R5 of the proposed Reliability Standard. Further, Reliability Standard CIP–006–5 does not require an ''unaffiliated third party review'' of the evaluation and security plan required by proposed Reliability Standard CIP–014–1.

40. The Commission seeks comment on this proposal.

D. Generators

March 7 Order

41. The March 7 Order did not direct NERC to make the physical security Reliability Standards applicable to specific functional entity types. The March 7 Order stated that ''some of the requirements imposed by these newly proposed Reliability Standards may best be performed by the owner and other activity may best be performed by the operator,'' and that NERC should clearly indicate which entity is responsible for each requirement.[30] With regard to the applicable types of facilities, the Commission stated that it ''is not requiring NERC to adopt a specific type of risk assessment, nor is the Commission requiring that a mandatory number of facilities be identified as critical facilities under the Reliability Standards.'' [31]

NERC Petition

42. In explaining why the proposed Reliability Standard does not include generator owners and generator operators as applicable entities, the standard drafting team found that:

> It was not necessary to include Generator Operators and Generator Owners in the Reliability Standard. First, Transmission stations or Transmission substations interconnecting generation facilities are considered when determining applicability. Transmission Owners will consider those Transmission stations and Transmission substations that include a Transmission station on the high side of the Generator Step-up transformer (GSU) using Applicability Section 4.1.1.1 and 4.1.1.2 . . . Second, the transmission analysis or analyses conducted under Requirement R1 should take into account the impact of the loss of generation connected to applicable Transmission stations or Transmission substations. Additionally, the [Commission] order does not explicitly mention generation assets and is reasonably understood to focus on the most critical Transmission Facilities.[32]

43. NERC explains that generator owners and generator operators were not included in the applicability section because, ''while the loss of a generator facility due to a physical attack may have local reliability effects, the loss of the facility is unlikely to have the widespread, uncontrollable impact'' contemplated in the March 7 Order.[33] NERC maintains that a ''generation facility does not have the same critical functionality as certain Transmission stations and Transmission substations due to the limited size of generating plants, the availability of other generation capacity connected to the grid, and planned resilience of the transmission system to react to the loss of a generation facility.'' [34]

Discussion

44. The Commission proposes to approve the applicability section of the proposed Reliability Standard without the inclusion of generator owners and generator operators. Omitting generator owners and generator operators from the applicability section is consistent with the March 7 Order. The March 7 Order explained that the ''number of facilities identified as critical will be relatively small compared to the number of facilities that comprise the Bulk-Power System.'' [35] We affirm this understanding and approach to physical security. The directive from the March 7 Order was intended to fill a recognized gap in the reliable operation of the Bulk-Power System. From that perspective, it is reasonable to focus attention on the most critical facilities in order to provide the most effective use of resources while adequately addressing the identified reliability gap.

45. Accordingly, we propose to accept NERC's justification for excluding generator owners and operators because it is in keeping with the March 7 Order's focus on protecting the most critical facilities. NERC explains that a generation facility ''does not have the same critical functionality as certain Transmission stations and Transmission substations due to the limited size of generating plants, the availability of other generation capacity connected to the grid, and planned resilience of the transmission system to react to the loss of a generation facility.'' [36] Also, as NERC points out, Requirement R1 mandates a transmission analysis that accounts for transmission owner or transmission operator-owned substations that connect generating stations to the Bulk-Power System with step-up transformers. The Commission seeks comment on this proposal. In addition, while we propose to accept the applicability section of the proposed Reliability Standard, we note that NERC's proposed omission of generator owners and generator operators could potentially exempt substations owned or operated by generators. The Commission seeks comment on the potential reliability impact of excluding generator owned or operated substations.

E. Third-Party Recommendations

March 7 Order

46. In the March 7 Order, the Commission stated that ''the risk assessment used by an owner or operator to identify critical facilities should be verified by an entity other than the owner or operator . . . [and] [s]imilarly, the determination of threats and vulnerabilities and the security plan should also be reviewed by NERC, the relevant Regional Entity, the Reliability Coordinator, or another entity with appropriate expertise.'' [37]

NERC Petition

47. Requirement R2 of the proposed Reliability Standard requires transmission owners to have their risk assessments verified by an unaffiliated third party. Requirement R6, likewise, requires each transmission owner and transmission operator to have its vulnerability and threat assessment(s) along with its security plan(s) for any critical facilities reviewed by an unaffiliated third party.

48. Regarding how an applicable entity is supposed to address any recommendations by a third-party verifier, the proposed Reliability Standard, in Requirement R2.3, states that the transmission owner must either

[30] March 7 Order, 146 FERC ¶ 61,166 at P 6, n.4.

[31] *Id.* P 6.

[32] NERC Petition, Exhibit A (Proposed Reliability Standard) at 23. The standard drafting team provided the following example: ''a Transmission station or Transmission substation identified as a Transmission Owner facility that interconnects generation will be subject to the Requirement R1 risk assessment if it operates at 500 kV or greater or if it is connected at 200 kV–499 kV to three or more other Transmission stations or Transmission substations and has an 'aggregate weighted value' exceeding 3000 according to the table in Applicability Section 4.1.1.2.'' *Id.* at 23.

[33] NERC Petition at 22.

[34] *Id.*

[35] March 7 Order, 146 FERC ¶ 61,166 at P 12.

[36] NERC Petition at 22.

[37] March 7 Order, 146 FERC ¶ 61,166 at P 11.

(a) ''modify its identification . . . consistent with the recommendation'' or (b) ''document the technical basis for not modifying the identification in accordance with the recommendation.'' Similarly, Requirement R6.3 explains the procedure for considering any recommendations from the reviewing entity as to the threat assessments and security plans: the applicable entity must either (a) ''modify its evaluation or security plan(s) consistent with the recommendation'' or (b) ''document the reason(s) for not modifying the evaluation or security plan(s) consistent with the recommendation.''

49. NERC states that ''[r]equiring documentation of the technical basis for not modifying the identification in accordance with the recommendation will help ensure that a Transmission Owner meaningfully considers the verifier's recommendations and follows those recommendations unless it can technically justify its reasons for not doing so. To comply with Part 2.3, the technical justification must be sound and based on acceptable approaches to conducting transmission analyses.'' [38] The NERC petition contains a similar explanation for the third-party review (Requirement R6) of the threat assessments and security plans mandated in Requirements R4 and R5.[39]

Discussion

50. We propose to approve the proposed Reliability Standard, including the third-party verification and review method proposed by NERC in Requirements R2 and R6. Failure to provide a written, technically justifiable reason for rejecting a third-party recommendation would render the applicable entity non-compliant. With that understanding, we propose to approve NERC's proposal regarding third-party verification and review in Requirements R2 and R6 of the proposed Reliability Standard as an equally efficient and effective alternative to the directive in the March 7 Order.

51. The Commission seeks comment on this proposal.

F. Resiliency

March 7 Order

52. In the March 7 Order, the Commission stated that the development of physical security Reliability Standards ''will help provide for the resiliency and reliable operation of the Bulk-Power System. To that end, the proposed Reliability Standards should allow owners or operators to consider resiliency of the grid in the risk assessment when identifying critical facilities, and the elements that make up those facilities, such as transformers that typically require significant time to repair or replace. As part of this process, owners or operators may consider elements of resiliency such as how the system is designed, operated, and maintained, and the sophistication of recovery plans and inventory management.'' [40]

NERC Petition

53. The proposed Reliability Standard mentions resiliency in Requirement R5, stating in Requirement R5.1 that the physical security plans that entities develop shall include, among other attributes: ''Resiliency or security measures designed collectively to deter, detect, delay, assess, communicate, and respond to potential physical threats and vulnerabilities identified during the evaluation conducted in Requirement R4.'' The NERC petition describes Requirement R5.1, with regard to resiliency, as referring to ''steps an entity may take that, while not specifically targeted as hardening the physical security of the site, help to decrease the potential adverse impact of a physical attack . . . including modifications to system topology or the construction of a new Transmission station . . . that would lessen the criticality of the facility.'' [41]

Discussion

54. The NERC petition describes resiliency measures that could be included in the required physical security plans. However, specific resiliency measures are not required by the proposed Reliability Standard, which is consistent with the March 7 Order. Instead, the proposed Reliability Standard allows the security plans to be flexible in order to meet different threats and protect varying Bulk-Power System configurations.

55. Resiliency is as, or even more, important than physical security given that physical security cannot protect against all possible attacks. In the case of the loss of a substation, the Bulk-Power System may depend on resiliency to minimize the impact of the loss of facilities and restore blacked-out portions of the Bulk-Power System as quickly as possible. Some entities may implement resiliency measures rather than security measures, such as by adding facilities or operating procedures that reduce or eliminate the importance of existing critical facilities. Such measures could significantly improve reliability and resiliency.

56. According to the NERC petition, the NERC Board of Trustees expects NERC management to monitor and assess the implementation of the proposed Reliability Standard on an ongoing basis.[42] According to NERC, this effort includes: The number of assets identified as critical under the proposed Reliability Standard; the defining characteristics of the assets identified as critical; the scope of security plans (i.e., the types of security and resiliency measures contemplated under the various security plans); the timelines included in the security plan for implementing the security and resiliency measures; and industry progress in implementing the proposed Reliability Standard. NERC explains that this information could be used to provide regular updates to Commission staff.[43] The Commission proposes to rely on NERC's ongoing assessment of the proposed Reliability Standard's implementation and to require NERC to make such information available to Commission staff upon request.

57. In addition, the Commission proposes to direct NERC to submit an informational filing that addresses the resiliency of the Bulk-Power System when confronted with the loss of critical facilities. The informational filing should explore what steps can be taken, in addition to those required by the proposed Reliability Standard, to maintain the reliable operation of the Bulk-Power System when faced with the loss or degradation of critical facilities. In this regard, we note that NERC issued a report on severe impact resilience in 2012.[44] The filing proposed here could draw on NERC's 2012 report but should also reflect subsequent work and development on this topic, particularly non-confidential information regarding supply chain, transporting and other logistical issues for equipment such as large transformers. The Commission proposes to direct NERC to submit the informational filing within one year after the effective date of the final rule in this proceeding. The Commission seeks comment on this proposal.

G. Violation Risk Factors and Violation Severity Levels

58. Each requirement of proposed Reliability Standard CIP–014–1 includes one violation risk factor and has an

[38] NERC Petition at 36.

[39] *Id.* at 50.

[40] March 7 Order, 146 FERC ¶ 61,166 at P 7.

[41] NERC Petition at 42.

[42] NERC Petition at 14–15.

[43] *Id.*

[44] *See* NERC, Severe Impact Resilience: Considerations and Recommendations (May 2012), *available at http://www.nerc.com/comm/OC/SIRTF%20Related%20Files%20DL/SIRTF_Final_May_9_2012-Board_Accepted.pdf.*

associated set of at least one violation severity level. The ranges of penalties for violations will be based on the sanctions table and supporting penalty determination process described in the Commission-approved NERC Sanction Guidelines, according to the NERC petition. The Commission proposes to approve the proposed violation risk factors and violation severity levels for the requirements proposed in Reliability Standard CIP–014–1 as consistent with the Commission's established guidelines.[45]

H. Implementation Plan and Effective Date

59. The NERC petition proposes that proposed Reliability Standard CIP–014–1 become effective the ''first day of the first calendar quarter that is six months beyond the date that this standard is approved by applicable regulatory authorities.'' In other words, the effective date of the proposed Reliability Standard would be the first day of the first calendar quarter that is six months after the effective date of a final rule in this proceeding approving the proposed Reliability Standard.[46] NERC states that the initial risk assessment required under Requirement R1 must be completed by or before the effective date of the proposed Reliability Standard.[47] As described in the requirements of the proposed Reliability Standard, NERC also identifies when Requirements R2, R3, R4, R5, and R6 must be complied with following the effective date of the proposed Reliability Standard. The Commission proposes to approve NERC's implementation plan and effective date for proposed Reliability Standard CIP–014–1.

III. Information Collection Statement

60. The Office of Management and Budget (OMB) regulations require approval of certain information collection requirements imposed by agency rules. Upon approval of a collection(s) of information, OMB will assign an OMB control number and an expiration date. Respondents subject to the filing requirements of an agency rule will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number. The Paperwork Reduction Act (PRA) requires each federal agency to seek and obtain OMB approval before undertaking a collection of information directed to ten or more persons, or contained in a rule of general applicability.

61. The Commission is submitting these reporting requirements to OMB for its review and approval under section 3507(d) of the PRA. Comments are solicited on the Commission's need for this information, whether the information will have practical utility, ways to enhance the quality, utility, and clarity of the information to be collected, and any suggested methods for minimizing the respondent's burden, including the use of automated information techniques.

62. The Commission based its paperwork burden estimates on the NERC compliance registry as of May 28, 2014. According to the registry, there are 357 transmission owners and 197 transmission operators. The NERC compliance registry also shows that there are only 19 transmission operators that are not also registered as a transmission owner.

63. The following table shows the Commission's burden and cost estimates, broken down by requirement and year:

Requirements in reliability standard CIP–014–1 over Years 1–3	Number of respondents (1)	Number of responses per respondent (2)	Total number of responses (1)*(2)=(3)	Average burden hours and cost per response[48] (4)	Total burden hours and total cost (3)*(4)
Year 1:					
R1	357	1	357	20 $1,220	7,140 $435,540
R2	357	1	357	34 $2,342	12,138 $836,094
R3	2	1	2	1 $128	2 $256
R4	32	1	32	80 $4,880	2,560 $156,160
R5	32	1	32	320 $19,520	10,240 $624,640
R6	32	1	32	304 $18,812	9,728 $601,984
Record Retention	359	1	359	2 $64	718 $22,976
Year 2:					
Record Retention	359	1	359	2 $64	718 $22,976
Year 3:					
R1	30	1	30	20 $1,220	600 $36,600
R2	30	1	30	34 $2,342	1,029 $70,260
R3	2	1	2	1 $128	2 $256
R4	32	1	32	80 $4,880	2,560 $156,160
R5	32	1	32	80 $4,880	2,560 $156,160
R6	32	1	32	134 $8,442	4,288 $270,144

[45] *North American Electric Reliability Corp.,* 135 FERC ¶ 61,166 (2011).

[46] NERC Petition, Exhibit B (Implementation Plan) at 1.

[47] *Id.*

Requirements in reliability standard CIP–014–1 over Years 1–3	Number of respondents (1)	Number of responses per respondent (2)	Total number of responses (1)*(2)=(3)	Average burden hours and cost per response [48] (4)	Total burden hours and total cost (3)*(4)
Record Retention	359	1	359	2 $64	718 $22,976
Year 1 Total					42,526 $2,677,650
Year 2 Total					718 $22,976
Year 3 Total					11,748 $712,556
Total					54,992 $3,413,182

64. In arriving at the figures in the above table, the Commission made the following assumptions:

a. Requirement R1: We assume that responsible entities will complete the required risk assessment at approximately the same time as they complete the assessments required under the existing TPL Reliability Standards. Accordingly, the burden for proposed Reliability Standard CIP–014–1 only represents the documentation required in addition to what entities currently prepare. Conservatively, we assume that in the first year all transmission owners and transmission operators will complete the required risk assessment.[49] In the third year, we assume that only 30 transmission operators will be required to do another risk assessment and that the entities with critical facilities after the first risk assessment will still have critical facilities after the second risk assessment.

b. Requirement R5: We assume that developing physical security plans in the first year will be more time consuming than in later years because in later years the plans will likely only need to be updated.

[48] The estimates for cost per response are derived using the following formula: Average Burden Hours per Response * XX per Hour = Average Cost per Response. The hourly cost figures are based on wages plus benefits for engineers ($61/hr), attorneys ($128/hr), and administrative staff ($32/hr). These figures are based on Bureau of Labor Statistics wage and benefit data obtainable at *http://www.bls.gov/oes/current/naics3_221000.htm* and *http://www.bls.gov/news.release/ecec.nr0.htm.*

[49] While it is likely that only large transmission owners and transmission operators will have critical facilities under Requirement R1, the Commission's estimate includes all transmission owners and operators because reliable data on what percentage of large owners and operators control critical facilities is unavailable.

65. *Title:* FERC–725U, Mandatory Reliability Standards: Reliability Standard CIP–014–1.

Action: Proposed collection of information.

OMB Control No: To be determined.

Respondents: Business or other for profit, and not for profit institutions.

Frequency of Responses: Ongoing.

Necessity of the Information: The proposed Reliability Standard CIP–014–1, if adopted, would implement the Congressional mandate of the Energy Policy Act of 2005 to develop mandatory and enforceable Reliability Standards to better ensure the reliability of the nation's Bulk-Power System. Specifically, the proposal would ensure that applicable entities with critical Bulk-Power System facilities develop and implement physical security plans to address physical security threats and vulnerabilities that could result in instability, uncontrolled separation, or cascading within an Interconnection.

Internal review: The Commission has reviewed the proposed Reliability Standard and has determined that the proposed Reliability Standard is necessary to ensure the reliability and integrity of the Nation's Bulk-Power System.

66. Interested persons may obtain information on the reporting requirements by contacting: Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426 [Attention: Ellen Brown, Office of the Executive Director, email: *DataClearance@ferc.gov,* Phone: (202) 502–8663, fax: (202) 273–0873]. Comments on the requirements of this rule may also be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 [Attention: Desk Officer for the Federal Energy Regulatory Commission]. For security reasons, comments should be sent by email to OMB at *oira_submission@omb.eop.gov.* Comments submitted to OMB should include Docket Number RM14–15–000.

IV. Environmental Analysis

67. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.[50] The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment. Included in the exclusion are rules that are clarifying, corrective, or procedural or that do not substantially change the effect of the regulations being amended.[51] The actions proposed here fall within this categorical exclusion in the Commission's regulations.

V. Regulatory Flexibility Act

68. The Regulatory Flexibility Act of 1980 (RFA) [52] generally requires a description and analysis of proposed rules that will have significant economic impact on a substantial number of small entities.

69. The Small Business Administration (SBA) recently revised its size standard (effective January 22, 2014) for electric utilities from a standard based on megawatt hours to a standard based on the number of employees, including affiliates.[53] Under SBA's new size standards, transmission

[50] *Regulations Implementing the National Environmental Policy Act,* Order No. 486, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. Regulations Preambles 1986–1990 ¶ 30,783 (1987).

[51] 18 CFR 380.4(a)(2)(ii).

[52] 5 U.S.C. 601–612.

[53] SBA Final Rule on ''Small Business Size Standards: Utilities,'' 78 FR 77,343 (Dec. 23, 2013).

owners and transmission operators likely come under the following category and associated size threshold: Electric bulk power transmission and control, at 500 employees.[54]

70. Based on U.S. economic census data, the approximate percentage of small firms in this category is 57 percent.[55] Currently, the Commission does not have information concerning how the economic census data compares with entities registered with NERC and is unable to estimate the number of small transmission owners and transmission operators using the new SBA definition. However, the Commission recognizes that proposed Reliability Standard CIP–014–1 only applies to transmission owners and transmission operators that own and/or operate certain critical Bulk-Power System facilities. The Commission believes that the proposed Reliability Standard will be applicable to a relatively small group of large entities and that an even smaller subset of large entities will have to comply with each of the requirements in the proposed Reliability Standard.

71. Based on the above, the Commission certifies that proposed Reliability Standard CIP–014–1 will not have a significant impact on a substantial number of small entities. Accordingly, no initial regulatory flexibility analysis is required. The Commission seeks comment on this proposal.

VI. Comment Procedures

72. The Commission invites interested persons to submit comments on the matters and issues proposed in this notice to be adopted, including any related matters or alternative proposals that commenters may wish to discuss. Comments are due September 8, 2014. Reply comments are due September 22, 2014. Comments must refer to Docket No. RM14–15–000, and must include the commenter's name, the organization they represent, if applicable, and their address in their comments.

73. The Commission encourages comments to be filed electronically via the eFiling link on the Commission's Web site at *http://www.ferc.gov.* The Commission accepts most standard word processing formats. Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format. Commenters filing electronically do not need to make a paper filing.

74. Commenters that are not able to file comments electronically must send an original of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

75. All comments will be placed in the Commission's public files and may be viewed, printed, or downloaded remotely as described in the Document Availability section below. Commenters on this proposal are not required to serve copies of their comments on other commenters.

VII. Document Availability

76. 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*) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE., Room 2A, Washington, DC 20426.

77. 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.

78. User assistance is available for eLibrary and the Commission's Web site during normal business hours from the Commission's 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.*

Issued: July 17, 2014.

By direction of the Commission.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17231 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

[54] 13 CFR 121.201, Sector 22, Utilities.

[55] Data and further information are available on the SBA Web site. *See* SBA Firm Size Data, available at *http://www.sba.gov/advocacy/849/12162.*

POSTAL REGULATORY COMMISSION

[Docket No. RM2014–5; Order No. 2117]

39 CFR Part 3050

Postal Price Elasticities

AGENCY: Postal Regulatory Commission.

ACTION: Petition for rulemaking.

SUMMARY: The Commission is establishing a rulemaking docket in response to a petition concerning price elasticities and internet diversion. The Commission has scheduled a technical conference for a public discussion based on the filing. This notice informs the public of the filing, the scope of the technical conference, and the availability of certain related documents. It also invites public comment and takes other administrative steps.

DATES: *Technical conference:* August 13, 2014 (9:30 a.m.). *Comments are due:* September 19, 2014.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Postal Service Answer
III. Reply in Support of Petition
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I. Introduction

On May 2, 2014, the National Postal Policy Council, the Association for Mail Electronic Enhancement, the Association of Marketing Service Providers, GrayHair Software, Inc., the Greeting Card Association, the International Digital Enterprise Alliance, Inc., the Major Mailers Association, and the National Association of Presort Mailers (Petitioners) filed a petition pursuant to 39 CFR 3050.11.[1] The Petition requests that the Commission initiate a proceeding to review and consider improvements to the econometric elasticities demand model used by the Postal Service and the Commission. Petition at 2. Petitioners contend that the econometric volume demand model prepared by the Postal Service materially understates the true price elasticities of demand for major postal products. *Id.*

[1] Petition to Improve Econometric Demand Equations for Market-Dominant Products and Related Estimates of Price Elasticities and Internet Diversion, May 2, 2014 (Petition).

First, Petitioners propose that firm-level models of the demand for transactional and marketing mail and similar models for the consumer mail market be developed, with the results aggregated to produce industry-level price elasticities. *Id.* at 14–16. Second, Petitioners advise re-estimating the econometric demand model by including a factor for electronic diversion. *Id.* at 16–17. Finally, Petitioners recommend comparing the elasticities derived from the firm-level models and the modeling of consumer behavior to the elasticities derived from the econometric demand estimates, as a method of corroborating each approach. *Id.* at 17.

II. Postal Service Answer

On May 9, 2014, the Postal Service filed its answer opposing the Petition.[2] The Postal Service contends that a proceeding would serve no useful purpose and that the interests of the Commission and the Postal Service would be better served by focusing their scarce resources elsewhere. Postal Service Answer at 1. The Postal Service also opposes the Petition on the following grounds: (1) The facts used to support the Petition were already considered and rejected by the Commission in Docket No. R2013–11; (2) demand elasticities and other forecasting parameters are outside of the Commission's purview; (3) a process that contemplates ''advance review'' of changes in the demand analysis and forecasting models would be unfeasible; and (4) a proceeding would inject consideration of issues currently before the Court of Appeals with respect to the Commission's decision in Docket No. R2013–11. *Id.* at 2–5. Finally, the Postal Service suggests that Petitioners pursue their own research or market surveys outside of any involvement by the Commission or the Postal Service. *Id.* at 5–6.

III. Reply in Support of Petition

On May 19, 2014, the Petitioners filed a reply to the Postal Service's Answer.[3] Petitioners state that the analytical principles used in postal demand modeling and volume forecasting methods are subject to the jurisdiction of the Commission. Reply at 3. Petitioners also assert that: (1) Any worries that the Commission may prescribe a demand model by regulation are premature; (2) the proceeding is not a collateral attack on the Commission's decision in Docket No. R2013–11; and (3) it would be unrealistic and unaffordable for Petitioners to develop their own analyses for the Commission's consideration. *Id.* at 3–4.

IV. Commission Analysis

The Commission adopted the periodic reporting rules in 39 CFR part 3050 on April 16, 2009.[4] In Order No. 203, the Commission clearly stated its intent to define the term ''analytical principle'' in a way that encompassed the analytical principles used in econometric models of demand. *Id.* at 39–40. The Commission agreed with the Postal Service that advance Commission review of the methods of calculating demand elasticities would not be required. *Id.* at 43. However, the Commission underscored its legitimate needs for estimates of demand elasticity, and its ability to evaluate the methods used to calculate them. *Id.*

The Postal Service affirmed this understanding in its comments on the proposed periodic reporting rules:

> The Commission, of course, would have the opportunity to react to the Postal Service's demand analysis materials in the ACD, or later in the year at a time of its own choosing. Over the years, the Postal Service has consistently endeavored to respond to the Commission's identification of areas of possible improvement in demand analysis and forecasting, and there is no reason to believe that the Postal Service would forgo the benefits of that practice. While this may not be 'advance' input like that provided in the proposed costing rulemakings, it could perform an essentially similar function.

Docket No. RM2008–4, Initial Comments of the United States Postal Service in Response to Order No. 104, October 16, 2008, at 29.

The Commission considers the Petition a request to identify areas of possible improvement in demand analysis and forecasting.[5] To the extent that the Petition would require amendment to the Commission's rules, it considers the Petition a request pursuant to 5 U.S.C. 553(e) to amend the Commission's rules in 39 CFR part 3050.

At this juncture, the Commission believes it appropriate to explore areas of possible improvement in demand analysis and forecasting. As a preliminary step, the Commission intends to explore possible improvements to the current method of deriving demand elasticities by product.

Petitioners request that ''the Commission . . . conduct an effort to correct the flaws that it has identified in the current demand equations.'' Petition at 16. The Commission believes that it may be useful to explore deriving separate elasticities for individual products. Similarly, separate elasticity of demand may also facilitate review of market dominant negotiated service agreements. If data are available for actual volume response to price changes, such elasticities could be derived by mailer or industry.

V. Initial Technical Conference and Comments

To better evaluate a petition to change an accepted analytical principle, the Commission may order that it be made the subject of discovery. 39 CFR 3050.11(c). Accordingly, as an initial step in this docket, the Commission finds it would be worthwhile to consider the elasticity of demand issue by exploring alternative methods that have already been developed and can be presented for discussion. Therefore, the Commission is scheduling a technical conference on August 13, 2014, at 9:30 a.m., in the Commission's hearing room. At the conference, Lyudmila Y. Bzhilyanskaya, Margaret M. Cigno, and Edward S. Pearsall will discuss their paper titled ''A Branching AIDS Model for Estimating U.S. Postal Price Elasticities.'' A copy of this paper is attached to this Order as Library Reference 1. The Commission stresses that the views expressed in Library Reference 1 are those of its authors and have not been reviewed or endorsed by the Commission or any Commissioner.

Pursuant to 39 U.S.C. 505, Kenneth E. Richardson is designated as officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding. Interested persons may submit comments on Library Reference 1 and matters discussed during the technical conference no later than September 19, 2014.

VI. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2014–5 for consideration of the matters raised by the Petition filed May 2, 2014.

2. A technical conference is scheduled on August 13, 2014, at 9:30 a.m., in the Commission's hearing room.

[2] Answer of the United States Postal Service in Opposition to Petition to Initiate a Proceeding Regarding Postal Demand Analysis, May, 9, 2014 (Postal Service Answer).

[3] Reply in Support of Petition, May 19, 2014 (Reply). Petitioners also filed a motion for leave to file their reply. Motion for Leave to File, May 19, 2014. The motion is granted.

[4] Docket No. RM2008–4, Notice of Final Rule Prescribing Form and Content of Periodic Reports, April 16, 2009 (Order No. 203).

[5] The Postal Service periodically files with the Commission an explanation of its econometric demand equations for market dominant products, which describes the Postal Service's current methodology to estimate elasticities and demand. The most recent report is available at *http://www.prc.gov/Docs/89/89962/MD.Prod.Demand.Narrative.pdf.*

3. Pursuant to 39 U.S.C. 505, the Commission appoints Kenneth E. Richardson to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. Comments by interested persons, with respect to Library Reference 1 and matters discussed during the technical conference are due no later than September 19, 2014.

5. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Shoshana M. Grove,

Secretary.

[FR Doc. 2014–17249 Filed 7–22–14; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 13

[EPA–HQ–OA–2014–0012; FRL–9914–28–OCFO]

Administrative Wage Garnishment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule, extension of public comment period.

SUMMARY: The EPA is extending the period for providing comments on the proposed rule entitled, Administrative Wage Garnishment published in the **Federal Register** on July 2, 2014 to September 2, 2014.

DATES: Comments. The public comment period for the proposed rule published July 2, 2014, (79 FR 37704) is being extended to September 2, 2014 in order to provide the public additional time to submit comments and supporting information.

ADDRESSES: Comments. Written comments on the proposed rule may be submitted to the EPA electronically, by mail, by facsimile or through hand delivery/courier. Please refer to the proposal (79 FR 37704) for the addresses and detailed instructions.

Docket: Publically available documents relevant to this action are available for public inspection either electronically at *http://www.regulations.gov* or in hard copy at the Administrative Wage Garnishment Docket in the EPA Docket Center, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is 202–566–1744. The EPA has established the official public docket # EPA–HQ–OA–2014–0012.

FOR FURTHER INFORMATION CONTACT: FPPS c/o Anita Jones, OCFO/OFM/FPPS, Mailcode 2733R, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564–4969; fax number: (202) 565–2585; email address: *jones.anita@epa.gov.*

SUPPLEMENTARY INFORMATION: In response to requests from the public, the EPA is extending the previously announced public-comment period. The public-comment period will end September 2, 2014, rather than August 1, 2014. The direct final rule published at 79 FR 37644 on July 2, 2014 was withdrawn. The withdrawal notice of the direct final rule was published in the **Federal Register** on Thursday, July 17, 2014 at 79 FR 41646.

List of Subjects in 40 CFR Part 13

Environmental protection, Administrative practice and procedure, Claims, Debt Collection, Government employees, Garnishment of wages, Hearing and appeal procedures, Salaries, Wages.

Authority: 5 U.S.C. 552a, 5512, and 5514; 31 U.S.C. 3711 et seq.; 3720A; and 3720D.

Dated: July 17, 2014.

Jeanne Conklin,

Acting Director Office of Financial Management.

[FR Doc. 2014–17322 Filed 7–22–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2013–0486; FRL–9914–26–Region–4]

Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky: New Source Review for Fine Particulate Matter ($PM_{2.5}$)

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve changes to the Kentucky State Implementation Plan (SIP), submitted by the Commonwealth of Kentucky, through the Kentucky Division for Air Quality (KDAQ) to EPA on January 31, 2013. The SIP revision modifies the Commonwealth's New Source Review (NSR), Prevention of Significant Deterioration (PSD), and Nonattainment New Source Review (NNSR) regulations to adopt into the Kentucky SIP Federal NSR permitting requirements for the implementation of the fine particulate matter ($PM_{2.5}$) national ambient air quality standards (NAAQS). All of the changes in Kentucky's January 31, 2013 SIP submission are necessary to comply with Federal requirements. EPA is proposing approval of the Commonwealth's January 31, 2013 revision to the Kentucky SIP because the Agency has preliminarily determined that the changes are consistent with the Clean Air Act (CAA or Act). Additionally, EPA is proposing to convert two conditional approvals for SIP infrastructure requirements (related to Kentucky's permitting program) to full approval under the CAA.

DATES: Comments must be received on or before August 22, 2014.

ADDRESSES: Submit your comments, identified by Docket ID No EPA–R04–OAR–2013–0486, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.
2. *Email: R4-RDS@epa.gov.*
3. *Fax:* (404) 562–9019.
4. *Mail:* EPA–R04–OAR–2013–0486 Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960.
5. *Hand Delivery or Courier:* Ms. Lynorae Benjamin, Chief, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R04–OAR–2013–0486. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through *www.regulations.gov* or email information that you consider to be CBI

or otherwise protected. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at *http://www.epa.gov/epahome/dockets.htm.*

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FOR FURTHER INFORMATION CONTACT: For information regarding the Kentucky SIP, contact Ms. Twunjala Bradley, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW., Atlanta, Georgia 30303–8960. Telephone number: (404) 562–9352; email address: *bradley.twunjala@epa.gov.* For information regarding NSR, contact Ms. Yolanda Adams, Air Permits Section, at the same address above. Telephone number: (404) 562–9214; email address: *adams.yolanda@epa.gov.* For information regarding $PM_{2.5}$ NAAQS, contact Mr. Joel Huey, Regulatory Development Section, at the same address above. Telephone number: (404) 562–9104; email address: *huey.joel@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. What action is EPA proposing?
II. What is the background for EPA's proposed action?
III. EPA's Conversion of Conditional Approval of the Commonwealth's SIP
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I. What action is EPA proposing?

On January 31, 2013, KDAQ submitted a SIP revision to EPA for approval into the Kentucky SIP to adopt Federal requirements for NSR permitting. The Commonwealth's SIP revision makes changes to the regulations at Kentucky's Air Quality Regulations, 401 KAR 51:001—*Definitions for 401–KAR Chapter 51;* 401 KAR 51:017—*Prevention of significant deterioration of air quality* and 401 KAR 51:052—*Review of new sources in or impacting upon nonattainment areas* to adopt NSR requirements related to the implementation of the $PM_{2.5}$ [1] NAAQS as promulgated in the rulemakings entitled ''Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers,'' Final Rule, 73 FR 28321 (May 16, 2008) (hereafter referred to as the NSR $PM_{2.5}$ Rule) and ''Prevention of Significant Deterioration (PSD) for Particulate Matter Less Than 2.5 Micrometers ($PM_{2.5}$)—Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC),'' Final Rule, 75 FR 64864 (October 20, 2010) (hereafter referred to as the ''$PM_{2.5}$ PSD Increments-SILs-SMC Rule'') to comply with Federal NSR permitting regulations at 40 CFR 51.166 and 51.165.[2]

Additionally, the Commonwealth's January 31, 2013 SIP submission satisfies EPA's multiple conditional approvals of the PSD-related requirements for sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) and 110(a)(2)(J) of Kentucky's infrastructure SIPs for the 1997 and 2006 $PM_{2.5}$ and 2008 8-hour ozone NAAQS. As a result, EPA is proposing to convert from conditional approval to full approval KDAQ's infrastructure requirements related to its PSD program. More details on EPA's conditional approvals are discussed in section III of this rulemaking.

EPA is not, however, proposing action to approve into the Kentucky SIP the $PM_{2.5}$ SILs and SMC thresholds and provisions promulgated in EPA's $PM_{2.5}$ PSD Increment-SILs-SMC Rule, 75 FR 64864 (October 20, 2010).[3] More information regarding EPA's decision to not take action on these provisions is provided below in section II.

[1] Airborne particulate matter (PM) with a nominal aerodynamic diameter of 2.5 micrometers or less (a micrometer is one-millionth of a meter, and 2.5 micrometers is less than one-seventh the average width of a human hair) are considered to be ''fine particles'' and are also known as $PM_{2.5}$. Fine particles in the atmosphere are made up of a complex mixture of components including sulfate; nitrate; ammonium; elemental carbon; a great variety of organic compounds; and inorganic material (including metals, dust, sea salt, and other trace elements) generally referred to as ''crustal'' material, although it may contain material from other sources. The health effects associated with exposure to $PM_{2.5}$ include potential aggravation of respiratory and cardiovascular disease (i.e., lung disease, decreased lung function, asthma attacks and certain cardiovascular issues). On July 18, 1997, EPA revised the NAAQS for PM to add new standards for fine particles, using $PM_{2.5}$ as the indicator. Previously, EPA used PM_{10} (inhalable particles smaller than or equal to 10 micrometers in diameter) as the indicator for the PM NAAQS. EPA established health-based (primary) annual and 24-hour standards for $PM_{2.5}$, setting an annual standard at a level of 15.0 micrograms per cubic meter ($\mu g/m^3$) and a 24-hour standard at a level of 65 $\mu g/m^3$. *See* 62 FR 38652. At the time the 1997 primary standards were established, EPA also established welfare-based (secondary) standards identical to the primary standards. The secondary standards are designed to protect against major environmental effects of $PM_{2.5}$, such as visibility impairment, soiling, and materials damage. On October 17, 2006, EPA revised the primary and secondary 24-hour NAAQS for $PM_{2.5}$ to 35 $\mu g/m^3$ and retained the existing annual $PM_{2.5}$ NAAQS of 15.0 $\mu g/m^3$. *See* 71 FR 61236. On January 15, 2013, EPA published a final rule revising the annual $PM_{2.5}$ NAAQS to 12 $\mu g/m^3$. *See* 78 FR 3086.

[2] EPA's regulations governing the implementation of NSR permitting programs are contained in 40 CFR sections 51.160–.166; 52.21, .24; and part 51, Appendix S. The CAA NSR program is composed of three separate programs: PSD, NNSR, and Minor NSR. PSD is established in part C of title I of the CAA and applies in areas that meet the NAAQS—''attainment areas''—as well as areas where there is insufficient information to determine if the area meets the NAAQS—''unclassifiable areas.'' The NNSR program is established in part D of title I of the CAA and applies in areas that are not in attainment of the NAAQS—''nonattainment areas.'' The Minor NSR program addresses construction or modification activities that do not qualify as ''major'' and applies regardless of the designation of the area in which a source is located. Together, these programs are referred to as the NSR programs.

[3] The D.C. Circuit Court of Appeals vacated the portions of the $PM_{2.5}$ PSD Increment-SILs-SMC Rule addressing the SMC and SILs (and remanded the SILs portion to EPA for further consideration). *See Sierra Club* v. *EPA,* 705 F.3d 458 (D.C. Cir. 2013).

II. What is the background for EPA's proposed action?

Today's proposed action to revise the Kentucky SIP relates to EPA's NSR $PM_{2.5}$ Rule and the $PM_{2.5}$ PSD Increment-SILs-SMC Rule. Together these two rules address the NSR permitting requirements needed to implement the $PM_{2.5}$ NAAQS. The Commonwealth's January 31, 2013 revision adopts into the Kentucky SIP the PSD and NNSR requirements promulgated in these two rules to be consistent with Federal regulations. More detail on the NSR $PM_{2.5}$ Rule, $PM_{2.5}$ PSD Increment-SILs-SMC Rule, the $PM_{2.5}$ NAAQS and the NSR program can be found in EPA's May 16, 2008 and October 20, 2010 final rules and are summarized below. *See* 73 FR 28321 and 75 FR 64864, respectively.

A. NSR $PM_{2.5}$ Implementation Rule

On May 16, 2008, EPA finalized the NSR $PM_{2.5}$ Rule to implement the $PM_{2.5}$ NAAQS for the NSR permitting program. *See* 73 FR 28321. The NSR $PM_{2.5}$ Rule revised the Federal NSR program requirements to establish the framework for implementing preconstruction permit review for the $PM_{2.5}$ NAAQS in both attainment and nonattainment areas (NAA). Specifically, the NSR $PM_{2.5}$ Rule established the following NSR provisions to implement the $PM_{2.5}$ NAAQS: (1) required NSR permits to address directly emitted $PM_{2.5}$ and certain precursor pollutants; (2) established significant emission rates for direct $PM_{2.5}$ and precursor pollutants (including sulfur dioxide (SO_2) and nitrogen oxides (NO_X); (3) established NNSR $PM_{2.5}$ emission offsets; and (4) required states to account for gases that condense to form particles (condensables) in $PM_{2.5}$ and PM_{10} applicability determinations and emission limits in PSD and NNSR permits; and (5) provided a grandfathering provision in the federal program for certain pending $PM_{2.5}$ permit applications.[4] Additionally, the NSR $PM_{2.5}$ Rule authorized states to adopt provisions in their NNSR rules that would allow interpollutant offset trading.[5] The Commonwealth's January 31, 2013 SIP revision addresses a portion of the PSD and NNSR provisions established in EPA's May 16, 2008 NSR $PM_{2.5}$ Rule. A few key issues described in greater detail below include the NSR $PM_{2.5}$ litigation and the PM condensable correction.

1. $PM_{2.5}$ Implementation Rule(s) Litigation

On January 4, 2013, the United States Court of Appeals for the District of Columbia Circuit issued a judgment[6] that remanded EPA's April 25, 2007[7] and May 16, 2008 $PM_{2.5}$ implementation rules implementing the 1997 $PM_{2.5}$ NAAQS. *See Natural Resources Defense Council* v. *EPA,* 706 F.3d 428 (D.C. Cir. 2013). The court found that because the statutory definition of PM_{10} (see section 302(t) of the CAA) included particulate matter with an aerodynamic diameter less than or equal to 10 micrometers, it necessarily includes $PM_{2.5}$. EPA had developed the 2007 and 2008 (or NSR $PM_{2.5}$ Rule) rules consistent with the general NAA requirements of subpart 1 of Part D, title I, of the CAA. Relative to subpart 1, subpart 4 of Part D, title I, includes additional provisions that apply to PM_{10} NAA and is more specific about what states must do to bring areas into attainment through, among other things, the establishment of a two tier classification system for NAA (moderate or serious). The court concluded that since subpart 4 of the CAA generally applies to PM_{10}, EPA should have also followed the more prescriptive subpart 4 structure for the $PM_{2.5}$ implementation rules. The court ordered EPA to repromulgate the implementation rules pursuant to subpart 4.

In particular, subpart 4 includes section 189(e) of the CAA, which requires the control of major stationary sources of PM_{10} precursors (and hence under the court decision, $PM_{2.5}$ precursors) ''except where the Administrator determines that such sources do not contribute significantly to PM_{10} levels which exceed the standard in the area.''

Subpart 4 pertains exclusively to particulate matter NAA, and the Court did not address EPA's implementation of the $PM_{2.5}$ NAAQS under part C or the PSD program. Thus, EPA does not interpret the court's decision as affecting implementation of the PSD requirements established in the May 16, 2008 NSR $PM_{2.5}$ Rule and does not anticipate the need to revise any PSD requirements promulgated in the NSR $PM_{2.5}$ Rule in order to comply with the court's decision.

On June 2, 2014, EPA published a final rule[8] which, in part, sets a December 31, 2014 deadline for states to make any remaining required attainment-related and NNSR SIP submissions, pursuant to and considering the application of subpart 4. *See* 79 FR 31566. Further analysis of this litigation in relation to Kentucky's SIP revision is discussed in section IV.A. The Court's January 4, 2013, decision can be found in the docket for today's proposed rulemaking using Docket ID: EPA–R04–OAR–2013–0486.

2. ''Condensable PM'' Correction

In the NSR $PM_{2.5}$ Rule, EPA revised the definition of ''*regulated NSR pollutant''* for PSD to add a paragraph providing that ''particulate matter (PM) emissions, $PM_{2.5}$ emissions and PM_{10}

[4] On May 18, 2011, EPA took final action to repeal the $PM_{2.5}$ grandfathering provision at 40 CFR 52.21(i)(1)(xi). This final action ended the use of the 1997 PM_{10} Surrogate Policy for PSD permits under the Federal PSD program at 40 CFR 52.21. *See* 76 FR 28646. In effect, any PSD permit applicant previously covered by the grandfathering provision (for sources that completed and submitted a permit application before July 15, 2008) that did not have a final and effective PSD permit before the effective date of the repeal would no longer be able to rely on the 1997 PM_{10} Surrogate Policy to satisfy the PSD requirements for $PM_{2.5}$ unless the application included a valid surrogacy demonstration. The final rule also confirmed that states with SIP-approved PSD permitting programs could no longer rely on the PM_{10} Surrogate Policy to satisfy the PSD requirements for $PM_{2.5}$. The Commonwealth's January 31, 2013 SIP revision does not rely on the PM_{10} Surrogate Policy. For more information on the PM_{10} Surrogate and Grandfathering Policy, see 76 FR 28646 (May 18, 2011), as well as an August 12, 2009, final order on a title V petition describing the use of PM_{10} as a surrogate for $PM_{2.5}$ entitled ''*In re Louisville Gas & Electric Company,* Petition No. IV–2008–3, Order on Petition.''

[5] The Commonwealth's January 31, 2013 SIP submission did not adopt the NNSR interpollutant offset trading provisions EPA codified at 51.165(a)(11). The preferred trading ratios announced in the rule preamble were the subject of a petition to reconsider which was granted by the Administrator. As a result of the reconsideration, EPA issued a memorandum on June 20, 2011, providing that the ratios were no longer supported by the agency as being presumptively approvable for adoption in SIPs containing NNSR programs for $PM_{2.5}$. *See* EPA's June 20, 2011 Memorandum entitled ''Revised Policy to Address Reconsideration of Interpollutant Trading Provisions for Fine Particles ($PM_{2.5}$)'' at *http://www.epa.gov/nsr/guidance.html.*

[6] The Natural Resources Defense Council, Sierra Club, American Lung Association, and Medical Advocates for Healthy Air challenged before the D.C. Circuit EPA's April 25, 2007 (72 FR 20586) Rule entitled ''Clean Air Fine Particle Implementation Rule,'' that established detailed implementation regulations to assist states with the development of SIPs to demonstrate attainment for the 1997 annual and 24-hour $PM_{2.5}$ NAAQS and the separate May 16, 2008 NSR $PM_{2.5}$ Rule (the subject of today's proposed rulemaking). Today's proposed rulemaking only pertains to the impacts of the court's decision on the May 16, 2008 NSR $PM_{2.5}$ Rule and not the April 25, 2007 implementation rule as the Commonwealth's January 31, 2013 SIP revision proposes to adopt the NSR permitting provisions established in the NSR $PM_{2.5}$ Rule.

[7] ''Clean Air Fine Particle Implementation Rule'' (hereafter referred to as the 2007 Rule); Final Rule, 72 FR 20586 (April 25, 2007).

[8] The final rule entitled ''Identification of Nonattainment Classification and Deadlines for Submission of State Implementation Plan (SIP) Provisions for the 1997 Fine Particle ($PM_{2.5}$) National Ambient Air Quality Standard (NAAQS) and 2006 $PM_{2.5}$ NAAQS.'' This final rule also identifies the initial classification of current 1997 and 2006 $PM_{2.5}$ nonattainment areas as moderate and the EPA guidance and relevant rulemakings that are currently available regarding implementation of subpart 4 requirements.

emissions'' shall include gaseous emissions from a source or activity which condense to form particulate matter at ambient temperatures and that on or after January 1, 2011, such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM, $PM_{2.5}$ and PM_{10} in permits. *See* 73 FR 28321. A similar paragraph added to the NNSR rule does not include ''particulate matter (PM) emissions.'' *See* 40 CFR 51.165(a)(1)(xxxvii)(D).

On October 25, 2012, EPA took final action to amend the definition of ''*regulated NSR pollutant''* promulgated in the NSR $PM_{2.5}$ Rule regarding the PM condensable provision at 40 CFR 51.166(b)(49)(vi), 52.21(b)(50)(i) and EPA's Emissions Offset Interpretative Ruling. *See* 77 FR 65107. The rulemaking removed the inadvertent requirement in the NSR $PM_{2.5}$ Rule that the measurement of condensable ''*particulate matter emissions''* be included as part of the measurement and regulation of ''*particulate matter emissions.''* The term ''*particulate matter emissions''* includes filterable particles that are larger than $PM_{2.5}$ or PM_{10} and is an indicator measured under various New Source Performance Standards (NSPS) (40 CFR part 60).[9] The Commonwealth's January 31, 2013 SIP revision adopts EPA's definition for *regulated NSR pollutant* requiring states to consider condensables (at 40 CFR 51.166(b)(49)(vi)), excluding the term ''particulate matter emissions.''

B. $PM_{2.5}$ PSD-Increment-SILs-SMC Rule

The October 20, 2010 final rulemaking established $PM_{2.5}$ increments pursuant to section 166(a) of the CAA to prevent significant deterioration of air quality in areas meeting the NAAQS. Today's action pertains only to the $PM_{2.5}$ increments (and relevant related implementing provisions) promulgated in the October 20, 2010, rule.[10] The Commonwealth's January 31, 2013 SIP revision adopts NSR changes promulgated in the $PM_{2.5}$ PSD Increments-SILs-SMC Rule to be consistent with the Federal NSR regulations and to appropriately implement the State's NSR program for the $PM_{2.5}$ NAAQS. For the reasons explained below, EPA is not proposing in this rulemaking to take action to approve the Commonwealth's proposed revisions related to the SILs (at paragraph (k)(2) of section 51.166 and 52.21) and SMC (at paragraph (i)(5) of section 51.166 and 52.21) promulgated in the $PM_{2.5}$ PSD Increments-SILs-SMC Rule into the Kentucky SIP. The SILs and SMC portions of the $PM_{2.5}$ PSD Increments-SILs-SMC Rule were vacated (and in the case of the SILs, also remanded to EPA) by the D.C. Circuit Court of Appeals. *See Sierra Club v. EPA,* 705 F.3d 458 (D.C. Cir. 2013).

1. What are PSD increments?

As established in part C of title I of the CAA, EPA's PSD program protects public health from adverse effects of air pollution by ensuring that construction of new or modified sources in attainment or unclassifiable areas does not lead to significant deterioration of air quality while simultaneously ensuring that economic growth will occur in a manner consistent with preservation of clean air resources. Under section 165(a)(3) of the CAA, a PSD permit applicant must demonstrate that emissions from the proposed construction and operation of a facility ''will not cause, or contribute to, air pollution in excess of any maximum allowable increase or allowable concentration for any pollutant.'' In other words, when a source applies for a permit to emit a regulated pollutant in an area that is designated as attainment or unclassifiable for a NAAQS, the state and EPA must determine if emissions of the regulated pollutant from the source will cause significant deterioration in air quality. Significant deterioration occurs when the amount of the new pollution exceeds the applicable PSD increment, which is the ''maximum allowable increase'' of an air pollutant allowed to occur above the applicable baseline concentration[11] for that pollutant. Therefore, an increment is the mechanism used to estimate ''significant deterioration'' of air quality for a pollutant in an area.

For purposes of calculating increment consumption, a baseline area for a particular pollutant includes the attainment or unclassifiable area in which the source is located as well as any other attainment or unclassifiable area in which the source's emissions of that pollutant are projected (by air quality modeling) to result in an ambient pollutant increase of at least 1 microgram per meter cubed ($\mu g/m^3$) (annual average). *See* 40 CFR 52.21(b)(15)(i). Under EPA's existing regulations, the establishment of a baseline area for any PSD increment results from the submission of the first complete PSD permit application and is based on the location of the proposed source and its emissions impact on the area. Once the baseline area is established, subsequent PSD sources locating in that area need to consider that a portion of the available increment may have already been consumed by previous emissions increases. In general, the submittal date of the first complete PSD permit application in a particular area is the operative ''minor source baseline date'' after which new sources must evaluate increment consumption.[12] On or before the date of the first complete PSD application, emissions generally are considered to be part of the baseline concentration, except for certain emissions from major stationary sources. Most emissions increases that occur after the minor source baseline date will be counted toward the amount of increment consumed. Similarly, emissions decreases after the applicable baseline date restore or expand the amount of increment that is available. *See* 75 FR 64864. As described in the $PM_{2.5}$ PSD Increments-SILs-SMC Rule, and pursuant to the authority under section 166(a) of the CAA, EPA promulgated numerical increments for $PM_{2.5}$ as a new pollutant[13] for which NAAQS were established after August 7, 1977,[14] and derived 24-hour and annual $PM_{2.5}$ increments for the three area classifications (Class I, II and III). *See* 75 FR 64864 at 64869 and the ambient air

[9] In addition to the NSPS for PM, it is noted that states regulated ''particulate matter emissions'' for many years in their SIPs for PM, and the same indicator has been used as a surrogate for determining compliance with certain standards contained in 40 CFR part 63, regarding National Emission Standards for Hazardous Air Pollutants.

[10] The October 20, 2010, rule also established $PM_{2.5}$ SILs and SMC. *See* 75 FR 64864, 64900. These two provisions were the subject of litigation by the Sierra Club. *See* section IV of this rulemaking for more information on the litigation or in the docket for today's proposed action using docket ID: EPA–R04–OAR–2013–0486.

[11] Section 169(4) of the CAA provides that the baseline concentration of a pollutant for a particular baseline area is generally the air quality at the time of the first application for a PSD permit in the area.

[12] Baseline dates are pollutant-specific. That is, a complete PSD application establishes the baseline date only for those regulated NSR pollutants that are projected to be emitted in significant amounts (as defined in the regulations) by the applicant's new source or modification. Thus, an area may have different baseline dates for different pollutants.

[13] EPA generally characterized the $PM_{2.5}$ NAAQS as a NAAQS for a new indicator of PM. EPA did not replace the PM_{10} NAAQS with the NAAQS for $PM_{2.5}$ when the $PM_{2.5}$ NAAQS were promulgated in 1997. EPA rather retained the annual and 24-hour NAAQS for PM_{10} (retaining PM_{10} as an indicator of coarse particulate matter),and treated $PM_{2.5}$ as a new pollutant for purposes of developing increments even though EPA had already developed air quality criteria for PM generally. *See* 75 FR 64864 (October 20, 2010).

[14] EPA interprets section 166(a) to authorize EPA to promulgate pollutant-specific PSD regulations meeting the requirements of section 166(c) and 166(d) for any pollutant for which EPA promulgates a NAAQS after 1977.

increment table at 40 CFR 51.166(c)(1) and 52.21(c).

In addition to PSD increments for the $PM_{2.5}$ NAAQS, the $PM_{2.5}$ PSD Increments-SILs-SMC Rule amended the definition at 40 CFR 51.166 and 52.21 for ''major source baseline date'' and ''minor source baseline date'' (including trigger dates) to establish the $PM_{2.5}$ NAAQS specific dates associated with the implementation of $PM_{2.5}$ PSD increments. *See* 75 FR 64864. In accordance with section 166(b) of the CAA, EPA required the states to submit revised implementation plans to EPA for approval (to adopt the $PM_{2.5}$ PSD increments) within 21 months from promulgation of the final rule (by July 20, 2012). Regardless of when a state submits its revised SIP, the emissions from major sources subject to PSD for $PM_{2.5}$ for which construction commenced after October 20, 2010 (major source baseline date), consume $PM_{2.5}$ increment and should be included in the increment analyses occurring after the minor source baseline date is established for an area under the state's revised PSD program. *See* 75 FR 64864. As discussed above, the Commonwealth's January 31, 2013 SIP revision adopts the $PM_{2.5}$ PSD increment permitting requirements, including the implementing regulations discussed above, promulgated in the $PM_{2.5}$ PSD Increments-SILs-SMC Rule.

2. SILs and SMC Litigation

For background purposes, the SILs and SMC portions of the $PM_{2.5}$ PSD Increment-SILs-SMC Rule, which EPA is not taking action on today, are numerical values that represent thresholds of insignificant modeled source impacts or monitored (ambient) concentrations, respectively. EPA established such values to be used as screening tools by a major source subject to PSD to determine the subsequent level of analysis and data gathering required for a PSD permit application for emissions of $PM_{2.5}$.

The Sierra Club challenged EPA's authority to implement the $PM_{2.5}$ SILs and SMC for PSD purposes as promulgated in the October 20, 2010 $PM_{2.5}$ PSD Increment-SILs-SMC Rule. *See Sierra Club v. EPA,* 705 F.3d 458. On January 22, 2013, D.C. Circuit granted a request from EPA to vacate and remand to the Agency the portions of the October 20, 2010 rule addressing the SILs for $PM_{2.5}$ (found in paragraph (k)(2) in 40 CFR 51.166 and 52.21), except for the parts codifying the $PM_{2.5}$ SILs in the NSR rule at 40 CFR 51.165(b)(2), so that the EPA could voluntarily correct an error in the provisions. *Id.* at 463–66. The Court also vacated parts of the $PM_{2.5}$ PSD Increment-SILs-SMC Rule establishing the $PM_{2.5}$ SMC, finding that the Agency had exceeded its statutory authority with respect to these provisions. *See id. at 469.* On December 9, 2013, EPA issued a final rulemaking to remove the vacated and remanded $PM_{2.5}$ SILs and the vacated $PM_{2.5}$ SMC provisions from 40 CFR 51.166 and 52.21.[15] *See* 78 FR 73698.

The D.C. Circuit's decision can be found in the docket for today's rulemaking at *http://www.regulations.gov* using docket ID: EPA–R04–OAR–2013–0486.

The Commonwealth's January 31, 2013 SIP revision adopts both the $PM_{2.5}$ SIL and SMC screening tools promulgated in EPA's October 20, 2010, $PM_{2.5}$ PSD Increment-SILs-SMC Rule. However, as a result of the vacatur of these provisions, EPA is not taking action at this time on any portions of KDAQ's SIP submission regarding the $PM_{2.5}$ SILs and SMC provisions as codified at 40 CFR 51.166 and 52.21. EPA will consider the Commonwealth's January 31, 2013 submission regarding the $PM_{2.5}$ SILs and SMC thresholds in an action separate from today's rulemaking.

III. EPA's Conversion of Conditional Approvals for the Commonwealth's Infrastructure SIP

In addition to adopting required NSR permitting regulations for the implementation of the $PM_{2.5}$ NAAQS, the Commonwealth's January 31, 2013 SIP revision also satisfies EPA's conditional approval of the Commonwealth's 1997 annual and 2006 24-hour $PM_{2.5}$, and 2008 8-hour ozone 110(a)(2) infrastructure SIPs[16] with respect to the PSD-related requirements[17] of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) of the CAA. Kentucky submitted multiple SIP submissions to EPA for approval to address the 110(a)(2) infrastructure SIP requirements for the 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS (August 26, 2008 and July 17, 2012, respectively), and the 2008 8-hour ozone NAAQS (July 7, 2012).

On July 3, 2012, Kentucky submitted a letter requesting that EPA conditionally approve the Commonwealth's infrastructure SIP submissions with respect to PSD-related requirements for sections 110(a)(2)(C) and 110(a)(2)(J) for the 1997 and 2006 $PM_{2.5}$ NAAQS.[18] Additionally, the Commonwealth submitted another correspondence on December 19, 2012, requesting conditional approval for PSD-related requirements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) and 110(a)(2)(J) for the 2008 lead and 2008 8-hour ozone NAAQS infrastructure submissions.[19] Both letters documented the Commonwealth's commitment to adopt and submit the PSD-related provisions needed to comply with sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) all in accordance with section 110(k)(4) of the CAA to ensure a comprehensive PSD program.

[15] Final Rule entitled ''Prevention of Significant Deterioration for Particulate Matter Less Than 2.5 Micrometers—Significant Impact Levels and Significant Monitoring Concentration: Removal of Vacated Elements.''

[16] The CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA, which is commonly referred to as an ''infrastructure'' SIP. Pursuant to section 110(a)(1) of the CAA, states are required to submit SIPs meeting the applicable requirements of section 110(a)(2) within three years after promulgation of a new or revised NAAQS or within such shorter period as EPA may prescribe. On July 18, 1997, EPA promulgated the primary 1997 annual and 24-hour $PM_{2.5}$ NAAQS as 15 $\mu g/m^3$ and 65 $\mu g/m^3$ respectively. *See* 62 FR 38652. On October 17, 2006, EPA strengthened the 24-hour $PM_{2.5}$ NAAQS to 35 $\mu g/m^3$. *See* 71 FR 61144. On March 27, 2008, EPA revised the NAAQS for ozone based on an 8-hour average concentrations to 0.075 parts per million (ppm). *See* 73 FR 16436.

[17] There are four separate PSD related rulemakings that states are required to adopt and have approved into their SIP in order to maintain a comprehensive SIP-approved PSD permitting program and comply with the PSD and enforcement requirements of 110(a)(2) Infrastructure requirements for sections 110(a)(2)(C), (D)(i)(II) and (J) of the CAA. These include: 1) ''Final Rule To Implement the 8-Hour Ozone National Ambient Air Quality Standard—Phase 2 Rule; Final Rule'' (which codified NO_X as an ozone precursor for NSR) (70 FR 71612, November 29, 2005); 2) ''Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule; Final Rule'' (75 FR 31514, June 3, 2010); 3) the NSR $PM_{2.5}$ Rule and; 4) the $PM_{2.5}$ PSD Increment-SILs-SMC Rule (only as it relates to $PM_{2.5}$ Increments). *See* 77 FR 46352 (August 3, 2012), 78 FR 3867 (January 17, 2013) and 77 FR 72291 (December 5, 2012). Kentucky's January 31, 2013 submission satisfies two of the four required PSD rulemakings mentioned above including the 2008 NSR $PM_{2.5}$ Rule and the $PM_{2.5}$ Increments-SILs-SMC Rule (only as it relates to the PSD increments). EPA approved the remaining PSD requirements for the Greenhouse Gas Tailoring Rule and the Phase 2 Rule on December 29, 2010 (75 FR 81868) and on September 15, 2010 (75 FR 55988), respectively.

[18] EPA also relied upon Kentucky's July 3, 2012 commitment to address the PSD-related requirements as the basis for conditionally approving the Commonwealth's 1997 and 2006 $PM_{2.5}$ NAAQS infrastructure SIPs as they relate to section 110(a)(2)(D)(i)(II). *See* 78 FR 18241 (March 26, 2013). EPA had already conditionally approved the Commonwealth's infrastructure SIPs for the 1997 and 2006 $PM_{2.5}$ NAAQS for the PSD-related requirements related to sections 110(a)(2)(C) and (J) on October 3, 2012. *See* 77 FR 60307.

[19] EPA has not taken action on the Commonwealth's 2008 lead Infrastructure SIP submission but will consider the action in a separate rulemaking.

EPA took action to approve in part and conditionally approve in part portions of the Commonwealth's infrastructure SIP submissions for the 1997 and 2006 $PM_{2.5}$ NAAQS on October 3, 2012, March 7, 2013, and March 26, 2013. *See* 77 FR 60307, 78 FR 14681, and 78 FR 18241, respectively. EPA's conditional approval of the Commonwealth's PSD requirements for the section 110(a)(2) infrastructure SIPs committed Kentucky to adopt and submit to EPA within one year of publication of the final conditional approvals the required NSR permitting regulations promulgated in the NSR $PM_{2.5}$ Rule and the $PM_{2.5}$ PSD increments established in the 2010 $PM_{2.5}$ PSD Increment-SILs-SMC Rule. As stated above, the submission of the applicable portions of these rules into the Kentucky SIP is necessary to comply with the PSD-related requirements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) (prong 3) and 110(a)(2)(J) of the infrastructure SIP for the 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS, and the 2008 8-hour ozone NAAQS.

The Commonwealth's January 31, 2013 SIP revision satisfies the conditions listed in EPA's previous conditional approvals for the infrastructure submissions. Therefore, EPA is proposing action to convert its conditional approvals with respect to the PSD-related requirements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) and 110(a)(2)(J) for the 2008 8-hour ozone, and the 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS to full approval.

IV. What is EPA's analysis of the Commonwealth's SIP revision?

The Commonwealth currently has a SIP-approved NSR program for new and modified stationary sources found at 401 KAR Chapter 51. KDAQ's PSD preconstruction regulations are found at 401 KAR Chapters 51:001 [20] and 51:017 and apply to major stationary sources or modifications constructed in areas designated attainment or unclassifiable/attainment as required under part C of title I of the CAA with respect to the NAAQS. The Commonwealth's NNSR regulations are found at Chapter 51:052 and apply to the construction and modification of any major stationary source of air pollution in or impacting upon a nonattainment area, as required by Part D of title I of the CAA. The Commonwealth's January 31, 2013 SIP submission includes changes to Chapter 51 that adopt into the State's NSR permitting program provisions promulgated in the NSR $PM_{2.5}$ Rule and the PSD increments established in the $PM_{2.5}$ PSD Increment-SILs-SMC rule. These changes to the Commonwealth's regulations became state effective on December 7, 2012. EPA is proposing to approve the changes to Chapter 51 into the Commonwealth's SIP to be consistent with Federal NSR regulations (at 40 CFR 51.166) and the CAA.

A. NSR $PM_{2.5}$ Implementation Rule

The Commonwealth's January 31, 2013 SIP revision establishes that the Commonwealth's existing NSR permitting program requirements for PSD and NNSR apply to the $PM_{2.5}$ NAAQS and certain precursors. Specifically, the SIP revision adopts the following NSR $PM_{2.5}$ Rule PSD and NNSR provisions into the Kentucky SIP: (1) the requirement for PSD and NNSR permits to address directly emitted $PM_{2.5}$ and precursor pollutants (sulfur dioxide (SO_2) and nitrogen oxides (NO_X) (as codified at 40 CFR 51.165(a)(1)(xxxvii)(C) and 51.166(b)(49)); (2) the significant emission rates for direct $PM_{2.5}$ and precursor pollutants (SO_2 and NOx) (as codified at 40 CFR 51.165(a)(1)(x)(A) and 51.166(b)(23)(i)); (3) the NNSR $PM_{2.5}$ emission offsets (as codified at 51.165(9)(i)) and (4) the PSD and NNSR requirement that condensable PM_{10} and $PM_{2.5}$ emissions be accounted for in PSD applicability determinations and in establishing emissions limitations for permitting (as codified at 40 CFR 51.165(a)(1)(xxxvii)(D) and 51.166(b)(49)). For the reasons discussed below, the EPA is proposing to approve these revisions into the Commonwealth's SIP.

As discussed above in section II, the DC Circuit in *Natural Resources Defense Council v. EPA* issued a decision that remanded the EPA's NSR $PM_{2.5}$ Rule rule implementing the 1997 $PM_{2.5}$ NAAQS. Relevant here, the NSR $PM_{2.5}$ Rule promulgated NSR requirements for implementation of $PM_{2.5}$ in both nonattainment areas and attainment/unclassifiable areas. The court found that EPA erred in implementing the $PM_{2.5}$ NAAQS in these rules solely pursuant to the general implementation provisions of subpart 1 of part D of title I of the Clean Air Act, rather than pursuant to the additional implementation provisions specific to particulate matter nonattainment areas in subpart 4. The Court ordered the EPA to ''repromulgate these rules pursuant to Subpart 4 consistent with this opinion.'' 706 F.3d at 437.

On June 2, 2014, the EPA issued a final rulemaking that begins to address the remand. *See* 79 FR 31566. Upon its effective date, the final rule classifies all existing $PM_{2.5}$ nonattainment areas as ''Moderate'' nonattainment areas and sets a deadline of December 31, 2014, for states to submit any SIP submissions, including NNSR SIPs, that may be necessary to satisfy the requirements of subpart 4, part D, title I of the CAA with respect to $PM_{2.5}$ nonattainment areas.[21]

In a separate rulemaking process which will follow the June 2014 rule, EPA is evaluating the requirements of subpart 4 as they pertain to NNSR for $PM_{2.5}$ emissions. In particular, subpart 4 includes section 189(e) of the CAA, which requires the control of major stationary sources of PM_{10} precursors ''except where the Administrator determines that such sources do not contribute significantly to PM_{10} levels which exceed the standard in the area.'' Under the court's decision in *NRDC,* section 189(e) of the CAA also applies to $PM_{2.5}$.

Kentucky's submission of revisions to its NNSR regulations at Chapters 51:001 and 51:052 identify SO_2 as a $PM_{2.5}$ precursor and NO_X as a presumed $PM_{2.5}$ precursor while volatile organic compounds (VOCs) and ammonia are presumed not to be $PM_{2.5}$ precursors for a $PM_{2.5}$ NAA in the Commonwealth. These revisions, although consistent with the 2008 NSR $PM_{2.5}$ Rule as developed consistent with subpart 1 of the Act, may not contain the elements necessary to satisfy the CAA requirements when evaluated under the subpart 4 statutory requirements. In particular, Kentucky's submission does not include the regulation of VOCs and ammonia as $PM_{2.5}$ precursors, nor does it include a demonstration consistent with section 189(e) showing that major sources of those precursor pollutants would not contribute significantly to $PM_{2.5}$ levels exceeding the standard in the area. For these reasons, EPA cannot conclude at this time that this part of Kentucky's NNSR submission of revisions to Chapters 51:001 and 51:052 satisfies all of the requirements of subpart 4 as they pertain to $PM_{2.5}$ NNSR permitting.

[20] The Commonwealth's 401 KAR Chapter 51:001 codifies definitions that apply to sources applying for construction permits in both attainment/unclassifiable and nonattainment areas.

[21] EPA a deadline of December 31, 2014, for the states to submit any additional attainment related SIP elements that may be needed to meet the applicable requirements of subpart 4 for areas currently designated nonattainment for the 1997 and/or 2006 $PM_{2.5}$ NAAQS, and to submit SIPs addressing the NNSR requirements in subpart 4. EPA believes that this period provides a relatively brief but reasonable amount of time for states to ascertain whether and to what extent any additional submissions are needed for a particular 1997 or 2006 $PM_{2.5}$ NAAQS nonattainment area, and to develop, adopt and submit any such SIPs.

Although the revisions to Kentucky's NNSR regulations at Chapters 51:001 and 51:052 may not contain all of the necessary elements to satisfy the CAA requirements when evaluated under the subpart 4 provisions, the revisions themselves represent a strengthening of the currently-approved Kentucky NNSR SIP which does not address $PM_{2.5}$ at all. As a result of the June 2, 2014 final rule, Kentucky would have until December 31, 2014, to make any additional submission necessary to address the requirements of subpart 4, including addressing the $PM_{2.5}$ precursors of VOC and ammonia for NNSR permitting purposes. EPA is approving the NNSR revisions to Kentucky's NNSR permitting program without listing the absence of either the regulation or evaluation of VOCs and ammonia as $PM_{2.5}$ precursors as a deficiency at this time.

Finally, as subpart 4 includes requirements only pertinent to NAA, EPA does not consider the portions of the 2008 rule that address requirements for $PM_{2.5}$ attainment and unclassifiable areas to be affected by the court's opinion in *NRDC v. EPA.* Moreover, EPA does not anticipate the need to revise any PSD requirements promulgated in the NSR $PM_{2.5}$ Rule in order to comply with the court's decision. Accordingly, EPA's approval of Kentucky's PSD SIP and infrastructure SIP Elements (C), (D)(i)(II), or (J) with respect to the PSD requirements promulgated by the NSR $PM_{2.5}$ Rule is not inconsistent with the court's opinion.

B. $PM_{2.5}$ PSD Increment-SILs-SMC Rule Provisions

The Commonwealth's January 31, 2013 SIP revision adopts into the Kentucky SIP at Chapter 51 the following PSD provisions promulgated in the $PM_{2.5}$ PSD Increment-SILs-SMC Rule: (1) PSD increments for $PM_{2.5}$ annual and 24-hour NAAQS pursuant to section 166(a) of the CAA; (2) $PM_{2.5}$ SILs to be used as a screening tool to evaluate the impact a proposed major source or modification may have on the NAAQS or PSD increment; and (3) $PM_{2.5}$ SMC, also used as a screening tool, to determine the level of data gathering required of a major source in support of its PSD permit application for $PM_{2.5}$ emissions.

Regarding the $PM_{2.5}$ increments, the SIP revision changes include: 1) the $PM_{2.5}$ increments as promulgated at 40 CFR 51.166(c)(1) and (p)(4) (for Class I Variances); and 2) amendments to the terms ''*major source baseline date*'' (at 40 CFR 51.166(b)(14)(i)(c)), ''*minor source baseline date*'' (including establishment of the ''trigger date'') (at section 51.166(b)(14)(ii)) and ''*baseline area''* (as amended at 51.166(b)(15)(i)). These changes provide for the implementation of the $PM_{2.5}$ PSD increments for the $PM_{2.5}$ NAAQS in the state's PSD program. In today's action, EPA is proposing to approve the Commonwealth's January 31, 2013 SIP revision to address the $PM_{2.5}$ PSD increment provisions promulgated in the $PM_{2.5}$ PSD Increments-SILs-SMC Rule. As discussed above, EPA is not taking action to approve into the Commonwealth's SIP the $PM_{2.5}$ SILs and SMC as established in the $PM_{2.5}$ PSD-Increment-SILs-SMC Rule due to the DC Circuit's January 22, 2013 decision to vacate and remand to EPA the SILs and vacate the SMCs. *See Sierra Club v. EPA,* 705 F.3d 458.

EPA has made the preliminary determination to approve the aforementioned PSD permitting provisions promulgated in the $PM_{2.5}$ PSD Increment-SILs-SMC Rule into the Kentucky SIP to implement the NSR program for the $PM_{2.5}$ NAAQS.

C. Conversion of Conditional Approvals for the Commonwealth's Infrastructure SIP

As discussed above in section III, Kentucky's January 31, 2013 SIP revision also satisfies the conditions listed in EPA's previous conditional approvals for the Commonwealth's 2008 8-hour ozone, and 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS infrastructure SIP submissions. Therefore, EPA is proposing action to convert its conditional approvals with respect to the PSD-related requirements of sections 110(a)(2)(C), 110(a)(2)(D)(i)(II) and 110(a)(2)(J) to full approvals. Given that the Commonwealth's January 31, 2013 SIP revision fulfills the conditional approval requirements for conversion to a full approval, the conditional approval language at section 52.919(a)–(c) of 40 CFR part 52, included in EPA's final conditional approvals published on October 3, 2012 (77 FR 60307), March 7, 2013 (78 FR 14681) and March 26, 2013 (78 FR 18241) are no longer necessary. Thus, EPA is also proposing to remove the conditional approval language at 40 CR 52.919, contingent upon EPA's full approval of the Commonwealth's January 31, 2013 SIP revision, to reflect that the infrastructure SIPs for the Commonwealth's 2008 8-hour ozone, and 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS have been fully approved.

V. Proposed Action

EPA is proposing to approve portions of the Commonwealth's January 31, 2013 SIP revision adopting Federal regulations amended in the May 16, 2008 NSR $PM_{2.5}$ Rule and the October 20, 2010 $PM_{2.5}$ PSD Increment-SILs-SMC rule with the exception of the $PM_{2.5}$ SILs and SMCs provisions. Final approval of the Commonwealth's January 31, 2013 SIP would also satisfy the requirements upon which EPA conditionally approved several Kentucky infrastructure requirements related to the 1997 and 2006 $PM_{2.5}$ and the 2008 8-hour Ozone NAAQS. As such, EPA is also proposing today, contingent upon full approval of the Commonwealth's January 31, 2013 SIP revision, to convert EPA's previous conditional approval of the Commonwealth's infrastructure requirements related to PSD requirements for the $PM_{2.5}$ and ozone NAAQS to a full approval. EPA has made the preliminary determination that the Commonwealth's January 31, 2013 SIP revision, with regard to aforementioned proposed actions, are approvable because they are consistent with section 110 of the CAA and EPA regulations.

VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by Commonwealth 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 Order 12866 (58 FR 51735, October 4, 1993);
- 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 CAA; and

• does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the Commonwealth, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Particulate matter, Reporting and recordkeeping requirements.

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

Dated: July 14, 2014.

Heather McTeer Toney,

Regional Administrator, Region 4.

[FR Doc. 2014–17323 Filed 7–22–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2014–0495; FRL–9914–16–Region 9]

Revision of Air Quality Implementation Plan; Nevada; Clark County; Stationary Source Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to fully approve permitting related rules submitted by Nevada as a revision to the Clark County Department of Air Quality (Clark or DEQ) portion of the state implementation plan (SIP) for the State of Nevada. These rules were adopted by DEQ to regulate the construction and modification of stationary sources of air pollution within Clark County. EPA is proposing to approve this SIP revision based on the Agency's conclusion that the rules are consistent with applicable Clean Air Act (CAA or Act) requirements, policies and guidance. Final approval of these rules would make the rules federally enforceable and correct program deficiencies identified in a previous EPA rulemaking.

DATES: Written comments must be received on or before August 22, 2014.

ADDRESSES: Submit comments, identified by Docket ID Number EPA–R09–OAR–2014–0495, by one of the following methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the on-line instructions.

2. *Email: R9airpermits@epa.gov.*

3. *Mail or deliver:* Gerardo Rios (AIR–3), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901. Deliveries are only accepted during the Regional Office's normal hours of operation.

Instructions: All comments will be included in the public docket without change and may be made available online at *www.regulations.gov,* including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through *http://www.regulations.gov* or email. *Regulations.gov* is an ''anonymous access'' system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: EPA has established a docket for this action under EPA–R09–OAR–2014–0495. Generally, documents in the docket for this action are available electronically at *www.regulations.gov* and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed at *www.regulations.gov,* some information may be publicly available only at the hard copy location (e.g., copyrighted material, large maps), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Laura Yannayon, EPA Region IX, by phone: (415) 972–3534 or by email at *yannayon.laura@epa.gov.*

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

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I. The State's Submittals

A. Which rules did the State submit?

On April 1, 2014, the Nevada Department of Environmental Protection (NDEP), on behalf of Clark County Department of Air Quality (Clark), submitted amended regulations and a request to remove several outdated regulations, to EPA for approval as revisions to the Clark County portion of the Nevada SIP under the CAA. These New Source Review (NSR) SIP revision submittals, referred to herein as the ''NSR SIP submittal'' or ''submitted NSR rules,'' are intended to satisfy previously identified deficiencies to the requirements under both part C (prevention of significant deterioration) (PSD) and part D (nonattainment new source review) of title I of the Act as well as the general preconstruction review requirements for minor sources under section 110(a)(2)(C) of the Act. Please see our previous proposed and final rulemakings for a more detailed description of these rules and the permitting program in Clark County, Nevada. 77 FR 43206 (July 24, 2012); 77 FR 64039 (October 18, 2012).

Table 1 lists the rules addressed by this proposal with the dates that they were adopted by Clark and submitted to EPA by NDEP, which is the governor's designee for Nevada SIP submittals.

TABLE 1—SUBMITTED NSR RULES

Section No.	Section title	Adopted	Submitted
0	Definitions	3/18/14	4/1/14
12.0	Applicability, General Requirements and Transition Procedures	3/18/14	4/1/14
12.1	Permit Requirements for Minor Sources	3/18/14	4/1/14
12.2	Permit Requirements for Major Sources in Attainment Areas (Prevention of Significant Deterioration).	3/18/14	4/1/14
12.3	Permit Requirements for Major Sources in Nonattainment Areas	3/18/14	4/1/14
12.4	Authority to Construct Application and Permit Requirements For Part 70 Sources [1]	3/18/14	4/1/14
12.7 (Subsection 12.7.5).	Emission Reduction Credits	5/18/10	4/1/14

TABLE 2—RULES REQUESTED TO RESCIND

Section No.	Section title	Repealed	Submitted
1	Definitions		
11	Ambient Air Quality Standards		
24	Sampling and Testing—Records and Reports		

NDEP's SIP submittal includes evidence of public notice and adoption of these regulations. On May 5, 2014, Clark's April 1, 2014 submittal was determined by EPA to meet the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review. Our technical support document (TSD) provides additional background information on each of the submitted rules.

B. What are the existing Clark County rules governing stationary source permits in the Nevada SIP?

The existing SIP-approved NSR program for new or modified stationary sources in Clark County consists of one State regulation and seven Clark County regulations (''Sections'') which EPA approved on September 7, 2004 and October 18, 2012, respectively. See 69 FR 54006 (final rule approving in whole or in part, Section 11 and Nevada Administrative Code (NAC) 445B.22083) and 77 FR 64039 (final rule partially approving and partially disapproving Sections 0, 12.0, 12.1, 12.2, 12.3 and 12.4). Collectively, these regulations establish the NSR requirements for both major and minor stationary sources under DAQ jurisdiction in Clark County.

Consistent with Clark's stated intent to have the submitted NSR rules replace existing SIP Sections 1 and 11, in their entirety, EPA's approval of the regulations identified above in table 1 would have the effect of entirely superseding, or rescinding our prior approval of Sections 1 and 11. Section 1 contains outdated definitions that have been replaced by Section 0 and Section 11 is a rule that defines the term ''ambient air quality standards'' and provides definitions for terms used in that definition. The term ''National Ambient Air Quality Standard'' is now used throughout the Section 12 series of rules and is now defined in Section 0. Our proposed action would have no effect on NAC 445B.22083 which remains part of the applicable Nevada SIP.

C. What is the purpose of this proposed rule?

The purpose of this proposed rule is to present our evaluation under the CAA and EPA's regulations of the new and amended NSR rules submitted by DAQ on April 1, 2014, as identified in table 1. Clark amended these rules to correct program deficiencies identified by EPA on October 18, 2012 (77 FR 64039). We provide our reasoning in general terms below but provide more detailed analysis in our TSD, which is available in the docket for this proposed rulemaking.

II. EPA's Evaluation

A. How is EPA evaluating the rules?

EPA has reviewed the rules submitted by Clark governing NSR for stationary sources under DAQ jurisdiction for compliance with the CAA's general requirements for SIPs in CAA section 110(a)(2), EPA's regulations for stationary source permitting programs in 40 CFR part 51, sections 51.160 through 51.166, and the CAA requirements for SIP revisions in CAA section 110(l).[2] As described below, EPA is proposing approval of the submitted NSR rules.

B. Do the rules meet the evaluation criteria?

With respect to procedures, CAA sections 110(a) and 110(l) require that revisions to a SIP be adopted by the State after reasonable notice and public hearing. EPA has promulgated specific procedural requirements for SIP revisions in 40 CFR part 51, subpart F. These requirements include publication of notices, by prominent advertisement in the relevant geographic area, of a public hearing on the proposed revisions, a public comment period of at least 30 days, and an opportunity for a public hearing.

Based on our review of the public process documentation included in the April 1, 2014 submittal, we find that Clark has provided sufficient evidence of public notice and opportunity for comment and public hearings prior to adoption and submittal of these rules to EPA.

With respect to substantive requirements, we have evaluated each ''Section'' of the submitted NSR rules in

[1] Section 12.4 also contains requirements to address the CAA title V requirements for operating permit programs, but we are not evaluating the rule for title V purposes at this time. We will evaluate Section 12.4 for compliance with the requirements of title V of the Act and EPA's implementing regulations in 40 CFR part 70 at a later date.

[2] CAA section 110(l) requires SIP revisions to be subject to reasonable notice and public hearing prior to adoption and submittal by States to EPA and prohibits EPA from approving any SIP revision that would interfere with any applicable requirement concerning attainment and reasonable further progress, or any other applicable requirement of the CAA.

accordance with the CAA and regulatory requirements that apply to: (1) General preconstruction review programs for minor sources under section 110(a)(2)(C) of the Act, (2) PSD permit programs under part C of title I of the Act, and (3) Nonattainment NSR permit programs under part D of title I of the Act. We are proposing to find that the submitted NSR rules satisfy the applicable requirements for these three permit programs and would strengthen the applicable SIP by correcting and updating the regulations. Final approval of these NSR rules would correct all deficiencies in Clark's permit programs identified in our October 18, 2012 final rule. See 77 FR 64039.

In addition, EPA notes that in 2012 it partially disapproved Nevada's infrastructure SIP (I–SIP) submittals for the 1997 ozone, 1997 $PM_{2.5}$, and 2006 $PM_{2.5}$ NAAQS for several elements under section 110(a)(2) of the Clean Air Act. This included a partial disapproval for section 110(a)(2)(F)(iii), which requires the correlation of emissions reports and data collected under section 110(a)(2)(F)(ii) with any applicable emission limits or standards, and that such reports be made available for public inspection. See 77 FR 64737 (October 23, 2012). EPA finalized a similar disapproval with respect to Nevada's I–SIP submittal for the 2008 Pb NAAQS in 2014. See 79 FR 15697 (March 21, 2014). If finalized, today's action on Clark County rule Section 12.0 would cure the partial disapproval from EPA's 2012 and 2014 I–SIP actions and turn off the two-year FIP clock for CAA section 110(a)(2)(F)(iii), which expires on November 23, 2014. *Id.* The TSD for this action contains a more detailed discussion of our evaluation.

Section 110(l) prohibits EPA from approving a revision of a plan if the revision would ''interfere with any applicable requirement concerning attainment and reasonable further progress . . . or any other applicable requirement of [the Act].''

We find that the SIP revision represents a strengthening of Clark County's minor NSR, PSD, and Nonattainment NSR programs compared to the existing SIP programs that we approved in 2012, and that our approval of the NSR SIP submittal would not interfere with any applicable requirement concerning attainment and reasonable further progress (RFP) or any other applicable requirement of the Act.

For the reasons stated above and explained further in our TSD, we find that the submitted NSR rules satisfy the applicable CAA and regulatory requirements for minor NSR, PSD, and Nonattainment NSR permit programs under CAA section 110(a)(2)(C) and parts C and D of title I of the Act. Therefore, we are proposing a full approval of the submitted NSR rules listed in table 1 and rescission of the rules listed in table 2.

III. Public Comment and Proposed Action

Pursuant to section 110(k) of the CAA and for the reasons provided above and described more fully in the TSD for this rulemaking, EPA is proposing to fully approve the amended Clark County regulations listed in table 1, above, as a revision to the Clark County portion of the Nevada SIP. In addition EPA is proposing to rescind from the SIP the Clark County regulations listed in table 2, above. If finalized as proposed, the submitted rules will supersede the existing SIP rules that provide for permitting of new or modified stationary sources in Clark County, including all of existing SIP sections 1, 11 and 24.

We will accept comments from the public on this proposal for the next 30 days.

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely proposes to approve 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 Order 12866 (58 FR 51735, October 4, 1993);

- 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
- does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

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

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

Dated: June 19, 2014.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2014–17326 Filed 7–22–14; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 79, No. 141
Wednesday, July 23, 2014

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.

AFRICAN DEVELOPMENT FOUNDATION

Public Quarterly Meeting of the Board of Directors

AGENCY: United States African Development Foundation.

ACTION: Notice of meeting.

SUMMARY: The US African Development Foundation (USADF) will hold its quarterly meeting of the Board of Directors to discuss the agency's programs and administration.

DATES: The meeting date is Thursday, August 7th, 2014, 11:30 a.m. to 1:00 p.m.

ADDRESSES: The meeting will take place via teleconference, with staff congregating at 1400 I Street Northwest, Suite #1000 (Main Conference Room), Washington, DC 2005–2246.

FOR FURTHER INFORMATION CONTACT: Rabayah Akhter, 202–233–8811.

Authority: Public Law 96–533 (22 U.S.C. 290h).

Dated: July 16, 2014.

Doris Mason Martin,

General Counsel.

[FR Doc. 2014–17367 Filed 7–22–14; 8:45 am]

BILLING CODE 6117–01–P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

United States Standards for Whole Dry Peas

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Final Notice.

SUMMARY: The Department of Agriculture's (USDA) Grain Inspection, Packers and Stockyards Administration (GIPSA) is revising the United States Standards for Whole Dry Peas to establish an additional color grading factor requirement for the Whole Dry Peas class ''Smooth Yellow Dry Peas'' and establish a definition for ''fair color yellow peas.'' These changes will help facilitate the marketing of the class, Smooth Yellow Dry Peas and help ensure the purity of classes for Whole Dry Peas.

DATES: *Effective Date:* July 15, 2014.

FOR FURTHER INFORMATION CONTACT: Beverly A. Whalen at USDA, GIPSA, FGIS, Policies, Procedures, and Market Analysis Branch, Field Management Division, National Grain Center, 10383 N. Ambassador Drive, Kansas City, Missouri 64153; Telephone (816) 659–8410; Fax Number (816) 872–1258; email *Beverly.A.Whalen@usda.gov.*

SUPPLEMENTARY INFORMATION:

Background

Section 203(c) of the Agricultural Marketing Act of 1946, as amended (AMA) (7 U.S.C. 1622(c)), directs and authorizes the Secretary of Agriculture ''To develop and improve standards of quality, condition, quantity, grade, and packaging and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices.'' GIPSA is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities.

GIPSA establishes and maintains a variety of quality and grade standards for agricultural commodities that serve as the fundamental starting point to define commodity quality in the domestic and global marketplace.

GIPSA provides official procedures for how inspectors determine the various grading factors in supporting handbooks, such as the Pea and Lentil Handbook, which is available on GIPSA's public Web site at: *http://www.gipsa.usda.gov/Publications/fgis/handbooks/pealentil_insphb.html.*

The AMA standards and supporting procedures are voluntary and used widely in private contracts, government procurement and marketing communication. Standards developed under the AMA include those for rice, whole dry peas, split peas, feed peas, lentils and beans. The U.S. standards for whole dry peas, split peas, feed peas, lentils and beans no longer appear in the Code of Federal Regulations, but are now maintained by USDA–GIPSA. The process for developing or reviewing these standards is specified in the AMA regulations (7 CFR 868.102, Procedures for establishing and revising grade standards.) The U.S. Standards for Whole Dry Peas are available from the GIPSA Web site at *http://www.gipsa.usda.gov,* or by phone, fax, or email from the contact listed above.

GIPSA representatives maintain an ongoing working relationship with the USA Dry Pea and Lentil Council (USADPLC), a national organization of producers, processors, and exporters of U.S. dry peas, lentils, and chickpeas; the US Dry Pea and Lentil Trade Association (USPLTA), a national association representing processors, traders, and transporters in the pea and lentil industry; as well as handlers and merchandisers, to ensure the effectiveness of the U.S. Standards for whole dry peas, split peas, and lentils in today's marketing environment. USADPLC and USPLTA maintain that some currently popular smooth yellow dry pea varieties do not have a true yellow color which necessitates changes to the whole dry pea grade standards. As a result, GIPSA is revising the whole dry pea standard to establish an additional color grading factor requirement for the Whole Dry Peas class ''Smooth Yellow Dry Peas'' and establish a definition for ''fair color yellow peas.'' The addition to the grade standards will enable the class of smooth yellow dry peas to be marketed on the basis of acceptable appearance.

Whole Dry Pea Color Requirement and Definition Changes

GIPSA is changing the way in which the color standard is applied to the U.S. No. 2 Whole Dry Peas ''Smooth Yellow Dry Pea'' classification only. Doing so will improve the effectiveness of the standards so they may better facilitate product marketing.

The current U.S. Standards for Whole Dry Peas characterize the minimum color requirement for U.S. Nos. 1 and 2 as being ''good color peas'' and the minimum color requirement for U.S. No. 3 as ''poor color peas.'' The existing dry pea color characterizations ''good'' and ''poor'' do not sufficiently address all possible degrees of color in some Smooth Yellow Dry Pea varieties. Samples that are marginally discolored and those which are significantly discolored are both considered to be ''poor color peas.'' Due to the economic

significance general appearance (color) has for processors and end-users, GIPSA worked with the USADPLC to establish an additional minimum color requirement for the U.S. No. 2 Smooth Yellow Dry Pea classification only; a clear definition to describe the color ''fair color yellow pea''; and create a visual reference image that will aid in the consistent application of a fair color.

The established definition for fair color yellow peas is: ''Dry yellow peas that in mass are lightly to moderately discolored as a result of storage or any other cause to the extent they cannot be considered of good color.''

The addition of ''fair color yellow peas'' as a minimum color requirement for U.S. No. 2 ''Smooth Yellow Dry Pea'' classification only; the definition of ''fair color yellow peas''; and the establishment of the visual aid for the color to the U.S. Standards for Whole Dry Peas will result in a more uniform and consistent application of the standards.

''Good color peas'' will continue to serve as a minimum color requirement for all classes of U.S. No. 1 Whole Dry Peas and ''Good color peas'' will continue to serve as a minimum color requirement for all classes of U.S. No. 2 Whole Dry Peas with the exception of Smooth Yellow Dry Peas. Samples meeting the minimum color requirement ''poor color peas'' will receive no better than a U.S. No. 3 grade designation for all classes of Whole Dry Peas.

Comment Review

GIPSA published a notice in the **Federal Register** on November 14, 2013 (78 FR 68410), inviting interested parties to comment on the proposed revisions to the U.S. Standards for Whole Dry Peas. No comments were received.

Final Action

GIPSA is establishing an additional color grading factor requirement for the Whole Dry Peas class ''Smooth Yellow Dry Peas'' and establishing a definition for ''fair color yellow peas.'' The addition to the grade standards will enable the class of Smooth Yellow Dry Peas to be marketed on the basis of acceptable appearances. The definition for fair color yellow peas is as follows:

''Dry yellow peas that in mass are lightly to moderately discolored as a result of storage or any other cause to the extent they cannot be considered of good color.''

GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS

406 Grades and grade requirements for dockage-free dry peas. (See also 408.)

Grading Factors	Maximum percent limits of: Grades U.S. Nos. 1/		
	1	2	3
Defective Peas			
Weevil-Damaged Peas	0.3	0.8	1.5
Heat-Damaged Peas	0.2	0.5	1.0
Damaged Peas 2/	1.0	1.5	2.0
Other Classes 3/	0.3	0.8	1.5
Bleached Peas 4/	1.5	3.0	5.0
Split Peas	0.5	1.0	1.5
Shriveled Peas	2.0	4.0	8.0
Peas with Cracked Seedcoats	5.0	7.0	9.0
Foreign Material	0.1	0.2	0.5
Minimum Requirements for Color	Good	Good	Poor
Smooth Yellow Dry Peas	Good	Fair	Poor

U.S. Sample grade: U.S. Sample grade shall be dockage-free peas which:

(a) Do not meet the requirements for the grades U.S. Nos. 1, 2, or 3; or
(b) Contain metal fragments, broken glass, or a commercially objectionable odor; or
(c) Contain more than 15 percent moisture; or
(d) Are materially weathered, heating, or distinctly low quality; or
(e) Are infested with live weevils or other live insects. 5/

1/ Uniformity of Size Requirements - Dry peas of any of the numerical grades shall be of such size that not more than 3.0 percent shall pass through the appropriate oblong-hole sieve as follows:
Mottled peas ..... 9/64" x 3/4"
Special grade - Small peas..... 10/64" x 3/4"
All other peas .....11/64" x 3/4"

2/ Damaged peas do not include weevil-damaged or heat-damaged peas.
3/ These limits do not apply to the class Mixed Dry peas.
4/ These limits do not apply to Mottled, Wrinkled and/or Miscellaneous Dry peas, except for Marrowfat- type Dry peas.
5/ As applied to dockage-free whole dry peas, the meaning of the term infested as set forth in the Pea and Lentil Inspection Handbook.

These changes will facilitate use of the standards and better reflect current marketing practices.

The changes to the standards are effective July 15, 2014, the beginning of the harvest season.

Authority: 7 U.S.C. 1621 *et seq.*

Larry Mitchell,

Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 2014–17256 Filed 7–22–14; 8:45 am]

BILLING CODE 3410–KD–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Vermont Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA), that a briefing meeting of the Vermont Advisory Committee to the

Commission will convene at 10:00 EDT on Monday, August 11, 2014 in Room 11 at the Vermont Statehouse located at 115 State St., Montpelier, VT 05633. The purpose of the briefing meeting is to hear from government officials, advocates, and other experts as well as the public to update the 2009 Vermont Advisory Committee report of racial profiling in Vermont.

Members of the public are entitled to submit written comments. The comments must be received in the regional office by September 11, 2014. Comments may be mailed to the Eastern Regional Office, U.S. Commission on Civil Rights, 1331 Pennsylvania Avenue, Suite 1150, Washington, DC 20425, faxed to (202) 376–7548, or emailed to Evelyn Bohor at ero@usccr.gov. Persons who desire additional information may contact the Eastern Regional Office at 202–376–7533.

Persons needing accessibility services should contact the Eastern Regional Office at least 10 working days before the scheduled date of the meeting.

Records generated from this meeting may be inspected and reproduced at the Eastern Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, *www.usccr.gov,* or to contact the Eastern Regional Office at the above phone number, email, or street address.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission and FACA.

Persons needing accessibility services should contact the Eastern Regional Office at least 10 working days before the scheduled date of the meeting.

Dated in Washington, DC, on July 17, 2014.

Marlene Sallo,

Staff Director.

[FR Doc. 2014–17264 Filed 7–22–14; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–32–2014]

Foreign-Trade Zone 75—Phoenix, Arizona; Authorization of Production Activity; Isola USA Corporation, (Dielectric Prepreg and Copper-Clad Laminate), Chandler, Arizona

On March 19, 2014, the City of Phoenix, Arizona, grantee of FTZ 75, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of Isola USA Corporation, within Site 12 of FTZ 75, in Chandler, Arizona.

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 (79 FR 1866, 04–03–2014). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the Board's regulations, including Section 400.14.

Dated: July 17, 2014.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2014–17345 Filed 7–22–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review and Preliminary Results of the New Shipper Review; 2012–2013

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

SUMMARY: The Department of Commerce (Department) is conducting an administrative review (AR) and a new shipper review (NSR) of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished (TRBs), from the People's Republic of China (PRC). The administrative review covers four exporters, of which the Department selected one mandatory respondent for individual examination (*i.e.,* Changshan Peer Bearing Co. Ltd. (CPZ/SKF)). The NSR covers Shanghai Tainai Bearing Co., Ltd. (Tainai). The period of review (POR) is June 1, 2012, through May 31, 2013.

We preliminarily determined that sales have been made below normal value (NV). If these preliminary results are adopted in the final results of these reviews, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Alan Ray or Stephen Banea, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–5403 and (202) 482–0656, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise covered by the order includes tapered roller bearings. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 8482.20.00, 8482.91.00.50, 8482.99.15, 8482.99.45, 8483.20.40, 8483.20.80, 8483.30.80, 8483.90.20, 8483.90.30, 8483.90.80, 8708.70.6060, 8708.99.2300, 8708.99.4850, 8708.99.6890, 8708.99.8115, and 8708.99.8180. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of the order is dispositive.[1]

Tolling of Deadlines for Preliminary Results

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, 2013, through October 16, 2013.[2] Therefore, all deadlines in this segment of the proceeding have been extended by 16 days. The revised deadline for the preliminary results of this review is now July 16, 2014.

Partial Rescission of the Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. On September 20, 2013, and November 13, 2013, Xiangyang Automobile Bearing Co., Ltd. (Xiangyang) and GGB Bearing Technology (Suzhou) Co., Ltd. (GGB)

[1] *See* ''Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review and New Shipper Review: Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China'' from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, dated July 16, 2014 (Preliminary Decision Memorandum), issued concurrently with and hereby adopted by this notice.

[2] *See* the October 18, 2013, Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, ''Deadlines Affected by the Shutdown of the Federal Government.''

timely withdrew their requests for an administrative review.[3] No other party had requested a review of Xiangyang or GGB. Based on the timely withdrawal of the requests for review and because Xiangyang and GGB established their entitlement to separate rates from a prior segment, the Department is rescinding this administrative review with respect to Xiangyang and GGB, in accordance with 19 CR 351.213(d)(1).

Methodology

The Department conducted these reviews in accordance with sections 751(a)(1)(A) and 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act). Constructed export prices and export prices have been calculated in accordance with section 772 of the Act. Because the PRC is a non-market economy (NME) within the meaning of section 771(18) of the Act, NV has been calculated in accordance with section 773(c) of the Act. Specifically, the respondents' factors of production have been valued using surrogate values from Thailand, which is economically comparable to the PRC and a significant producer of comparable merchandise.

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.[4] 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 (IA ACCESS). IA ACCESS is available to registered users at *http://iaaccess.trade.gov;* the Preliminary Decision Memorandum is also available to all parties in the Central Records Unit, Room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Enforcement and Compliance's Web site at *http://www.trade.gov/ia/.* The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of Review

Regarding the administrative review, we preliminarily determine that the following weighted-average dumping margins exist for the period June 1, 2012, through May 31, 2013:

Exporters	Weighted-average percent margin
Changshan Peer Bearing Co., Ltd	0.60
Zhejiang Zhaofeng Mechanical and Electronic Co., Ltd.*	0.60

*This company demonstrated that it qualified for a separate rate in this administrative review. The rate for this company is the calculated weighted-average dumping margin for CPZ/SKF. *See* the Preliminary Decision Memorandum.

Regarding the NSR, we preliminarily determine that the following weighted-average dumping margin exists for the period June 1, 2012, through May 31, 2013:

Exporters	Weighted-average percent margin
Shanghai Tainai Bearing Co., Ltd	0.00

Disclosure and Public Comment

The Department will disclose calculations performed for these preliminary results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.[5] Rebuttals to case briefs may be filed no later than five days after the written comments are filed and all rebuttal comments must be limited to comments raised in the case briefs.[6]

Any interested party may request a hearing within 30 days of publication of this notice.[7] Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.[8]

The Department will issue the final results of this administrative review and this NSR, which will include the results of its analysis of all issues raised in the case briefs, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results, the Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by these reviews.[9] The Department intends to issue assessment instructions to CBP 15 days after the publication of the final results of these reviews.

For each individually-examined respondent in these reviews (*i.e.,* CPZ/SKF and Tainai) which has a weighted-average dumping margin which is not zero or *de minimis* (*i.e.,* less than 0.5 percent), we will calculate importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). For the respondents which were not selected for individual examination in this administrative review and which qualified for a separate rate, the assessment rate will be equal to the weighted-average dumping margin assigned to CPZ/SKF in the final results of this administrative review.

The Department recently announced a refinement to its assessment practice in NME cases.[10] Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the NME-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.,* at that exporter's rate) will be liquidated at the NME-wide rate. For a full discussion of this practice, *see NME Antidumping Proceedings.*

We will instruct CBP to assess antidumping duties on all appropriate entries covered by these reviews. Where either of the respondent's weighted-average dumping margin is zero or *de minimis,* or an importer-specific assessment rate is zero or *de minimis,*

[3] *See* Letter to the Department from Xiangyang, ''Withdrawal of Administrative Review Request in the Antidumping Duty Order on Tapered Roller Bearings from the People's Republic of China (POR: 06/01/12–5/31/13)'' (September 20, 2013); *see also* Letter to the Department from GGB, ''Withdrawal of Administrative Review Request in the Antidumping Duty Order on Tapered Roller Bearings from the People's Republic of China (POR: 06/01/12–5/31/13)'' (November 13, 2013). GGB's letter was timely given the tolling of deadlines, explained above.

[4] *See* Preliminary Decision Memorandum.

[5] *See* 19 CFR 351.309(c).

[6] *See* 19 CFR 351.309(d).

[7] *See* 19 CFR 351.310(c).

[8] *See* 19 CFR 351.310(d).

[9] *See* 19 CFR 351.212(b).

[10] *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011) (*NME Antidumping Proceedings*).

we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above which have a separate rate, the cash deposit rate will be the rate established in the final results of this review (except, if the rate is zero or *de minimis,* then a cash deposit rate of zero will be established for that company); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the PRC-wide entity, 92.84 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter(s) that supplied that non-PRC exporter.

With respect to the NSR, consistent with the Department's practice, the Department has established a combination cash deposit rate for Tainai as follows: (1) For subject merchandise exported and produced by Tainai, the cash deposit rate will be the rate established for the company in the final results of this review; (2) for subject merchandise exported by Tainai but not produced by Tainai, the cash deposit rate will be the rate for the PRC-wide entity, 92.84 percent; (3) for subject merchandise produced by Tainai but not exported by Tainai, the cash deposit rate will be the rate applicable to that exporter.

These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these preliminary results of reviews in accordance with sections 751(a)(l), 751(a)(2)(B) and 777(i)(l) of the Act, and 19 CFR 351.221(b)(4).

Dated: July 16, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Bona Fides Analysis
5. Discussion of the Methodology
   a. Non-Market Economy Country
   b. Separate Rates
   c. Separate Rate for Non-Selected Companies
   d. Surrogate Country
   e. Date of Sale
   f. Normal Value Comparisons
6. Conclusion

[FR Doc. 2014–17350 Filed 7–22–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–930]

Circular Welded Austenitic Stainless Pressure Pipe From the People's Republic of China: Continuation of Antidumping Duty Order

AGENCY: Enforcement and Compliance, Department of Commerce.

SUMMARY: As a result of the determinations by the Department of Commerce (the ''Department'') and the International Trade Commission (the ''ITC'') that revocation of the antidumping duty order on circular welded austenitic stainless pressure pipe (''circular welded pressure pipe'') from the People's Republic of China (''PRC'') would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of this antidumping duty order.

DATES: *Effective Date:* July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Lori Apodaca or Howard Smith, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202–482–4551 or 202–482–5193, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 3, 2014, the Department published the notice of initiation of the first sunset review of the antidumping duty order on circular welded pressure pipe from the PRC, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the ''Act'').[1] As a result of its review, the Department determined that revocation of the antidumping duty order on circular welded pressure pipe from the PRC would likely lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the margins of dumping likely to prevail should the order be revoked.[2] On July 14, 2014, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on circular welded pressure pipe from the PRC would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[3]

Scope of the Order

The merchandise covered by this order is circular welded austenitic stainless pressure pipe not greater than 14 inches in outside diameter. This merchandise includes, but is not limited to, the American Society for Testing and Materials (ASTM) A–312 or ASTM A–778 specifications, or comparable domestic or foreign specifications. ASTM A–358 products are only included when they are produced to meet ASTM A–312 or ASTM A–778 specifications, or comparable domestic or foreign specifications. Excluded from the scope are: (1) Welded stainless mechanical tubing, meeting ASTM A–554 or comparable domestic or foreign specifications; (2) boiler, heat exchanger, superheater, refining furnace, feedwater heater, and condenser tubing, meeting ASTM A–249, ASTM A–688 or comparable domestic or foreign specifications; and (3) specialized tubing, meeting ASTM A–269, ASTM A–270 or comparable domestic or foreign specifications.

The subject imports are normally classified in subheadings 7306.40.5005; 7306.40.5040, 7306.40.5062, 7306.40.5064, and 7306.40.5085 of the Harmonized Tariff Schedule of the

[1] *See Initiation of Five-Year (''Sunset'') Review,* 79 FR 6163 (February 3, 2014).

[2] *See Circular Welded Austenitic Stainless Pressure Pipe from the People's Republic of China: Final Results of the Expedited First Sunset Review of the Antidumping Duty Order,* 79 FR 32913 (June 9, 2014).

[3] *See Welded Stainless Pressure Pipe From China,* 79 FR 40779 (July 14, 2014).

United States (HTSUS). They may also enter under HTSUS subheadings 7306.40.1010; 7306.40.1015; 7306.40.5042, 7306.40.5044, 7306.40.5080, and 7306.40.5090. The HTSUS subheadings are provided for convenience and customs purposes only, the written description of the scope of this order is dispositive.

Continuation of the Order

As a result of the determinations by the Department and the ITC that revocation of the antidumping duty order would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty order on circular welded pressure pipe from the PRC. U.S. Customs and Border Protection will continue to collect cash deposits for estimated antidumping duties at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the order will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the order not later than 30 days prior to the fifth anniversary of the effective date of this continuation.

Notice to Interested Parties

This five-year sunset review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: July 15, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014–17349 Filed 7–22–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–815]

Light-Walled Rectangular Pipe and Tube From Turkey: Notice of Final Results of Antidumping Duty Administrative Review; 2012–2013

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

SUMMARY: On April 29, 2014, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on light-walled rectangular pipe and tube from Turkey.[1] The review covers Yücel Boru ve Profil Endustrisi A.S. and Yücelboru Ihracat Ithalat ve Pazarlama A.S. (collectively, Yücel). The period of review (POR) is May 1, 2012, through April 30, 2013. We invited interested parties to comment on our *Preliminary Results.* No parties commented, and our final results remain unchanged from our *Preliminary Results.* The final results are listed in the section entitled ''Final Results of Review'' below.

DATES: *Effective Date:* July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Mark Flessner or Steve Bezirganian, AD/CVD Operations Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6312 or (202) 482–1131, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 29, 2014, the Department published the preliminary results of this review in the **Federal Register**. *See Preliminary Results.* We invited parties to comment on the *Preliminary Results.* No party commented, nor did any party request a hearing.

Scope of the Order

The merchandise subject to this order is certain welded carbon-quality light-walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm. The merchandise subject to this order is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7306.61.50.00 and 7306.61.70.60.[2]

Final Results of Review

As noted above, the Department has received no comments concerning the *Preliminary Results* on the record of this segment of the proceeding. As there are no changes from, or comments upon, the *Preliminary Results,* there is no decision memorandum accompanying this **Federal Register** notice. For further details of the issues addressed in this proceeding, *see Preliminary Results.* The final weighted-average dumping margin for the period May 1, 2012, through April 30, 2013, is as follows:

Producer/exporter	Weighted-average margin (percentage)
Yücel Boru ve Profil Endustrisi A.S.	0.00

Assessment

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212(b)(1). The Department intends to issue appropriate assessment instructions for the companies subject to this review to CBP 15 days after the date of publication of these final results.

Yücel's weighted-average dumping margin in these final results is zero percent. Therefore, we will instruct CBP to liquidate all appropriate entries without regard to antidumping duties.

Cash Deposit Requirements

The following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of light-walled rectangular pipe and tube from Turkey entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For Yücel Boru ve Profil Endustrisi A.S., the cash deposit rate will be equal to the weighted-average dumping margin listed above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) if neither the exporter nor the producer is a firm covered in this review, any previous review, or the original investigation, the cash deposit rate will be 27.04 percent *ad valorem,* the ''all others'' rate established in the LTFV investigation.[3] These cash deposit

[1] *See Light-Walled Rectangular Pipe and Tube from Turkey: Preliminary Results of Antidumping Duty Administrative Review,* 79 FR 23931 (April 29, 2014) (*Preliminary Results*).

[2] For a full description of the scope of the order, see the memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled ''Light-Walled Rectangular Pipe and Tube from Turkey: Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review; 2012–2013.''

[3] *See Notice of Antidumping Duty Order: Light-Walled Rectangular Pipe and Tube From Turkey,* 73 FR 31065 (May 30, 2008).

requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order Notification to Interested Parties

This notice serves as the only reminder to parties subject to 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), 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 sanctionable violation.

Notification to Interested Parties

This administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h)(1).

Dated: July 16, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014–17347 Filed 7–22–14; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–850]

Certain Large Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Over 4½ Inches) From Japan: Preliminary Results of the Antidumping Duty Administrative Review; 2012–2013

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain large diameter carbon and alloy seamless standard, line, and pressure pipe (over 4½ inches) from Japan.[1] The period of review (POR) is June 1, 2012, through May 31, 2013. We preliminarily determine that sales of subject merchandise by Sumitomo Metal Industries, Ltd. (SMI) were made at less than normal value. In addition, we preliminarily find that no shipments were made by JFE Steel Corporation (JFE), Nippon Steel Corporation (Nippon), and NKK Tubes (NKK) during the POR. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Jennifer Meek, AD/CVD Operations, Office 1, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2778.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The products covered by the order are large diameter seamless carbon and alloy (other than stainless) steel standard, line, and pressure pipes produced, or equivalent, to the American Society for Testing and Materials (ASTM) A–53, ASTM A–106, ASTM A–333, ASTM A–334, ASTM A–589, ASTM A–795, and the American Petroleum Institute (API) 5L specifications and meeting the physical parameters described below, regardless of application. A full description of the scope of the order is contained in the memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, ''Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: certain large diameter carbon and alloy seamless standard, line, and pressure pipe (over 4½ inches) from Japan; 2012–2013 Administrative Review'' (Preliminary Decision Memorandum), which is hereby adopted by this notice. The written description is dispositive.

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 (IA ACCESS). IA ACCESS is available to registered users at *http://iaaccess.trade.gov* and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Determination of No Shipments

See the Preliminary Decision Memorandum for a full discussion of our preliminary determination of no shipments with respect to JFE, Nippon, and NKK.

Methodology

In accordance with sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), we relied on facts available with an adverse inference with respect to SMI, Thus, we preliminarily assign a rate of 107.80 percent as the weighted-average dumping margin for SMI. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included in the Appendix attached to this notice.

Preliminary Results of Review

We preliminarily determine that, for the period June 1, 2012, through May 31, 2013, the following dumping margin exists for a certain entry for SMI:

Company	Rate (percent)
Sumitomo Metal Industries, Ltd.	107.80

Disclosure and Public Comment

The Department intends to disclose to parties to the proceeding any calculations performed in connection with these preliminary results within five days after the date of publication of this notice.[2] Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, should be filed not later than five days after the time limit for filing case briefs.[3] Parties submitting arguments in this proceeding are requested to submit with each argument: (1) A statement of the issue; (2) a brief summary of the

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part,* 78 FR 46566 (August 1, 2013).

[2] *See* 19 CFR 351.224(b).

[3] *See* 19 CFR 351.309(d); *see also* 19 CFR 351.303 (for general filing requirements).

argument; and (3) a table of authorities, in accordance with 19 CFR 351.309(c)(2)and (d)(2).

Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 30 days of publication of this notice in the **Federal Register**. To request a hearing, or to participate if one is requested, parties must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce. All documents must be filed electronically using IA ACCESS. If a hearing is requested, the Department will notify interested parties of the hearing schedule. Issues raised in the hearing will be limited to those raised in the case and rebuttal briefs.

The Department intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, within 120 days of publication of these preliminary results, unless extended. *See* section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Cash-Deposit Requirements

The following deposit requirements will remain effective upon completion of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided in section 751(a)(1) of the Act: (1) Cash-deposit rate for SMI will be that established in the final results of this review; (2) for previously reviewed or investigated companies not covered in this review, the cash-deposit rate will continue to be the rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than fair- value (LTFV) investigation but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous segment of the proceeding, the cash deposit rate will continue to be the all others rate established in the LTFV investigation, which is 68.88 percent.[4] These cash-deposit requirements, when imposed, shall remain in effect until further notice

Assessment Rates

Upon completion of the administrative review, the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of this review.

Where assessments are based upon total facts available, including total AFA, we instruct CBP to assess duties at the AFA margin rate. If these preliminary results are unchanged in the final results, then the Department intends to instruct CBP to assess antidumping duties on POR entries of the subject merchandise produced or exported by SMI at the rate of 107.80 percent of the entered value.[5] The final results of this 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.[6]

The Department clarified its ''automatic assessment'' regulation on May 6, 2003.[7] This clarification will apply to all POR entries entered under the case numbers for JFE, Nippon, and NKK, and certain entries entered under the case number for SMI, if we continue to make a final determination of no shipments because they certified that they made no POR shipments of subject merchandise for which they had knowledge of U.S. destination. We will instruct CBP to liquidate these entries at the all-others rate established in the LTFV investigation, 68.88 percent,[8] if there is no rate for the intermediary involved in the transaction. *See Assessment Policy Notice* for a full discussion of this clarification.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These preliminary results of administrative review and notice are published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221.

Dated: July 17, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in Preliminary Decision Memorandum

A. Summary
B. Background
C. Scope of the Order
D. Discussion of Methodology
  1. Preliminary Determination of No Shipments
  2. Facts Available

[FR Doc. 2014–17348 Filed 7–22–14; 8:45 am]

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[4] *See Antidumping Duty Order.*

[5] *See* 19 CFR 351.212(b)(1).

[6] *See* section 751(a)(2)(C) of the Act.

[7] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

[8] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

Hofstra University, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscope

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, DC

Docket Number: 13–053. Applicant: Hofstra University, Hempstead, NY 11549. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: See notice at 79 FR 18013, March 31, 2014.

Docket Number: 14–006. Applicant: Columbia University, New York, NY 10027. Instrument: Electron Microscope. Manufacturer: FEI Company, the Netherlands. Intended Use: See notice at 87 FR 25831, May 6, 2014.

Docket Number: 14–007. Applicant: University of California, Davis, Davis, CA 95616. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: See notice at 87 FR 25831–32, May 6, 2014.

Docket Number: 14–008. Applicant: California Institute of Technology, Pasadena, CA 91125. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: See notice at 79 FR 25831–32, May 6, 2014.

Docket Number: 14–010. Applicant: Dana Farber Cancer Institute, Boston, MA 02215. Instrument: Electron Microscope. Manufacturer: FEI Company, the Netherlands. Intended

Use: See notice at 79 FR 25831–32, May 6, 2014.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as this instrument is intended to be used, is being manufactured in the United States at the time the instrument was ordered. Reasons: Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: July 17, 2014.

Gregory W. Campbell,

Director, Subsidies Enforcement Office, Enforcement and Compliance.

[FR Doc. 2014–17346 Filed 7–22–14; 8:45 am]

BILLING CODE 3510–DS–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review—Notice of Intent To Renew Collection 3038–0026; Gross Collection of Exchange-Set Margins for Omnibus Accounts

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act, this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

DATES: Comments must be submitted on or before August 22, 2014.

ADDRESSES: Comments may be submitted to OMB within 30 days of the notice's publication. Comments, identified by ''Gross Collection of Exchange-Set Margins for Omnibus Accounts (OMB Control No. 3038–0026),'' should be mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Commodity Futures Trading Commission, 725 17th Street NW., Washington, DC 20503.

Comments may be also be submitted, regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden by any of the following methods:

- Agency Web site, via its Comments Online process: *http://comments.cftc.gov.* Follow the instructions for submitting comments through the Web site.
- Mail: Send to Christopher J. Kirkpatrick, Acting Secretary, Commodity Futures Trading Commission, 1155 21st Street NW., Washington, DC 20581.
- Hand Delivery/Courier: Same as Mail, above.
- Federal eRulemaking Portal: *http://www.regulations.gov/search/index.jsp.* Follow the instructions for submitting comments.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to *http://www.cftc.gov.* You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures set forth in section 145.9 of the Commission's regulations.[1]

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from *www.cftc.gov* that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the rulemaking will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT: Mark Bretscher, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, 525 W. Monroe, Suite 1100, Chicago, IL 60661, (312) 596–0529; email: *mbretscher@cftc.gov* and refer to OMB Control No. 3038–0026. This contact can also provide a copy of the ICR.

SUPPLEMENTARY INFORMATION:

Title: Gross Collection of Exchange-Set Margins for Omnibus Accounts (OMB Control No. 3038–0026). This is a request for extension of a currently approved information collection.

Abstract: Commission Regulation 1.58 requires futures commission merchants to collect exchange-set margin for omnibus accounts on a gross, rather than a net, basis. This rule is promulgated pursuant to the Commission's rulemaking authority contained in Sections 4c, 4d, 4f, 4g and 8a of the Commodity Exchange Act, 7 U.S.C. 6c, 6d, 6f, 6g and 12a (2000).

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 OMB control numbers for the CFTC's regulations were published on December 30, 1981. *See* 46 FR 63035 (Dec. 30, 1981). The **Federal Register** notice with a 60-day comment period soliciting comments on this collection of information was published on May 21, 2014 (79 FR 29173).

Burden statement: The respondent burden for this collection is estimated to average 0.08 hours per response. These estimates include the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: 66.

Estimated number of responses: 264.

Estimated total annual burden on respondents: 22 hours.

Frequency of collection: On occasion.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: July 17, 2014.

Christopher J. Kirkpatrick,

Acting Secretary of the Commission.

[FR Doc. 2014–17263 Filed 7–22–14; 8:45 am]

BILLING CODE 6351–01–P

[1] Commission regulations referred to herein are found at 17 CFR Ch. 1 (2010). Commission regulations are accessible on the Commission's Web site, *www.cftc.gov.*

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No CFPB–2014–0017]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau) is proposing a new information collection titled,

''Debt Collection Survey from the Consumer Credit Panel.''

DATES: Written comments are encouraged and must be received on or before August 22, 2014 to be assured of consideration.

ADDRESSES: You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- Electronic: *http://www.regulations.gov.* Follow the instructions for submitting comments.
- Mail: Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552.
- Hand Delivery/Courier: Consumer Financial Protection Bureau, 1275 First Street NE., Washington, DC 20002.

Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted. In general, all comments received will be posted without change to regulations.gov, including any personal information provided. Sensitive personal information, such as account numbers or social security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Documentation prepared in support of this information collection request is available at *www.reginfo.gov* (this link active on the day following publication of this notice). Requests for additional information should be directed to the Consumer Financial Protection Bureau, (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552, (202) 435–9575, or email: *PRA@cfpb.gov.* Please do not submit comments to this email box.

SUPPLEMENTARY INFORMATION:

Title of Collection: Debt Collection Survey from the Consumer Credit Panel.

OMB Control Number: 3170–XXXX.

Type of Review: New Collection (Request for a new OMB Control Number).

Affected Public: Individuals and households.

Estimated Number of Respondents: 3000.

Estimated Total Annual Burden Hours: 1,000.

Abstract: The CFPB plans to conduct a mail survey of consumers to learn about their experiences interacting with the debt collection industry. The survey will ask consumers about their experiences with debt collectors, such as whether they have been contacted by debt collectors in the past, whether they recognized the debt that was being collected, and about their interactions with the debt collectors. The survey will also ask consumers about their preferences for how they would like to be contacted by debt collectors, opinions about potential regulatory interventions in debt collection markets, and about their knowledge of their legal rights regarding debt collections. The information collected through this survey will be used to inform a CFPB rule making concerning debt collection and research purposes.

Request for Comments: The Bureau issued a 60-day **Federal Register** notice on March 7th, 2014, 79 FR 13043. Comments were solicited and continue to be invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the information will have practical utility; (b) the accuracy of the Bureau's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record.

Dated: July 15, 2014.

Ashwin Vasan,

Chief Information Officer, Bureau of Consumer Financial Protection.

[FR Doc. 2014–17272 Filed 7–22–14; 8:45 am]

BILLING CODE 4810–AM–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB–2014–0016]

Disclosure of Consumer Complaint Narrative Data

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice of proposed policy statement with request for public comment.

SUMMARY: The Bureau of Consumer Financial Protection (''Bureau'') currently discloses certain complaint data it receives regarding consumer financial products and services via its web-based, public-facing database (''Consumer Complaint Database''). The Bureau proposes to expand that disclosure to include unstructured consumer complaint narrative data (''narratives''). Only those narratives for which opt-in consumer consent had been obtained and a robust personal information scrubbing standard and methodology applied would be subject to disclosure. The proposed policy (''Proposed Policy Statement'') would supplement the Bureau's existing Policy Statements establishing and expanding the Consumer Complaint Database.

DATES: Comments regarding the Proposed Policy Statement are due on or before August 22, 2014.

ADDRESSES: You may submit comments regarding the Proposed Policy Statement, identified by Docket No. CFPB–2014–0016, by any of the following methods:

- *Electronic: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.
- *Hand Delivery/Courier:* Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1275 First Street NE., Washington, DC 20002.

Instructions: The Bureau encourages the early submission of information and other comments. Because paper mail in the Washington, DC area and at the Bureau is subject to delay, commenters are encouraged to submit comments electronically. In general, all submissions received will be posted without change to *http://www.regulations.gov.* In addition, submissions will be available for public inspection and copying at 1275 First Street NE., Washington, DC 20002, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Standard Time. You can make an appointment to inspect the documents by telephoning (202) 435–7275.

All submissions, including attachments and other supporting materials, will become part of the public record and will be subject to public disclosure. Do not include sensitive personal information, such as account numbers or Social Security numbers. Comments will not be edited to remove any identifying or contact information, such as name and address information, email addresses, or telephone numbers.

FOR FURTHER INFORMATION CONTACT: Scott Pluta, Assistant Director, Office of Consumer Response, Bureau of Consumer Financial Protection, at (202) 435–7306.

Authority: 12 U.S.C. 5492(a), 5493(b)(3)(C), 5496(c)(4), 5511(b)(1), (5), 5512(c)(3)(B).

SUPPLEMENTARY INFORMATION:

I. Background

A. Previous Policy Statements Regarding the Consumer Complaint Database

On December 8, 2011, the Bureau published in the **Federal Register** a proposed policy statement describing its plans to disclose certain data about the credit card complaints that consumers submit to the Bureau (''December 2011 Proposed Policy Statement'').[1] After receiving and considering a number of comments, the Bureau finalized its plans for publically disclosing data from consumer credit card complaints and published the final policy statement on June 22, 2012 (''June 2012 Policy Statement'').[2]

Also on June 22, 2012, the Bureau concurrently published in the **Federal Register** a proposed policy statement describing its plans to disclose data from consumer complaints about financial products and services other than credit cards (''June 2012 Proposed Policy Statement'').[3] After receiving and considering a number of comments, the Bureau published the final policy statement on March 25, 2013 (''March 2013 Policy Statement'').[4] In the June 2012 Proposed Policy Statement, the Bureau did not propose including narratives in the Consumer Complaint Database. Notwithstanding this, the Bureau received a significant number of comments specific to narrative disclosure. Consumer, civil rights, and open government groups supported disclosure on the grounds that disclosing narratives would provide consumers with more useful information on which to base financial decisions and would allow reviewers to assess the validity of the complaints. Two privacy groups, while acknowledging privacy risk stemming from publication of ''non-identifiable'' data and calling for further study, supported disclosure on an opt-in basis. Trade groups and industry commenters nearly uniformly opposed disclosure of consumer complaint narratives. In the March 2013 Policy Statement, the Bureau noted that it would not post narratives to the Consumer Complaint Database at least until it could assess whether there were practical ways to disclose narrative data submitted by consumers without undermining consumer privacy.

B. Policy Considerations of Disclosing Narratives

The purpose of the Consumer Complaint Database, as stated in the Bureau's two previous policy statements, is to provide consumers with timely and understandable information about consumer financial products and services, and improve the functioning, transparency, and efficiency of markets for such products and services. As a general matter, the Bureau believes that adding additional information to the Consumer Complaint Database, such as narratives, is consistent with and promotes this purpose.

In specifically examining the incremental benefits and risks of disclosing narratives, the Bureau focused on the direct and indirect benefits to consumers, the benefit to the Bureau, and the advancement of open government principles.

In terms of the direct benefit provided to consumers, for some consumers a primary reason for submitting a complaint may be to share their experience with other consumers. Complainants may desire to do so as a means of providing information they deem useful to others who may be considering doing business with a particular financial institution or as a means of letting others who may be experiencing a similar situation know that they are not alone. These needs cannot be served by the Bureau simply by disclosing the non-narrative portions of the complaint. Indeed, some consumers may choose to submit a complaint only if they will have the opportunity to share their story and other consumers may overcome their reticence to submit a complaint by reading the experiences of others. By increasing the direct benefits to consumers of submitting a complaint, publishing complaint narratives may expand the number of complaints submitted to the Bureau and thereby enhance the value of the Consumer Complaint Database.

Indirect benefits to consumers and the marketplace would include the effect narratives can have on consumer purchasing decisions. Research has shown that consumer word of mouth (which includes consumer reviews and complaints) is a reliable signal of product quality that consumers consult and act upon when making purchasing decisions. Companies, responsive to the effect word of mouth can have on sales, adjust prices to match product quality and improve customer service in order to remain competitive.

Publishing narratives would also be impactful by making the complaint data personal (the powerful first person voice of the consumer talking about their experience), local (the ability for local stakeholders to highlight consumer experiences in their community), and empowering (by encouraging similarly situated consumers to speak up and be heard).

The Bureau believes that the utility of the overall Consumer Complaint Database would greatly increase with the inclusion of narratives. This could lead to increased use by advocates, academics, the press, and entrepreneurs, which itself would lead to increased consumer contacts with the Bureau.

The Bureau believes that the aforementioned increase in benefits and utility would lead to an increase in consumer contacts, which would have a positive effect on Bureau operations. As a critical mass of complaint data is achieved and exceeded, the representativeness of Bureau complaint data increases. Thus, narratives would not only enhance the above consumer benefits but also the many Bureau functions that rely, in part, on complaint data to perform their respective missions including the Offices of Supervision, Enforcement, and Fair Lending, Consumer Education and Engagement, and Research, Markets, and Rulemaking.

The Bureau also would benefit by further establishing itself as a leader in the realm of open government and open data. On December 8, 2009, the Office of Management and Budget (''OMB'') issued its Open Government Directive requiring agencies to ''take prompt steps to expand access to information by making it available online.''[5] Although agencies have historically withheld data from the public due to privacy and cost controls, with new technology comes new opportunities for openness without significant increases to privacy risk and costs. Moving forward ''the presumption shall be in favor of openness.''[6] While there is no requirement to publish ''all'' information, as a matter of policy and ''to the extent permitted by law and subject to valid privacy, confidentiality, security, or other restrictions,'' agencies should ''proactively use modern technology to disseminate useful information, rather than waiting for specific requests under FOIA.''[7]

Although an independent agency, the Bureau shares OMB's commitment to open and transparent government. The

[1] 76 FR 76628, Dec. 8, 2011.

[2] 77 FR 37616, June 22, 2012.

[3] 77 FR 37616, June 22, 2012.

[4] 78 FR 21218, April 10, 2013.

[5] Peter Orszag, Director, Office of Management & Budget, Open Government Directive, Dec. 8, 2009.

[6] *Id.*

[7] *Id.*

''presumption of openness'' is quickly becoming a governmental best practice. Agencies from the Department of Health and Human Services (''HHS''), to the Federal Trade Commission (''FTC'') are moving quickly to expand open data offerings. Projects like HealthData.gov, Regulations.gov, and the Green Button form a new vanguard of government engagement with the public and the marketplace through open data.

OMB Memorandum M–13–13, Open Data Policy—Managing Information as an Asset, usefully grounds the ''presumption of openness'' in utilitarian and economic terms. It describes information as ''a valuable national resource and a strategic asset to the Federal Government, its partners, and the public,'' and points out that ''[m]aking information resources accessible, discoverable, and usable by the public can help fuel entrepreneurship, innovation, and scientific discovery—all of which improve Americans' lives and contribute significantly to job creation.'' Always subject to legal obligations such as those to protect privacy and confidentiality, the government can treat information as a public asset which, when made available to its public owners, creates public value.

Publishing narratives, however, is not without risks. A principal risk of publishing narratives is the potential harm associated with the possible re-identification of actual consumers within the Consumer Complaint Database. To de-identify data is to remove personal information from a dataset, thereby obscuring individual identities. Re-identification generally occurs when separate datasets are combined to reestablish some number of individual identities. Individuals with personal knowledge of events described in a narrative may also be able to identify consumers using de-identified narratives. Some within the research community question the sufficiency of de-identification and suggest that the risks generally outweigh the benefits of sharing data.[8]

On the other hand, many researchers espouse the sufficiency of de-identification and highlight the extremely low risk of actual re-identification and potential harm—suggesting a cost-benefit analysis where the benefits outweigh this risk. In support of de-identification, supporters make a number of arguments, including that modern scrubbing standards such as the Health Insurance Portability and Accountability Act (''HIPAA'') Privacy Rule (which forms the basis of the Bureau's narrative scrubbing standard) decrease re-identification risk to acceptable levels and the number of known, successful attempts to re-identify publicly available datasets are *de minimus*.

There is a second major risk associated with publishing narratives which arises from the fact that the narratives may contain factually incorrect information as a result of, for example, a complainant's misunderstanding or misrecollection of what happened. If consumers were to rely without question on all narrative data, it is possible that subsequent purchasing decisions may be based on misinformation. To the extent this risk may be realized, both consumers and the financial institutions that lose business due to misinformation would be disserved. Indeed, even absent any effect on consumer decision-making, there is a risk that financial institutions could incur intangible reputational damage as a result of the dissemination of complaint narratives.

To a large extent, this risk is inherent in any release of complaint data. In deciding to release the structured complaint data, the Bureau addressed this concern and concluded that, while there is always a risk that market participants will draw erroneous conclusions from available data, the Bureau was persuaded that the marketplace of ideas would be able to determine what the data shows. The Bureau believes that is true, as well, with respect to complaint narratives. Furthermore, to mitigate this risk, the Bureau's proposed policy provides for the public release of the company's response, side-by-side and scrubbed of any personal information, to the consumer's complaint. This process will assure that, to the extent there are factual disputes, both sides of the dispute can be made public.

C. Operational Feasibility of Disclosing Narratives

In deciding to release certain structured data, the Bureau stated that it would not disclose narratives unless it is operationally feasible to do so without compromising consumer privacy. In November 2013, Consumer Response began piloting a comprehensive program to scrub all personal information from copied narratives using a scrubbing standard based on government best practices (discussed in detail below). This pilot is ongoing and the scrubbing standard is continually improved as lessons are learned and implemented.

The Bureau is currently conducting a study to further verify that the proposed scrubbing standard and methodology will sufficiently address concerns related to the FOIA, the Privacy Act, the Dodd-Frank Act, and the Bureau's confidentiality regulations where (1) consent for publication is obtained from the consumer; (2) narratives are scrubbed of consumer personal information consistent with a robust standard and methodology: (a) that substantially meets government best practices for re-identification risk; (b) as written, results in a low risk of re-identification; (c) as applied, maintains a low rate of operational error; and (3) an independent, third party privacy expert conducts a review and operational test of the standard and methodology in support of the above conditions.

The Bureau is cognizant that other federal agencies have thought about these issues and have successfully adopted a variety of approaches. For example, the Consumer Product Safety Commission (''CPSC'') proactively publishes narrative consumer reports of harm on its Web site, which include consented-to-consumer and industry narratives. And the FTC routinely releases consumer complaints, including the narratives (up to a given quantity), when requested through the FOIA.

II. Proposed Policy Statement Regarding Disclosure of Unstructured Narrative Data From Consumer Complaints and Company Responses

The Bureau hears directly from the American public about their experiences with the nation's consumer financial marketplace. An important element of the Bureau's mission is the handling of individual consumer complaints regarding financial products and services. Indeed, ''collecting, investigating, and responding to consumer complaints'' is one of only six statutory ''primary functions'' of the Bureau.[9]

In June 2012, the Bureau began making de-identified individual-level complaint data available via its web-based, public facing database (the ''Consumer Complaint Database''). Since launch, the Consumer Complaint Database has been expanded multiple times to include additional financial products and data fields. Consistent with its strategic vision, the Bureau is committed to the continued expansion of the Consumer Complaint Database in both the number of complaints and fields of data made publicly available,

[8] Paul Ohm, Broken Promises of Privacy: Responding To The Surprising Failure Of Anonymization, 57 UCLA L. Rev. 1701 (2010).

[9] 12 U.S.C. 5511(c) (2012).

while still protecting privacy and incorporating the appropriate security controls.

A. Consumer Narratives

The Bureau will provide consumers the opportunity to share their individual stories with other consumers and the marketplace by including consumer complaint narratives in the Consumer Complaint Database where consent for publication is first obtained from the consumer.

B. Consumer Consent To Disclose Narratives

The Bureau will only disclose narratives (1) for which informed consumer consent has been obtained and (2) that have been scrubbed of personal information. Consumers who submit a complaint will be given the opportunity to check a consent box giving the Bureau permission to publish his or her narrative. The opt-in consent will state, among other things, and in plain language, that: (1) whether or not consent is given will have no impact on how the Bureau handles the complaint, (2) if given, the consumer may thereafter inform the Bureau that she withdraws her consent at any time and the narrative will be removed from the Consumer Complaint Database, and (3) the Bureau will take reasonable steps to remove personal information from the complaint to minimize (but not eliminate) the risk of re-identification.

C. Company Response

Where the consumer provides consent to publish their narrative, the related company will be given the opportunity to submit a narrative response for inclusion in the Consumer Complaint Database. The company will be instructed not to provide direct identifying information in its public-facing response, and the Bureau will take reasonable steps to remove personal information from the response to minimize (but not eliminate) the risk of re-identification. The Company Portal will include a data field into which companies have the option to provide narrative text that would appear next to a consumer's narrative in the Consumer Complaint Database.

D. Personal Information Scrubbing Standard and Methodology

Sharing data containing personal information presents a tension between data utility and individual privacy. As a particular personal information-scrubbing standard becomes more or less stringent, the utility of a given de-identified dataset becomes respectively less or more useful. The publication of narratives involves risks, including the potential harm associated with the re-identification of actual consumers within the Consumer Complaint Database.

In order to minimize the risk of re-identification, the Bureau will apply to all publically-disclosed narratives, a robust personal information scrubbing standard and methodology. The Bureau recognizes that mitigating privacy risks in complaint level data disclosed to the public may decrease the utility of the data to users. The Bureau will, exercising discretion, modify data when privacy risks clearly and substantially outweigh the benefits of disclosure. By taking these steps to minimize the impact, the Bureau believes that publicly releasing redacted narratives, subject to consumer consent, will best protect all consumers without harming the protected privacy interests of any individual consumer.

In designing its proposed scrubbing standard, the Bureau relied heavily on guidance by the Department of Health and Human Services (''HHS'') for de-identification of health data outlined in the Health Insurance Portability and Accountability Act (''HIPAA'') Privacy Rule.[10] HIPAA requires covered entities, *e.g.,* health plans, providers, and clearinghouses, to de-identify patient personal information such that it no longer provides any reasonable basis to ascertain individual identities. Under HIPAA, data may be considered de-identified if either of the following conditions holds:

- Safe Harbor Method—All the identifying information of 18 different types is entirely removed, and what remains cannot be used to identify any individual, or
- Expert Determination Method—An expert applies statistical methods to estimate the probability that an individual could be identified and determines that the risk of identification is very low.

The HIPAA Safe Harbor Method (''HIPAA De-identification Standard'') stipulates the removal of 18 specific identifiers from any disclosed datasets, including:

- Names
- All geographic subdivisions smaller than a state, including street address, city, county, precinct, ZIP code, and their equivalent geocodes, except for certain ZIP code prefixes depending on the circumstances
- All elements of dates for dates (except year) that are directly related to an individual, including birth date, admission date, discharge date, death date, and all ages over 89 and all elements of dates indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older
- Telephone numbers
- Fax numbers
- Email addresses
- Social Security number
- Medical record numbers
- Health plan beneficiary numbers
- Account numbers
- Certificate/license numbers
- Vehicle identifiers and serial numbers, including license plate numbers
- Device identifiers and serial numbers
- Web Universal Resource Locators
- Internet Protocol addresses
- Biometric identifiers, including finger and voice prints
- Full-face photographs and any comparable images
- Any other unique identifying number, characteristic, or code

HHS specifically notes that the category ''any other unique identifying number, characteristic, or code'' is very broad. It can contain, among other identifiers, physical attributes, employer names, positions, titles, and other identifying information. HHS does not provide a comprehensive list of such categories, but does state that to meet the de-identification standard, unstructured text must be free of content for which the de-identifying entity has ''actual knowledge that residual information could be used to individually identify a patient''.

The Bureau will follow a scrubbing standard with the following elements:

- The Bureau scrubbing standard shall include all of the HIPAA identifiers at a minimum;
- Where HIPAA identifiers are specific to the health domain, the Bureau's scrubbing standard shall include appropriate analogues in the consumer financial domain; and
- The Bureau's scrubbing standard shall specifically include identifiers (*e.g.,* employer name) which the Bureau knows (1) appear in complaints and (2) could reasonably be used to identify individuals.

Generally, the scrubbing methodology will include a computer-based automated step and a quality assurance step performed by human reviewers.

III. Scope of the Proposed Policy Statement

In the June 2012 Policy Statement and the March 2013 Policy Statement, the Bureau addressed comments received in response to the December 2011

[10] 45 CFR 164.514.

Proposed Policy Statement and the June 2012 Proposed Policy Statement, respectively. These comments ranged from the very general, such as the Bureau's authority to disclose consumer complaint data of any kind and the impact the database would have on consumers and covered persons, to the more specific, such as the impact of specific proposed data fields (*e.g.,* company disposition) and the inclusion of other data fields (*e.g.,* narratives). In both Policy Statements, the Bureau affirmed its openness to the inclusion of additional data fields and its willingness to work with external stakeholders to address the value of adding such fields. Consistent with this commitment, and in response to comments urging the disclosure of narratives, the Bureau is today proposing the inclusion of narratives in the Consumer Complaint Database.

Broadly, the Bureau seeks comments that are related to the proposed extension of the policies to include complaint narratives. With that scope, the Bureau is specifically seeking public comment on:

- Consumer Consent to Disclose Narratives—The Bureau is currently in the process of conducting research and user testing to inform design decisions regarding the need for any additional information to help inform consumer consent, the precise language to most effectively communicate with the consumer, at what point in the complaint process (at complaint submission or later in the complaint handling process) and where on the Bureau Web site the information in support of the opt-in consent should be displayed.
- Company Response—The Company Portal will include a data field into which companies have the option to provide narrative text that would appear next to a consumer's narrative in the Consumer Complaint Database. The Bureau is seeking comment on whether this public-facing response should be distinct and in addition to the response companies send directly to the consumer.
- Personal Information Scrubbing Standard and Methodology—In Section II.D, above, the Bureau detailed the standard and methodology it intends to utilize to scrub personal information from the narratives. The Bureau is seeking comment on both the standard and methodology, including suggestions of appropriate analogues to the HIPAA identifiers in the consumer financial domain, and any other identifiers which could reasonably be used to identify individuals. Specific to ZIP codes, at this time the Bureau has not yet determined whether to continue publishing 5-digit ZIP codes in the Consumer Complaint Database alongside redacted narratives. The Bureau seeks comment on whether ZIP codes should be redacted consistent with the HIPAA standard and if so, the number of digits to provide, *e.g.,* five or three, and any relevant population thresholds under which to limit ZIP code disclosure, *e.g.,* less than 20,000 or 10,000 individuals in a given ZIP code.

The Bureau believes that it has sufficiently addressed comments concerning the Consumer Complaint Database generally, as well as comments regarding the current data fields, in the June 2012 Policy Statement and the March 2013 Policy Statement.

IV. Procedural Requirements

The CFPB concludes that Proposed Policy Statement constitutes an agency statement of general policy exempt from notice and public comment pursuant to 5 U.S.C. 553(b).

Notwithstanding this conclusion, the CFPB invites public comment on this proposed Policy Statement.

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. Chapter 6) do not apply.

Dated: July 14, 2014.

Richard Cordray,

Director, Bureau of Consumer Financial Protection.

[FR Doc. 2014–17274 Filed 7–22–14; 8:45 am]

BILLING CODE 4810–AM–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2013–OS–0128]

Proposed Collection; Comment Request

AGENCY: Defense Finance and Accounting Service, DoD.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Defense Finance and Accounting Service (DFAS) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited 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 information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 22, 2014.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Finance and Accounting Services—Indianapolis, DFAS–ZPR. ATTN: La Zaleus D. Leach, 8899 E. 56th St., Indianapolis, IN 46249, *Lazaleus.Leach@DFAS.MIL,* 317–212–6032.

SUPPLEMENTARY INFORMATION:

Title, Associated Form, and OMB Number: Request for Information Regarding Deceased Debtor, DD Form 2840, OMB Number 0730–0015.

Needs and Uses: This form is used to obtain information on deceased debtors from probate courts. Probate courts review their records to see if an estate was established. They provide the name and address of the executor or lawyer handling the estate. From the information obtained, DFAS submits a claim against the estate for the amount due the United States.

Affected Public: Clerks of Probate Courts.

Annual Burden Hours: 167 hours.

Number of Respondents: 2,000.

Responses per Respondent: 1.

Average Burden per Response: 5 minutes.

Frequency: On occasion when DFAS is notified a debtor is deceased.

DFAS maintains updated debt accounts and initiates debt collection action for separated military members, out-of-service civilian employees, and other individuals not on an active federal government payroll system. When notice is received that an individual debtor is deceased, an effort is made to ascertain whether the decedent left an estate by contacting clerks of probate courts. If it's determined that an estate was established, attempts are made to collect the debt from the estate. If no estate appears to have been established, the debt is written off as uncollectible.

Dated: July 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–17288 Filed 7–22–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DoD–2014–OS–0113]

Proposed Collection; Comment Request

AGENCY: Defense Logistics Agency, DoD.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Defense Logistics Agency announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited 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 information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 22, 2014.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.

• Mail: Federal Docket Management System Office, 4800 Mark Center Drive, 2nd Floor, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Attn: David Henry, DTS–PMO Suite 09F09–02, 4800 Mark Center Drive, Alexandria, VA 22350.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Defense Travel System Web Portal; OMB Control Number 0704–XXXX.

Needs and Uses: DTS (Defense Travel System) is a paperless system that provides DoD authorized users/travelers with automated travel planning and reimbursement capabilities. There are 2 groups of public travelers associated with DoD that DTS collects privacy information in order to book travel through the system.

1. Family members of DoD employees (Military and Civilian)

2. Invitational traveler. Persons invited by DoD who are not federal employees, contractors or foreign military personnel.

The following information is collected from family members of DoD Employees (Military and Civilian):

• Family members first, middle and last name

• Family members relationship to the sponsor

• Family members passport number and expiration date

• Family members date of birth

The following information is collected from DoD Invitational Traveler.

• Invitational traveler's first name, middle initial and last name

• Invitational traveler's gender

• Invitational traveler's Social Security Number or Tax Identification Number (foreign national only)

• Invitational traveler's address

The system used to collect the data contains Privacy Act Statements as required by 5 U.S.C. 522a(e)(3). Only authorized personnel with ''need to know'' can access an individual's PII information.

Affected Public: Family members of DoD military and civilian employees and eligible persons invited by DoD who are not federal employees, contractors or foreign military personnel.

Annual Burden Hours: 734,597 hours.

Number of Respondents: 4,407,584.

Responses per Respondent: 1.

Average Burden per Response: 10 minutes.

Frequency: As needed.

The Defense Travel System (DTS) is a fully integrated, automated, end-to-end travel management system that enables DoD travelers to create authorizations and reservations, receive approvals, generate travel vouchers, and receive a split disbursement between their bank account and the Government Travel Charge Card. The traveler can access DTS via a single web portal available 24 hours a day, seven days a week. Only DoD military and civilian employees are issued DTS user account. Dependent family members travel arrangements are booked under the sponsorship of DTS user account holder. Invitational travelers are booked under the sponsorship of the requesting DoD organization or agency. Only necessary privacy information specified above are collected in order to complete travel booking through DTS.

Dated: July 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2014–17284 Filed 7–22–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

[Docket ID: DoD–2013–OS–0161]

Proposed Collection; Comment Request

AGENCY: Defense Finance and Accounting Service (DFAS), DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Defense Finance and Accounting Service (DFAS) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited 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 information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the

information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by September 22, 2014.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Mail:* Federal Docket Management System Office, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350–3100.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Defense Finance and Accounting Services—Cleveland, 1240 East 9th Street, NP 7th Floor, Cleveland, OH 44199, ATTN: Ms. Laurie Eldridge, *laurie.eldridge@dfas.mil,* 216–204–3631.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Claim Certification and Voucher for Death Gratuity Payment; DD Form 397; OMB Control Number 0730–0017.

Needs and Uses: The information collection requirement allows the government to collect the signatures and information needed to pay a death gratuity. Pursuant to 10 U.S.C. 1475–1480, a designed beneficiary(ies) or next-of-kin can receive a death gratuity payment for a deceased service member. This form serves as a record of the disbursement. The DoD Financial Management Regulation (FMR), Volume 7A, Chapter 36, defines the eligible beneficiaries and procedures for payment. To provide internal controls for this benefit, and to comply with the above-cited statutes, the information requested is needed to substantiate the receipt of the benefit.

Affected Public: Individuals or households.

Annual Burden Hours: 230.5 hours.

Number of Respondents: 461.

Responses per Respondent: 1.

Average Burden per Response: 30 minutes.

Frequency: On occasion.

The service Casualty Office completes the upper portion of the DD Form 397 and provides the form to the beneficiaries. The beneficiaries complete their portion of the form and then sign and have it witnessed. Once the documents are completed, they are forwarded to DFAS for payment.

Dated: July 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–17344 Filed 7–22–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 14–31]

36(b)(1) Arms Sales Notification

AGENCY: Department of Defense, Defense Security Cooperation Agency.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. B. English, DSCA/DBO/CFM, (703) 601–3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 14–31 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: July 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

JUL 14 2014

Honorable John A. Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 14-31, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Israel for defense articles and services estimated to cost $544 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 14–31

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Israel

(ii) *Total Estimated Value:*

Major Defense Equipment *	$522 million
Other	22 million
TOTAL	$544 million

* as defined in Section 47(6) of the Arms Export Control Act.

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:* up to 600 AIM–9X–2 Sidewinder Block II All-Up-Round Missiles, 50 CATM–9X–2 Captive Air Training Missiles, 4 Dummy Air Training Missiles, containers, missile support and test equipment, provisioning, spare and repair parts, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical support services, and other related logistics and program support.

(iv) *Military Department:* Navy (AUH)

(v) *Prior Related Cases:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Annex attached.

(viii) *Date Report Delivered to Congress:* 14 July 2014

Policy Justification

Israel—AIM–9X Sidewinder Missiles

The Government of Israel has requested a possible sale of up to 600 AIM–9X–2 Sidewinder Block II All-Up-Round Missiles, 50 CATM–9X–2 Captive Air Training Missiles, 4 Dummy Air Training Missiles, containers, missile support and test equipment, provisioning, spare and repair parts, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor technical support services, and other related logistics and program support. The estimated cost is $544 million.

The United States is committed to the security of Israel, and it is vital to U.S. national interests to assist Israel in developing and maintaining a strong and ready self-defense capability. This proposed sale is consistent with those objectives and will enable the IDF to achieve those goals.

The Israeli Air Force is modernizing its fighter aircraft to better support its own air defense needs. The proposed sale of AIM–9X–2 missiles will improve the capability of the Israeli Air Force, enhance Israeli interoperability with the U.S., and help maintain regional peace and security. Israel will have no difficulty absorbing these missiles into its armed forces.

The proposed sale of these missiles will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missile Systems Company in Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require travel of U.S. Government or contractor representatives to Israel on a temporary basis for program technical support and management oversight.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 14–31

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) Of the Arms Export Control Act

Annex

Item No. vii

(vii) *Sensitivity of Technology:*

1. The AIM–9X–2 Block II SIDEWINDER Missile represents a substantial increase in missile acquisition and kinematics performance over the AIM–9M and replaces the AIM–9X Block I Missile configuration. The missile includes a high off-bore sight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Helmet Mounted Cueing System. The software algorithms are the most sensitive portion of the AIM–9X–2 missile. A Software Improvement Program (SIP) provides for Software updates. No software source code or algorithms will be released. The missile is classified as Confidential.

2. The AIM–9X–2 will result in the transfer of sensitive technology and information. The equipment, hardware, and documentation are classified Confidential. The software and operational performance are classified Secret. The seeker/guidance control section and the target detector are Confidential and contain sensitive state-of-the-art technology. Manuals and technical documentation that are necessary or support operational use and organizational management are classified up to Secret. Performance and operating logic of the counter-countermeasures circuits are classified Secret. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and similar critical information.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar advanced capabilities.

4. A determination has been made that the recipient government can provide substantially the same degree of protection for the technology being released as the U.S. Government. Support of the AIM–9X–2 Sidewinder Missile to the Government of Israel is necessary in the furtherance of U.S. foreign policy and national security objectives.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Israel.

[FR Doc. 2014–17291 Filed 7–22–14; 8:45 am]

BILLING CODE 5001–06–C

DEPARTMENT OF DEFENSE

Office of the Secretary

Renewal of Department of Defense Federal Advisory Committees

AGENCY: DoD.

ACTION: Renewal of Federal Advisory Committee.

SUMMARY: The Department of Defense (DoD) is publishing this notice to announce that it is renewing the charter for the Army Education Advisory Committee (''the Committee'').

FOR FURTHER INFORMATION CONTACT: Jim Freeman, Advisory Committee Management Officer for the Department of Defense, 703–692–5952.

SUPPLEMENTARY INFORMATION: This committee's charter is being renewed under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C. Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b) (''the Sunshine Act''), and 41 CFR 102–3.50(d).

The Committee is a discretionary Federal advisory committee that shall provide independent advice and recommendations to the Secretary of Defense or the Deputy Secretary of Defense, through the Secretary of the Army and the Chief of Staff of the U.S. Army, on matters relating to U.S. Army educational matters. Specifically, the Committee will focus on matters pertaining to the educational, doctrinal, and research policies and activities of the U.S. Army's educational programs, to include the U.S. Army's joint professional military education programs.

The Committee will assess and provide independent advice and recommendations across the spectrum of educational policies, school curricula, educational philosophy and objectives, program effectiveness, facilities, staff and faculty, instructional methods, and other aspects of the organization and management of these programs. In addition, the Committee shall provide independent advice and recommendations on matters pertaining to the Army Historical Program and the roles and missions of the U.S. Army Center of Military History, particularly as they pertain to the study and use of military history in Army schools.

The Department of Defense (DoD), through the Department of the Army and United States Army Training and Doctrine Command (TRADOC), shall provide support, as deemed necessary, for the performance of the Committee's functions, and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended) (''the Sunshine Act''), governing Federal statutes and regulations, and established DoD policies and procedures.

The Committee shall be composed of not more than 15 members. The membership shall include not more than 13 individuals who are eminent authorities in the fields of defense, management, leadership, and academia, including those who are deemed to be

historical scholars; the Chief Historian of the Army, U.S. Army, Center of Military History; and the Assistant Deputy Chief of Staff, G–3/5/7 for U.S. Army Training and Doctrine Command shall serve as a non-voting member of the Committee. The members shall be appointed by the Secretary of Defense or the Deputy Secretary of Defense and subject to annual renewals.

Committee members shall serve a term of service of one-to-four years, but no member may serve more than two consecutive terms of service without approval from the Secretary of Defense or the Deputy Secretary of Defense.

Committee members appointed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time Federal officers or employees, shall be appointed as experts or consultants pursuant to 5 U.S.C. 3109, to serve as special government employee (SGE) members. Those individuals serving on the Committee who are full-time or permanent part-time Federal employees shall be appointed to serve as regular government employee (RGE) members pursuant to 41 CFR 102–3.130(a).

The Secretary of the Army is delegated the authority to appoint the Chair and Vice Chair of the Committee for a three-year period with annual renewals, not to exceed the member's approved term of service, from among the approved Committee membership. The Secretary of the Army may re-delegate this authority in writing.

With the exception of reimbursement for official Committee-related travel and per diem, Committee members and any non-voting subject matter experts shall serve without compensation.

DoD, when necessary and consistent with the Committee's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Committee. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army, as the DoD Sponsor.

Such subcommittees shall not work independently of the Committee and shall report all of their recommendations and advice solely to the Committee for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Committee. No subcommittee or any of its members can update or report, verbally or in writing, on behalf of the Committee, directly to the DoD or any Federal officer or employee.

The Secretary of Defense or the Deputy Secretary of Defense shall appoint subcommittee members to a term of service of one-to-four years, even if the member in question is a member of the Committee. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense. Subcommittee members, if not full-time or permanent part-time Federal employees, will be appointed as experts or consultants, pursuant to 5 U.S.C. 3109, to serve as SGE members, whose appointments must be renewed on an annual basis. Those individuals who are full-time or permanent part-time Federal employees shall be appointed to serve as RGE members, pursuant to 41 CFR 102–3.130(a). With the exception of reimbursement of official travel and per diem related to the Committee or its subcommittees, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures. The Committee shall include up to four permanent subcommittees consistent with its mission and established Federal and DoD policies and procedures. The Committee shall establish and maintain four permanent subcommittees as described immediately below.

a. The United States Army War College Board of Visitors subcommittee shall be comprised of no more than 12 members who are eminent authorities in the fields of defense, management, leadership, and academia, and shall focus primarily on the United States Army War College. The estimated number of meetings is two per year.

b. The Command and General Staff College Board of Visitors subcommittee shall be comprised of no more than 12 members who are eminent authorities in the fields of defense, management, leadership, and academia, and shall focus primarily on the Command and General Staff College. The estimated number of meetings is one per year.

c. The Defense Language Institute Foreign Language Center Board of Visitors shall be comprised of no more than 12 members who are eminent authorities in the fields of defense, management, leadership, and academia, and shall focus primarily on the Defense Language Institute Foreign Language Center. The estimated number of meetings is two per year.

d. The Department of the Army Historical Advisory Subcommittee shall be comprised of no more than 12 members: six members from academia who are deemed to be historical scholars and six members appointed, ex officio, RGE members. The Department of the Army Historical Advisory Subcommittee shall focus primarily on (1) the conformity of the Army's historical work and methods with professional standards, (2) ways to increase cooperation between the historical and military professions in advancing the purpose of the Army Historical Program, (3) approval of the annual Army Historical Program report, and (4) the furtherance of the mission of the U.S. Army Center of Military History to promote the study and use of military history in both civilian and military schools. The estimated number of meetings is one per year.

The estimated number of Committee meetings is two per year.

The Committee's Designated Federal Officer (DFO) shall be a full-time or permanent part-time DoD employee and shall be appointed in accordance with established DoD policies and procedures.

The Committee's DFO, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures.

The Committee's DFO is required to be in attendance at all meetings of the Committee and any subcommittees for the entire duration of each and every meeting; however, in the absence of the DFO, a properly approved Alternate DFO shall attend the entire duration of all of the meetings of the Committee and its subcommittees.

The DFO, or the Alternate DFO, shall call all meetings of the Committee and its subcommittees; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

Pursuant to 41 CFR 102–3.105(j) and 102–3.140, the public or interested organizations may submit written statements to Army Education Advisory Committee membership about the Committee's mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of Army Education Advisory Committee. All written statements shall be submitted to the DFO for the Army Education Advisory Committee, and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Army

Education Advisory Committee DFO can be obtained from the GSA's FACA Database—*http://www.facadatabase.gov/.*

The DFO, pursuant to 41 CFR 102–3.150, will announce planned meetings of the Army Education Advisory Committee. The DFO, at that time, may provide additional guidance on the submission of written statements that are in response to the stated agenda for the planned meeting in question.

Dated: July 18, 2014.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2014–17308 Filed 7–22–14; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Grant Partially Exclusive Patent License; INF Microsensors, LLC

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Department of the Navy hereby gives notice of its intent to grant to INF Microsensors, LLC, a revocable, nonassignable, partially exclusive license in the United States to practice the Government-Owned inventions described in U.S. Patent Application No. 14/037,546: Sensor signal processing using cascade coupled oscillators.

DATES: Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than August 7, 2014.

ADDRESSES: Written objections are to be filed with the Office of Research and Technology Applications, Space and Naval Warfare Systems Center Pacific, Code 72120, 53560 Hull St, Bldg A33 Room 2531, San Diego, CA 92152–5001.

FOR FURTHER INFORMATION CONTACT: Brian Suh, Office of Research and Technology Applications, Space and Naval Warfare Systems Center Pacific, Code 72120, 53560 Hull St, Bldg A33 Room 2531, San Diego, CA 92152–5001, telephone 619–553–5118, E-Mail: *brian.suh@navy.mil.*

Authority: 35 U.S.C. 207, 37 CFR part 404.

Dated: July 16, 2014.

N. A. Hagerty-Ford,

Commander, Office of the Judge Advocate General, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2014–17319 Filed 7–22–14; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Rehabilitation Training: Rehabilitation Long-Term Training Program—Rehabilitation Specialty Areas

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice.

Overview Information

Rehabilitation Long-Term Training Program—Rehabilitation Specialty Areas.

Notice inviting applications for new awards for fiscal year (FY) 2014.

Catalog of Federal Domestic Assistance (CFDA) Numbers: 84.129F, H, P, and Q.

DATES: *Applications Available:* July 23, 2014.

Date of Pre-Application Webinars: July 30, 2014.

Deadline for Transmittal of Applications: August 22, 2014.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The Rehabilitation Long-Term Training program provides financial assistance for projects that provide—

(1) Basic or advanced training leading to an academic degree in areas of personnel shortages in rehabilitation as identified by the Secretary;

(2) A specified series of courses or programs of study leading to the award of a certificate in areas of personnel shortages in rehabilitation as identified by the Secretary; and

(3) Support for medical residents enrolled in residency training programs in the specialty of physical medicine and rehabilitation.

Priorities: This notice includes two absolute priorities. Absolute Priority 1 is from the regulations for this program (34 CFR 386.1). Absolute Priority 2 is from the notice of final priority for this program, published elsewhere in this issue of the **Federal Register.**

Absolute Priorities: For FY 2014 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3) we consider only applications that meet both of these absolute priorities.

These priorities are:

Absolute Priority 1—Rehabilitation Long-Term Training Programs Designed to Provide Academic Training in Areas of Personnel Shortages.

Applications that propose to provide training in the priority areas of (1) Vocational Evaluation and Work Adjustment (84.129F); (2) Rehabilitation of Individuals Who Are Mentally Ill (84.129H); (3) Rehabilitation of Individuals Who are Blind or Have Vision Impairments (84.129P); and (4) Rehabilitation of Individuals Who are Deaf or Hard of Hearing (84.129Q).

Absolute Priority 2—Rehabilitation Specialty Areas.

Note: The full text of this priority is included in the notice of final priority for this program published elsewhere in this issue of the **Federal Register** and in the application package for this competition.

Fourth and Fifth Years of the Project: In deciding whether to continue funding any Long-Term Training program for the fourth and fifth years, the Secretary will consider the requirements of 34 CFR 75.253(a), and in addition—

(a) The recommendation of the Rehabilitation Services Administration (RSA) project officer who will monitor the reported annual performance of the grantee's training program and measure it against the projections stated in the grantee's application. This includes the number of students actually enrolled in the grantee's training program, the number of students who successfully enter qualifying employment with State VR Agencies, and the number who obtain qualifying employment in related agencies.

(b) The timeliness and effectiveness with which all requirements of the grant award have been or are being met by the grantee, including the submission of annual performance reports and annual RSA scholar payback program reports, and adherence to fiduciary responsibilities related to the budget submitted in the application; and

(c) The quality, relevance, and usefulness of the grantee's training program and activities and the degree to which the training program and activities and their outcomes have contributed to significantly improving the quality of VR professionals ready for employment with State VR Agencies and related agencies. This will be measured by the percentage of students entering eligible employment under 34 CFR 386.34.

Grantees must also provide assurances that they will abide by all of the administrative and performance reporting requirements associated with the RSA scholar payback program reports and will retain all the necessary documentation including the scholarship agreement and exit forms and any other documentation necessary to ensure students understand their financial liabilities under this program (34 CFR part 386).

Note: While applicants may not hire staff or select trainees based on race or national origin/ethnicity, they may conduct outreach activities to increase the pool of eligible minority candidates. We may disqualify and not consider for funding any applicant that indicates that it will hire or train a certain number or percentage of minority candidates.

Program Authority: 29 U.S.C. 772.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 86, and 99. (b) The Education Department debarment and suspension regulations in 2 CFR part 3485. (c) The regulations in 34 CFR parts 385 and 386. (d) The notice of final priority for this program, published elsewhere in this issue of the **Federal Register.**

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education (IHEs) only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: $3,592,502.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2015 from the list of unfunded applicants from this competition.

Estimated Range of Awards: See chart.

Estimated Average Size of Awards: See chart.

Maximum Award: See chart.

Estimated Number of Awards: See chart.

Project Period: See chart.

APPLICATION NOTICE FOR FISCAL YEAR 2014

[Rehabilitation Training: Rehabilitation Long-Term Training Program—Rehabilitation Specialty Areas]

CFDA number and name	Applications available	Deadline for transmittal of applications	Estimated range of awards	Estimated average size of awards	Maximum award (budget period of 12 months) [1]	Estimated number of awards	Project period	Contact person
Vocational Evaluation and Work Adjustment (84.129F).	7–23–14	8–22–14	$140,000–$150,000	$145,000	$150,000	2	Up to 60 mos.	Mary Yang, 202–245–6327, *mary.yang@ed.gov,* PCP, Room 5028.
Rehabilitation of Individuals Who Are Mentally Ill (84.129H).	.....	.....	140,000–150,000	145,000	150,000	8	Up to 60 mos.	Hae Min Lee, 202–245–7411, *hae.min.lee@ed.gov,* PCP, Room 5026.
Rehabilitation of Individuals Who are Blind or Have Vision Impairments (84.129P).	.....	.....	140,000–150,000	145,000	150,000	7	Up to 60 mos.	Karen Holliday, 202–245–7318, *karen.holliday@ed.gov,* PCP, Room 5090.
Rehabilitation of Individuals Who are Deaf or Hard of Hearing (84.129Q).	.....	.....	140,000–150,000	145,000	150,000	7	Up to 60 mos.	Don Bunuan, 202–245–6616, *don.bunuan@ed.gov,* PCP, Room 5046.

[1] We will reject any application that proposes a budget exceeding $150,000 for a single budget period of 12 months. The Assistant Secretary for Special Education and Rehabilitative Services may change the maximum amount through a notice published in the **Federal Register.**

Note: The Department is not bound by any estimates in this notice.

III. Eligibility Information

1. *Eligible Applicants:* States and public or nonprofit agencies and organizations, including Indian tribes and IHEs.

2. *Cost Sharing or Matching:* Cost sharing of at least 10 percent of the total cost of the project is required of grantees under the Rehabilitation Long-Term Training program. The Secretary may waive part of the non-Federal share of the cost of the project after negotiations if the applicant demonstrates that it does not have sufficient resources to contribute the entire match (34 CFR 386.30).

Note: Under 34 CFR 75.562(c), an indirect cost reimbursement on a training grant is limited to the recipient's actual indirect costs, as determined by its negotiated indirect cost rate agreement, or eight percent of a modified total direct cost base, whichever amount is less. Indirect costs in excess of the limit may not be charged directly, used to satisfy matching or cost-sharing requirements, or charged to another Federal award.

IV. Application and Submission Information

1. *Address to Request Application Package:* You can obtain an application package via the Internet, from the Education Publications Center (ED Pubs), or from the program office.

To obtain a copy via the Internet, use the following address: *www.ed.gov/fund/grant/apply/grantapps/index.html.*

To obtain a copy from ED Pubs, write, fax, or call the following: ED Pubs, U.S. Department of Education, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1–877–433–7827. FAX: (703) 605–6794. If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call, toll free: 1–877–576–7734.

You can contact ED Pubs at its Web site, also: *www.EDPubs.gov* or at its email address: *edpubs@inet.ed.gov.*

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA number 84.129F, H, P, or Q.

To obtain a copy from the program office, contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the person or team listed under *Accessible Format* in section VIII of this notice.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit the application narrative to the equivalent of no more than 45 pages, using the following standards:

• A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.

• Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

• Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

• Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

The page limit of 45 pages applies to all of the application narrative section, Part III. We will reject your application if you exceed the page limit for Part III.

However, the page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page double-spaced abstract.

If you submit optional materials such as resumes, a bibliography, or letters of support, please limit these materials to a total of no more than 30 pages.

3. *Submission Dates and Times:*

Applications Available: July 23, 2014.

Date of Pre-Application Webinars: Interested parties are invited to participate in one of two pre-application Webinars. The pre-application Webinars with staff from the Department will be held on July 30, 2014 at 10:00 a.m. and 2:00 p.m., Washington, DC time. The Webinars will be recorded. For further information about the pre-application Webinars, contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Deadline for Transmittal of Applications: August 22, 2014.

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 7. *Other Submission Requirements* of this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

4. *Intergovernmental Review:* This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. However, under 34 CFR 79.8(a), we waive the intergovernmental review in order to make an award by the end of FY 2014.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management:* To do business with the Department of Education, you must—

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry (CCR)), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active SAM registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

You can obtain a DUNS number from Dun and Bradstreet. A DUNS number can be created within one to two business days.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow 2–5 weeks for your TIN to become active.

The SAM registration process can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data entered into the SAM database by an entity. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

Note: Once your SAM registration is active, you will need to allow 24 to 48 hours for the information to be available in Grants.gov and before you can submit an application through Grants.gov.

If you are currently registered with SAM, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days to complete.

Information about SAM is available at SAM.gov. To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: *http://www2.ed.gov/fund/grant/apply/sam-faqs.html.*

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined at the following Grants.gov Web page: *www.grants.gov/web/grants/register.html.*

7. *Other Submission Requirements:* Applications for grants under this competition must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. *Electronic Submission of Applications.*

Applications for grants under the Rehabilitation Training: Rehabilitation Long-Term Training—Rehabilitation Specialty Areas competition, CFDA numbers 84.129F, H, P, and Q, must be submitted electronically using the Governmentwide Grants.gov Apply site at *www.Grants.gov.* Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not email an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement *and* submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under *Exception to Electronic Submission Requirement.*

You may access the electronic grant application for the Rehabilitation Training: Rehabilitation Long-Term Training Program—Rehabilitation Specialty Areas competition at *www.Grants.gov.* You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.129, not 84.129F, H, P, or Q).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received—that is, date and time stamped by the Grants.gov system—after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at *www.G5.gov.*
- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.
- You must submit all documents electronically, including all information you typically provide on the following forms: The Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications.
- You must upload any narrative sections and all other attachments to your application as files in a PDF (Portable Document) read-only, non-modifiable format. Do not upload an interactive or fillable PDF file. If you upload a file type other than a read-only, non-modifiable PDF or submit a password-protected file, we will not review that material.
- Your electronic application must comply with any page-limit requirements described in this notice.
- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by email. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).
- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1–800–518–4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that the problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the Grants.gov system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Grants.gov system; and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevents you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Hae Min Lee, U.S. Department of Education, 400 Maryland Avenue SW., Room 5026, PCP, Washington, DC 20202–2800. FAX: (202) 245–7411.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. *Submission of Paper Applications by Mail.*

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal

Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.129F, H, P, or Q), LBJ Basement Level 1, 400 Maryland Avenue SW., Washington, DC 20202–4260.

You must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. *Submission of Paper Applications by Hand Delivery.*

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.129F, H, P, or Q), 550 12th Street SW., Room 7039, Potomac Center Plaza, Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department—

(1) You must indicate on the envelope and—if not provided by the Department—in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from 34 CFR 75.210 and 34 CFR 386.20 and are listed in the application package.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary also requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Special Conditions:* Under 34 CFR 74.14 and 80.12, the Secretary may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR parts 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

4. *Performance Measures:* The Government Performance and Results Act of 1993 (GPRA) directs Federal departments and agencies to improve the effectiveness of programs by engaging in strategic planning, setting outcome-related goals for programs, and measuring program results against those goals.

The goal of RSA's Rehabilitation Training: Rehabilitation Long-Term Training—Rehabilitation Specialty Areas program is to increase the number of qualified vocational rehabilitation (VR) personnel, including counselors and other professional staff, working in State VR or related agencies. At least 75 percent of all grant funds must be used for direct payment of student scholarships.

Grantees are required to maintain a system that safeguards the privacy of current and former scholars from the time they are enrolled in the program until they successfully meet their service obligation through qualified employment or monetary repayment. This system must ensure that scholars sign a payback agreement and an exit form when they exit the program, regardless of whether they drop out, are removed, or successfully complete the program. Specifically, each grantee is required to maintain the following scholar information:

(a) Current contact information for all students receiving scholarships, including home address, email, and a phone number (home or cell);

(b) A point of contact for each scholar in the event that the grantee is unable to contact the student. This contact must be at least 21 years of age and may be a parent, relative, spouse, partner, sibling, or guardian;

(c) Cumulative financial support granted to scholars;

(d) Scholar debt in years;

(e) Program completion date and reason for exit for each scholar;

(f) Annual documentation from the scholar's employer(s) until the scholar completes the service obligation. This documentation must include the following elements in order to verify qualified employment: start date of employment to the present date, confirmation of full-time or part-time employment (if the scholar is working part-time the number of hours per week must be included in the documentation), type of employment, and a description of the roles and responsibilities performed on the job. This information is required for each employer if the scholar has worked in more than one setting in order to meet the service obligation.

If the scholar is employed in a related agency, the agency must also provide documentation to validate that there is a relationship with the State VR agency. This may be a formal or informal contract, cooperative agreement, memorandum of understanding, or related document;

(g) Annual documentation from the scholar's institution of higher education to verify dates of deferral, if applicable. The documentation may be prepared by the scholar's advisor or department chair and must include: Confirmation of enrollment date, estimated graduation date, confirmation that the scholar is enrolled in a full-time course of study, and confirmation of the scholar's intent to fulfill the service obligation upon completion of the program.

Grantees are required to report annually to RSA on the data elements described above using the RSA Grantee Reporting Form, OMB number 1820–0617, an electronic reporting system supported by the RSA Management Information System. In addition, grantees are required to utilize all forms required by RSA to prepare and process repayment, as well as requests for deferral and exceptions. The RSA Grantee Reporting Form collects specific data, including the number of scholars entering the rehabilitation workforce, the rehabilitation field each scholar enters, and the type of employment setting each scholar chooses (e.g., State VR agency, nonprofit service provider, or professional practice group). This form allows RSA to measure results against the goal of increasing the number of qualified VR personnel working in State VR and related agencies.

In addition, all Rehabilitation Long-Term Training—Rehabilitation Specialty Areas grantees must submit the following quantitative and qualitative data in an annual performance report:

(a) Program activities that occurred during each fiscal year from October 1 to March 31 and projected program activities to occur from April 1 to September 30. For subsequent reporting years, grantees confirm projections made from the prior year;

(b) Summary of academic support and counseling provided to scholars to ensure successful completion;

(c) Summary of career counseling provided to scholars upon program completion to ensure that they have support during their search for qualifying employment, as well as during their initial months of their employment. This may include, but is not limited to, informing scholars of professional contacts, networks, and job leads, matching scholars with mentors in the field, and connecting scholars to other necessary resources and information;

(d) Summary of partnership and coordination activities with State VR agencies and community-based rehabilitation providers. This may include, but is not limited to, obtaining input and feedback regarding curricula from State VR agencies and community-based rehabilitation providers; organizing internships, practicum agreements, job shadowing, and mentoring opportunities; and assessing scholars at the work site;

(e) Assistance provided to scholars who may not be meeting academic standards or who are performing poorly in a practicum or internship setting;

(f) Results of the program evaluation, as well as information describing how these results will be used to make necessary adjustments and improvements to the program;

(g) Results from scholar internship, practicum, job shadowing, or mentoring assessments, as well as information describing how those results will be used to ensure that future scholars receive all necessary preparation and training prior to program completion;

(h) Results from scholar evaluations and information describing how these results will be used to ensure that future scholars will be proficient in meeting the needs and demands of today's consumers and employers;

(i) Number of scholars who began an internship during the reporting period;

(j) Number of scholars who completed an internship during the reporting period;

(k) Number of scholars who dropped out or were dismissed from the program during the reporting period;

(l) Number of scholars receiving RSA scholarships during the reporting period;

(m) Number of scholars who graduated from the program during the reporting period;

(n) Number of scholars who obtained qualifying employment during the reporting period;

(o) Number of vacancies filled in the State VR agency with qualified counselors from the program during the reporting period;

(p) A budget and narrative detailing expenditures covering the period of October 1 through March 31 and projected expenditures from April 1 through September 30. The budget narrative must also verify progress towards meeting the 10 percent match requirement. For subsequent reporting years, grantees will confirm projections made from the prior year; and

(q) Other information, as requested by RSA, in order to verify substantial progress and effectively report program impact to Congress and key stakeholders.

5. *Continuation Awards:* In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made ''substantial progress toward meeting the objectives in its approved application.'' This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: See chart in the Award Information section in this notice for the name, room number, telephone number, and email address of the contact person for each specialty area of this competition. You can write to the specialty area contact person at the following address: U.S. Department of Education, 400 Maryland

Avenue SW., Potomac Center Plaza (PCP), Washington, DC 20202–2600.

If you use a TDD or a TTY, call the FRS, toll free, at 1–800–877–8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: July 18, 2014.

Melody Musgrove,

Director, Office for Special Education Programs.

[FR Doc. 2014–17368 Filed 7–22–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

National Advisory Council on Indian Education

AGENCY: U. S. Department of Education.

ACTION: Notice of An Open Teleconference Meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of an upcoming teleconference meeting of the National Advisory Council on Indian Education (the Council) and is intended to notify the general public of the meeting. This notice also describes the functions of the Council. Notice of the Council's meetings is required under Section 10(a)(2) of the Federal Advisory Committee Act.

DATE AND TIME: August 4, 2014—1:00 p.m.–3:00 p.m. Eastern Daylight Time

LOCATION:

The meeting will be conducted via conference call with NACIE members. Up to 50 dial-in, listen-only phone lines will be made available to the public on a first come, first serve basis. Dial in 5–10 minutes prior to start time using the Participant Phone Number and Participant Passcode. The Participant Phone Number is 888–523–1208 and the Participant code is: 727274. The public may also attend the conference call meeting at the U.S. Department of Education, 400 Maryland Avenue SW., Room 1W103, Washington, DC 20202–6400. Members of the public should report to the security desk 10–15 minutes before the scheduled start of the conference call. A form of Federal I.D. will be required for security clearance and escorted access to the meeting room.

Details About the Meeting Location Will Be Posted on the Council Web site on July 29, 2014. Web site: *www.NACIE-ED.org* (To RSVP, and for NACIE Meeting Updates, 2014 Report to Congress, and Final Agenda)

SUPPLEMENTARY INFORMATION:

The National Advisory Council on Indian Education is authorized by Section 7141 of the Elementary and Secondary Education Act. The Council is established within the Department of Education to advise the Secretary of Education on the funding and administration (including the development of regulations, and administrative policies and practices) of any program over which the Secretary has jurisdiction and includes Indian children or adults as participants or programs that may benefit Indian children or adults, including any program established under Title VII, Part A of the Elementary and Secondary Education Act. The Council submits to Congress, not later than June 30 of each year, a report on the activities of the Council that includes recommendations the Council considers appropriate for the improvement of Federal education programs that include Indian children or adults as participants or that may benefit Indian children or adults, and recommendations concerning the funding of any such program. One of the Council's responsibilities is to develop and provide recommendations to the Secretary of Education on the funding and administration (including the development of regulations, and administrative policies and practices) of any program over which the Secretary has jurisdiction that can benefit Indian children or adults participating in any program which could benefit Indian children. The Council is convening this public teleconference meeting to review, advise, and discuss the following items: (1) Recommendations to the Secretary of Education concerning the funding and administration (including the development of regulations and administrative policies and practices) of programs; (2) The President's Visit to Indian Country; (3) My Brother's Keeper Initiative; (4) The Joint Committee on Indian Education; (5) White House Council on Native Americans Affairs (WHCNAA) and Interagency Working Group on Indian Education; (6) Native Language Working Group; (7) NACIE Vacancies Update; and (8) Response to the 2013–2014 *Recommendations to the Secretary.*

FOR FURTHER INFORMATION CONTACT: Jenelle Leonard, Designated Federal Official, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: 202–205–2161. Fax: 202–205–5870.

The meeting site is accessible to individuals with disabilities. If you will need an auxiliary aid or service to participate in the meeting (e.g., interpreting service, assistive listening device, or materials in an alternate format), notify the contact person listed in this notice by July 29, 2014. There will not be an opportunity for public comment during this meeting; however, members of the public are encouraged to submit written comments via email to *TribalConsultation@ed.gov* by July 31, 2014.

A report of the meeting activities and related matters that are informative to the public and consistent with the policy of section 5 U.S.C. 552b(c) will be available to the public within 21 days of the meeting. Records are kept of all Council proceedings and are available for public inspection at the Office of Indian Education, United States Department of Education, 400 Maryland Avenue SW., Washington, DC 20202. Monday–Friday, 8:30 a.m.–5 p.m. Eastern Daylight Time.

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *www.ed.gov/news/fedregister/index.html.*

To use PDF, you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free at 1–866–512–1830; or in the Washington, DC, area at (202) 512–0000.

Note: The official version of this document is the document published in the **Federal**

Register. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *www.gpoaccess.gov/nara/index.html*

Deborah S. Delisle,

Assistant Secretary, Office of Elementary and Secondary Education.

[FR Doc. 2014–17365 Filed 7–22–14; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: U.S. Energy Information Administration (EIA), Department of Energy.

ACTION: Notice and Request for OMB Review and Comment.

SUMMARY: EIA has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its Petroleum Marketing Program, OMB Control Number 1905–0174. The proposed collection will expand the number of states that participate in the State Heating Oil and Propane Program (SHOPP) using Form EIA–877. No changes are proposed for the remaining survey forms within this collection. The following forms comprise the Petroleum Marketing collection:

EIA–14, ''Refiners' Monthly Cost Report;''
EIA–182, ''Domestic Crude Oil First Purchase Report;''
EIA–782A, ''Refiners'/Gas Plant Operators' Monthly Petroleum Product Sales Report;''
EIA–782C, ''Monthly Report of Prime Supplier Sales of Petroleum Products Sold For Local Consumption;''
EIA–821, ''Annual Fuel Oil and Kerosene Sales Report;''
EIA–856, ''Monthly Foreign Crude Oil Acquisition Report;''
EIA–863, ''Petroleum Product Sales Identification Survey;''
EIA–877, ''Winter Heating Fuels Telephone Survey;''
EIA–878, ''Motor Gasoline Price Survey;''
EIA–888, ''On-Highway Diesel Fuel Price Survey''.

DATES: Comments regarding this proposed information collection must be received on or before August 22, 2014. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at 202–395–4718.

ADDRESSES: Written comments should be sent to the DOE Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 735 17th Street, NW., Washington, DC 20503.

And to Ms. Marcela Rourk, U.S. Department of Energy, U.S. Energy Information Administration, Forrestal Building, Mail Stop EI–25, 1000 Independence Avenue SW., Washington, DC 20585, *Marcela.Rourk@eia.gov,* 202–586–4412.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Ms. Marcela Rourk at the contact information listed above. The proposed form and instructions, along with related information on this clearance package, can be viewed at *http://www.eia.gov/survey/notice/marketing2014.cfm.*

SUPPLEMENTARY INFORMATION: This information collection request contains: (1) OMB No. 1905–0174; (2) Information Collection Request Title: Petroleum Marketing Program; (3) Type of Request: Revision to a currently approved collection; (4) Purpose: The Federal Energy Administration Act of 1974 (15 U.S.C. 761 *et seq.*) and the DOE Organization Act (42 U.S.C. 7101 *et seq.*) require EIA to carry out a centralized, comprehensive, and unified energy information program. This program collects, evaluates, assembles, analyzes, and disseminates information on energy resource reserves, production, demand, technology, and related economic and statistical information. This information is used to assess the adequacy of energy resources to meet near and longer term domestic demands. EIA, as part of its effort to comply with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*), provides the general public and other Federal agencies with opportunities to comment on collections of energy information conducted by or in conjunction with EIA. EIA is seeking approval for this collection by the Office of Management and Budget (OMB) under Section 3507(a) of the Paperwork Reduction Act of 1995.

EIA's petroleum marketing survey forms collect volumetric and price information needed for determining the supply of and demand for crude oil and refined petroleum products. These surveys provide a basic set of data pertaining to the structure, efficiency, and behavior of petroleum markets. These data are published by EIA on its Web site, *http://www.eia.gov,* as well as in publications such as the Monthly Energy Review (*http://www.eia.gov/totalenergy/data/monthly/*), Annual Energy Review (*http://www.eia.gov/totalenergy/data/annual/*), Petroleum Marketing Monthly (*http://www.eia.gov/oil_gas/petroleum/data_publications/petroleum_marketing_monthly/pmm.html*), Weekly Petroleum Status Report (*http://www.eia.gov/oil_gas/petroleum/data_publications/weekly_petroleum_status_report/wpsr.html*), and the International Energy Outlook (*http://www.eia.gov/forecasts/ieo/).*

The following burden estimates have increased since the 60-day **Federal Register** Notice was published due to an increase in the number of additional states volunteering to participate in the program. (5) Annual Estimated Number of Respondents: 12,373; (6) Annual Estimated Number of Total Responses: 117,161; (7) Annual Estimated Number of Burden Hours: 57,236; (8) Annual Estimated Reporting and Recordkeeping Cost Burden: EIA estimates that there are no additional costs to respondents associated with the surveys other than the costs associated with the burden hours.

Statutory Authority: Section 13(b) of the Federal Energy Administration Act of 1974, Public Law 93–275, codified as 15 U.S.C. 772(b).

Issued in Washington, DC, on July 17, 2014.

Nanda Srinivasan,

Director, Office of Survey Development and Statistical Integration, U.S. Energy Information Administration.

[FR Doc. 2014–17321 Filed 7–22–14; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG14–73–000.
Applicants: Seiling Wind, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Seiling Wind, LLC.
Filed Date: 7/14/14.
Accession Number: 20140714–5152.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: EG14–74–000.
Applicants: Seiling Wind II, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Seiling Wind II, LLC.
Filed Date: 7/14/14.
Accession Number: 20140714–5156.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: EG14–75–000.
Applicants: Mammoth Plains Wind Project, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Mammoth Plains Wind Project, LLC.
Filed Date: 7/14/14.
Accession Number: 20140714–5164.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: EG14–76–000.
Applicants: TX Jumbo Road Wind, LLC.
Description: Self-Certification of EWG Status of TX Jumbo Road Wind, LLC.
Filed Date: 7/14/14.
Accession Number: 20140714–5242.
Comments Due: 5 p.m. ET 8/4/14.

Take notice that the Commission received the following electric rate filings:
Docket Numbers: ER10–1982–008, *ER10–1246–007; ER10–1252–007; ER10–1253–007.*
Applicants: Consolidated Edison Company of New York, Inc., Orange and Rockland Utilities, Inc., Consolidated Edison Energy, Inc., Consolidated Edison Solutions, Inc.
Description: Amendment to December 18, 2013 Triennial Market Power Analysis in Northeast region of the Con Edison Companies under ER10–1982, et. al.
Filed Date: 7/2/14.
Accession Number: 20140702–5196.
Comments Due: 5 p.m. ET 7/25/14.

Docket Numbers: ER10–2601–003.
Applicants: Power Resources, Ltd.
Description: Notification of Non-Material Change in Status of Power Resources, Ltd.
Filed Date: 7/15/14.
Accession Number: 20140715–5102.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER13–90–004.
Applicants: Pennsylvania Electric Company, PJM Interconnection, L.L.C.
Description: PJM TOs submit compliance filing per the 5/15/2014 Order in Docket No. ER13–90 to be effective 2/1/2013.
Filed Date: 7/14/14.
Accession Number: 20140714–5220.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER13–187–008.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–07–14 Order 1000 Regional Compliance Filing Part 2 to be effective 6/1/2013.
Filed Date: 7/14/14.
Accession Number: 20140714–5235.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER13–198–004.
Applicants: PJM Interconnection, L.L.C.
Description: Compliance Filing per 5/15/2014 Order in Docket No. ER13–198 re Order 1000 to be effective 1/1/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5219.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER13–1380–005.
Applicants: New York Independent System Operator, Inc.
Description: NYISO filing to restore language; amend pivotal supplier language to be effective 3/23/2015.
Filed Date: 7/15/14.
Accession Number: 20140715–5115.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2051–000.
Applicants: CED White River Solar, LLC.
Description: Supplement to May 28, 2014 CED White River Solar, LLC tariff filing.
Filed Date: 7/11/14.
Accession Number: 20140711–5172.
Comments Due: 5 p.m. ET 8/1/14.

Docket Numbers: ER14–2419–001.
Applicants: ISO New England Inc.
Description: Compliance Filing of Two-Settlement FCM Design—Part 2 of 2 to be effective 6/1/2018.
Filed Date: 7/14/14.
Accession Number: 20140714–5232.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2422–000.
Applicants: Black Bear Hydro Partners, LLC.
Description: Black Bear Hydro MBR Filing to be effective 7/15/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5184.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2423–000.
Applicants: PJM Interconnection, L.L.C.
Description: Notice of Cancellation of Original Service Agreement No. 2945; Queue No. W1–076 to be effective 7/15/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5189.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2424–000.
Applicants: Black Bear SO, LLC.
Description: Black Bear SO MBR Filing to be effective 7/15/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5202.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2425–000.
Applicants: Bear Swamp Power Company LLC.
Description: Bear Swamp Power Company LLC MBR Filing to be effective 7/15/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5218.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2426–000.
Applicants: PJM Interconnection, L.L.C.
Description: New OATT Att LL—Form of Interconnection Coordination Agreement to be effective 9/13/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5222.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2427–000.
Applicants: PJM Interconnection, L.L.C.
Description: Notice of Cancellation of Original Service Agreement No. 3416; Queue No. X2–085 to be effective 8/11/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5233.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2428–000.
Applicants: Brookfield Energy Marketing LP.
Description: Brookfield Energy Marketing LP MBR Filing to be effective 7/15/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5234.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2429–000.
Applicants: Brookfield Energy Marketing Inc.
Description: Brookfield Energy Marketing Inc. MBR Filing to be effective 7/15/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5237.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2430–000.
Applicants: Arizona Public Service Company.
Description: Large Generator Interconnection Agreements with Hyder Solar to be effective 8/16/2014.
Filed Date: 7/14/14.
Accession Number: 20140714–5238.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER14–2431–000.
Applicants: PJM Interconnection, L.L.C.
Description: Notice of Cancellation of Original Service Agreement No. 3321; Queue No. W3–120 to be effective 7/15/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5059.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2432–000.
Applicants: Southern California Edison Company.
Description: LGIA with SP Antelope DSR LLC to be effective 7/16/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5084.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2433–000.
Applicants: Brookfield Energy Marketing US LLC.
Description: Brookfield Energy Marketing US LLC MBR Filing to be effective 7/16/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5096.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2434–000.
Applicants: Brookfield Power Piney & Deep Creek LLC.
Description: Brookfield Power Piney & Deep Creek LLC MBR Filing to be effective 7/16/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5106.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2435–000.
Applicants: Brookfield Renewable Energy Marketing US LLC.
Description: Brookfield Renewable Energy Marketing US LLC MBR Filing to be effective 7/16/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5124.
Comments Due: 5 p.m. ET 8/5/14.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) 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.

Dated: July 15, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17227 Filed 7–22–14; 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: EC14–112–000.
Applicants: PPL Corporation, RJS Power Holdings LLC.
Description: Application for Approval Pursuant to Section 203 of the Federal Power Act of PPL Corporation and RJS Power Holdings LLC.
Filed Date: 7/15/14.
Accession Number: 20140715–5153.
Comments Due: 5 p.m. ET 9/15/14.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG14–77–000.
Applicants: Palo Duro Wind Energy, LLC.
Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Palo Duro Wind Energy, LLC.
Filed Date: 7/16/14.
Accession Number: 20140716–5118.
Comments Due: 5 p.m. ET 8/6/14.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER11–3731–007.
Applicants: LWP Lessee, LLC.
Description: Supplement to June 9, 2014 Notice of Non-Material Change in Status of LWP Lessee, LLC.
Filed Date: 7/7/14.
Accession Number: 20140707–5092.
Comments Due: 5 p.m. ET 7/28/14.

Docket Numbers: ER13–187–009.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–07–14_Regional Order 1000 Compliance Filing to be effective 6/1/2013.
Filed Date: 7/14/14.
Accession Number: 20140714–5236.
Comments Due: 5 p.m. ET 8/4/14.

Docket Numbers: ER13–1266–003; ER13–1267–002; ER13–1268–002; ER13–1269–002; ER13–1270–002; ER13–1271–002; ER13–1272–002; ER13–1273–002; ER13–1441–002; ER13–1442–002; ER10–2474–006; ER10–2475–006; ER10–3246–003; ER10–2605–006; ER12–1626–003; ER13–520–002; ER13–521–002.
Applicants: Nevada Power Company, Sierra Pacific Power Company, PacifiCorp, Agua Caliente Solar, LLC, Pinyon Pines Wind I, LLC, Pinyon Pines Wind II, LLC, Solar Star California XIX, LLC, Solar Star California XX, LLC, Topaz Solar Farms LLC, CalEnergy, LLC, CE Leathers Company, Del Ranch Company, Elmore Company, Fish Lake Power LLC, Salton Sea Power Generation Company, Salton Sea Power L.L.C., Vulcan/BN Geothermal Power Company, Yuma Cogeneration Associates.
Description: Supplement to January 2, 2014 Notification of change of the MidAmerican MBR Sellers under ER10–2475, et. al.
Filed Date: 7/16/14.
Accession Number: 20140716–5129.
Comments Due: 5 p.m. ET 8/6/14.

Docket Numbers: ER14–1736–001.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–07–16_Cost Recovery Mechanism Compliance Filing to be effective 1/29/2014.
Filed Date: 7/16/14.
Accession Number: 20140716–5090.
Comments Due: 5 p.m. ET 8/6/14.

Docket Numbers: ER14–2283–001.
Applicants: Alabama Power Company.
Description: SMEPA NITSA Amendment to 6/27 Amendment Filing to be effective 6/23/2014.
Filed Date: 7/16/14.
Accession Number: 20140716–5000.
Comments Due: 5 p.m. ET 8/6/14.

Docket Numbers: ER14–2436–000.
Applicants: Brookfield Smoky Mountain Hydropower LLC.
Description: BSMH MBR Filing to be effective 7/16/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5135.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2437–000.
Applicants: Brookfield White Pine Hydro LLC.
Description: Brookfield White Pine Hydro LLC to be effective 7/16/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5139.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2438–000.
Applicants: ITC Midwest LLC.
Description: Filing of Dark Fiber Agreement to be effective 9/13/2014.
Filed Date: 7/15/14.
Accession Number: 20140715–5144.
Comments Due: 5 p.m. ET 8/5/14.

Docket Numbers: ER14–2439–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: 2014–07–16_SA 2677 GRE-Pleasant Valley Wind GIA (J278) to be effective 7/17/2014.
Filed Date: 7/16/14.
Accession Number: 20140716–5121.
Comments Due: 5 p.m. ET 8/6/14.

Docket Numbers: ER14–2440–000.
Applicants: ISO New England Inc.
Description: Rev to Allow a Non-Comm. Cap. Res. to Seek a One-Year Deferral to be effective 7/17/2014.
Filed Date: 7/16/14.
Accession Number: 20140716–5124.
Comments Due: 5 p.m. ET 8/6/14.

Docket Numbers: ER14–2441–000.
Applicants: Puget Sound Energy, Inc.
Description: Formula Rate Compliance Filing Correction re Viewer to be effective 1/31/2013.
Filed Date: 7/16/14
Accession Number: 20140716–5126

Comments Due: 5 p.m. ET 8/6/14
Docket Numbers: ER14–2442–000
Applicants: Florida Power & Light Company
Description: FPL Revisions to FKEC Rate Schedule No. 322 to be effective 1/1/2013.
Filed Date: 7/16/14
Accession Number: 20140716–5127
Comments Due: 5 p.m. ET 8/6/14
Docket Numbers: ER14–2443–000
Applicants: Carr Street Generating Station, L.P.
Description: Carr Street Generating Station, L.P. MBR Filing to be effective 7/16/2014.
Filed Date: 7/16/14
Accession Number: 20140716–5148
Comments Due: 5 p.m. ET 8/6/14

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) 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.

Dated: July 16, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17299 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER14–2421–000]

Infinite Energy Corporation; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Infinite Energy Corporation's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is August 6, 2014.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17305 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL14–72–000]

UNS Electric, Inc.; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On July 17, 2014, the Commission issued an order in Docket No. EL14–72–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into the justness and reasonableness of UNS Electric, Inc.'s (UNS Electric) lack of formula rate protocols under UNS Electric's Open Access Transmission Tariff. *UNS Electric, Inc.,* 148 FERC ¶ 61,032 (2014).

The refund effective date in Docket No. EL14–72–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Dated: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17300 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL14–76–000]

Louisville Gas and Electric Company, Kentucky Utilities Company; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On July 17, 2014, the Commission issued an order in Docket No. EL14–76–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into the justness and reasonableness of Louisville Gas and Electric Company and Kentucky Utilities Company's lack of formula rate protocols under their Joint Open Access Transmission, Energy and Operating Reserve Markets Tariff. *Louisville Gas and Electric Co. and Kentucky Utilities Co.,* 148 FERC ¶ 61,031 (2014).

The refund effective date in Docket No. EL14–76–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Dated: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17303 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL14–74–000; Docket No. EL14–75–000]

Kansas City Power & Light Company, KCP&L Greater Missouri Operations Company; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On July 17, 2014, the Commission issued an order in Docket Nos. EL14–74–000 and EL14–75–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into the justness and reasonableness of Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company's formula rate protocols under KCP&L Greater Missouri Operations Company's Open Access Transmission Tariff and Southwest Power Pool, Inc.'s Open Access Transmission Tariff. *Kansas City Power & Light Co. and KCP&L Greater Missouri Operations Co.,* 148 FERC ¶ 61,034 (2014).

The refund effective date in Docket Nos. EL14–74–000 and EL14–75–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Dated: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17302 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL14–77–000]

Westar Energy, Inc.; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On July 17, 2014, the Commission issued an order in Docket No. EL14–77–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into the justness and reasonableness of Westar Energy, Inc.'s formula rate protocols under the Westar Open Access Transmission Tariff and Southwest Power Pool, Inc. Open Access Transmission Tariff. *Westar Energy, Inc.,* 148 FERC ¶ 61,033 (2014).

The refund effective date in Docket No. EL14–77–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Dated: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17304 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL14–71–000]

Black Hills Power, Inc.; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On July 17, 2014, the Commission issued an order in Docket No. EL14–71–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into the justness and reasonableness of the formula rate protocols of Black Hills Power, Inc., as joint administrator, under the Joint Open Access Transmission Tariff of Black Hills, Basin Electric Power Cooperative, and Powder River Energy Corporation. *Black Hills Power, Inc.,* 148 FERC ¶ 61,035 (2014).

The refund effective date in Docket No. EL14–71–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Dated: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17298 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL14–73–000]

The Empire District Electric Company; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On July 17, 2014, the Commission issued an order in Docket No. EL14–73–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into the justness and reasonableness of The Empire District Electric Company's formula rate protocols under the Empire Open Access Transmission, Energy and Operating Reserve Markets Tariff, and Southwest Power Pool, Inc. Open Access Transmission Tariff. *The Empire District Electric Company,* 148 FERC ¶ 61,030 (2014).

The refund effective date in Docket No. EL14–73–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Dated: July 17, 2014.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2014–17301 Filed 7–22–14; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2014–0473; FRL–9913–38]

Registration Review Proposed Interim Decisions; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's proposed interim registration review decisions and opens a public comment period on the proposed interim decisions. Registration review is EPA's periodic review of pesticide registrations to ensure that each pesticide continues to satisfy the statutory standard for registration, that is, that the pesticide can perform its intended function without unreasonable adverse effects on human health or the environment. Through this program, EPA is ensuring that each pesticide's registration is based on current scientific and other knowledge, including its effects on human health and the environment.

DATES: Comments must be received on or before September 22, 2014.

ADDRESSES: Submit your comments, identified by the docket identification (ID) number for the specific pesticide of interest provided in the table in Unit II.A., by one of the following methods:

- *Federal eRulemaking Portal: http://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:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: *For pesticide specific information, contact:* The Chemical Review Manager for the pesticide of interest identified in the table in Unit II.A.

For general information on the registration review program, contact: Richard Dumas, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; telephone number: (703) 308–8015; email address: *dumas.richard@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to Me?

This action 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 the table in Unit II.A.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in 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 submitting comments, remember to:

i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

II. Background

A. What action is the Agency taking?

Pursuant to 40 CFR 155.58, this notice announces the availability of EPA's proposed interim registration review decisions for the pesticides shown in the table in this unit, and opens a 60-day public comment period on the proposed interim decisions.

1. *Acetaminophen (proposed interim decision).* The registration review docket for acetaminophen (EPA–HQ–OPP–2012–0145) opened in a notice published in the **Federal Register** of March 28, 2012 (77 FR 18810) (FRL–9342–1). Acetaminophen is registered for use as a vertebrate pesticide to control the invasive brown tree snake in Guam. The snakes ingest baited mice, which are lethal to the snake. There are no registered food/feed uses for acetaminophen. No pesticide tolerances have been established. EPA did not conduct a human health risk assessment because acetaminophen's pharmaceutical use is well-studied and opportunities for exposure from its pesticidal use are extremely limited. The Agency conducted a quantitative ecological risk assessment for acetaminophen. Baited mice are not likely to be consumed or consumed in quantity by resident animals other than the brown tree snake, the acetaminophen in the mice is not likely to end up in aquatic environments, and there is little potential for exposure to plants. The Agency has concluded that there are no risks of concern for native, non-target organisms associated with the pesticidal use of acetaminophen. The Agency has made a ''no effect'' determination for all federally listed species and a ''no adverse modification of critical habitat'' determination. Acetaminophen has not been evaluated under the Endocrine Disruptor Screening Program (EDSP). Therefore, the Agency's final registration review decision is dependent on the results of the evaluation of potential endocrine disruptor risks. Pending the outcome of this action, EPA is planning to issue an interim registration review decision for acetaminophen.

2. *Clofentezine (proposed interim decision).* The registration review docket for clofentezine (EPA–HQ–OPP–2006–0240) opened in a notice published in the **Federal Register** of March 28, 2007 (72 FR 14548) (FRL–8118–3). Clofentezine is an acaricide registered for use to control mites. It is a liquid formulation for use on almonds, apples, apricots, cherries, Christmas trees, grapes (except New York), nectarines, ornamentals (greenhouse and outdoor), peaches, pears, persimmons, and walnuts. There are currently no registered residential uses of clofentezine. Based on the human health risk assessment conducted in support of registration review for clofentezine, the Agency determined that there are no human health risks of concern for the currently registered uses of clofentezine. Based on the ecological risk assessment that was completed in support of registration review for clofentezine, EPA has determined that all outdoor uses of clofentezine can potentially lead to direct adverse effects to listed and non-listed birds.

The chronic risk level of concern (LOC) was exceeded by dietary risk quotients (RQs) for birds. As birds serve as surrogates to reptiles and terrestrial-phase amphibians, risk to these taxa is also a possibility. The chronic risk to mammals is uncertain and is expected to be limited. The dose-based risk assessment concludes that the chronic RQs slightly exceeds the chronic LOC for small to medium mammals feeding exclusively on short grass, but this was based on a study which showed no effects to growth, reproduction, or survival at the highest dose tested. Clofentezine is moderately persistent in the terrestrial environment and is expected to decline to below toxic levels approximately 1 to 2 weeks after application.

Use of clofentezine is not expected to pose a risk to foraging (adult) bees; however, there is a potential for risk to non-listed and listed terrestrial arthropods because of adverse effects to reproduction and development. Use of clofentezine is not expected to cause direct or indirect adverse effects to non-listed or listed fish, aquatic invertebrates, or aquatic plants. Thus, a ''no effect'' determination is made for all listed aquatic organisms. Several lines

of evidence indicate that clofentezine has low toxicity to plants. Therefore, EPA concludes that use of clofentezine will not pose risk to terrestrial, semi-aquatic (monocots, and dicots) or aquatic plants, and is not expected to harm listed species of plants. Thus, a ''no effect'' determination is made for all listed plants.

This interim decision does not cover the EDSP component of the clofentezine registration review case. Additionally, the ecological risk assessment for clofentezine did not come to a conclusion of ''no effect'' to some listed species. Therefore, consultation with the U.S. Fish and Wildlife Service (FWS) on the potential risk of clofentezine to some listed species will be necessary. The Agency is issuing a proposed interim registration review decision pending the evaluation of potential endocrine disruptor risk and consultation with FWS.

3. *Cyromazine (proposed interim decision).* The registration review docket for cyromazine (EPA–HQ–OPP–2006–0108) opened in a notice published in the **Federal Register** of March 28, 2007 (72 FR 14548) (FRL–8118–3). Cyromazine is a triazine which acts as an insect growth regulator. Cyromazine is registered for use on several agricultural crops such as beans, peppers, and tomatoes; it is registered for use on indoor ornamentals, and to control flies in manure. There are no residential uses for cyromazine. EPA conducted a human health occupational risk assessment and did not identify any risks of concern. The ecological risk assessment identified potential risks to several taxa including birds, mammals, and bees. To mitigate potential ecological risks, the Agency is proposing to increase the application interval for cyromazine use on potatoes; add label language for the onion seed treatment use; add precautionary label language to reduce risk to bees; use; and, increase the minimum droplet size for aerial applications. The proposed changes will reduce estimated risks, but will not reach a conclusion of ''no effect'' to listed species. Therefore, consultation with FWS on the potential risk of cyromazine to listed species will be necessary. Cyromazine has not been evaluated under EDSP. Therefore, the Agency's final registration review decision is dependent on the results of consultation under section 7 of the Endangered Species Act (ESA) (16 U.S.C. 1536) with the FWS and the evaluation of potential endocrine disruptor risk. Pending the outcome of these actions, EPA is planning to issue an interim registration review decision for cyromazine.

4. *Fosthiazate (proposed interim decision).* The registration review docket for fosthiazate (EPA–HQ–OPP–2009–0267) opened in a notice published in the **Federal Register** of June 24, 2009 (74 FR 30077) (FRL–8422–4). Fosthiazate is an organophosphate nematicide for use only on tomatoes, via drip irrigation under plastic. There are no residential uses for fosthiazate. EPA conducted a human health dietary and occupational risk assessment for fosthiazate and did not identify any risks of concern. The ecological risk assessment identified potential risks to several taxa including birds, mammals, and soil-bound terrestrial invertebrates. To mitigate potential ecological risks, the agency is proposing to modify the application directions for fosthiazate. The proposed change will reduce estimated risks, but will not reach a conclusion of ''no effect'' to listed species. Therefore, consultation with FWS on the potential risk of fosthiazate to listed species will be necessary. Fosthiazate has not been evaluated under EDSP. Therefore, the Agency's final registration review decision is dependent on the results of consultation under ESA section 7 with FWS and the evaluation of potential endocrine disruptor risk. Pending the outcome of these actions, EPA is planning to issue an interim registration review decision for fosthiazate.

5. *Hexythiazox (proposed interim decision).* The registration review docket for hexythiazox (EPA–HQ–OPP–2006–0114) opened in a notice published in the **Federal Register** of February 2, 2007 (72 FR 5050) (FRL–8113–1). Hexythiazox is an acaricide that acts primarily as a mite growth inhibitor/ovicide and is used to control mites. It is registered for use on a variety of agricultural crops, turf, and various residential plants. The Agency conducted a human health risk assessment and did not identify any risks of concern. The ecological risk assessment identified areas of potential risk of uncertainty to terrestrial invertebrates, bees, and chronic risk to fish due to lack of data. The Agency is therefore requiring a bee study to determine any productive effects to pollinators. While chronic risk to fish and non-target invertebrates is uncertain due to data gaps, the potential risks expected to be low due to as hexythiazox is applied only once per year at a low rate and is not highly persistent in the environment. The Agency has completed a partial ESA analysis and is making a no effect determination under the ESA for direct adverse effects to listed mammalian, avian (and reptile surrogates) and aquatic plant (vascular and nonvascular). The analysis for indirect effects to listed species in these taxa or effects to their designated critical habitat has not yet been completed. Therefore, consultation with FWS and the National Marine Fisheries Service (NMFS) (the Services) on the potential risk of hexythiazox to listed species will be necessary. Hexythiazox has not been evaluated under the EDSP. Therefore, the Agency's final registration review decision is dependent on the result of consultation under ESA section 7 with FWS and the evaluation of potential endocrine disruptor risk. Pending the outcome of these actions, EPA is planning to issue an interim registration review decision for hexythiazox.

6. *Lactofen (proposed interim decision).* The registration review docket for lactofen (EPA–HQ–OPP–2005–0287) opened in a notice published in the **Federal Register** of February 2, 2007 (72 FR 5050) (FRL–8113–1). Lactofen is a light dependent peroxidizing herbicide (LDPH) with uses on conifer seedlings, cotton, kenaf, peanuts, and soybean, with State-specific uses on fruiting vegetables, okra, and snap beans. There are no residential uses for lactofen. EPA conducted a human health occupational risk assessment and did not identify any risks of concern. The ecological risk assessment identified potential risks to several different taxa. However, due to the number of conservative assumptions included in the assessment, and additional use and usage information to help characterize potential risks, the Agency is not proposing mitigation changes at this time. The risk assessment for lactofen did not come to a conclusion of ''no effect'' to listed species. Therefore, consultation with FWS on the potential risk of lactofen to listed species will be necessary. Lactofen has not been evaluated under EDSP. Therefore, the Agency's final registration review decision is dependent on the results of consultation under ESA section 7 with FWS and the evaluation of potential endocrine disruptor risk. Pending the outcome of these actions, EPA is planning to issue an interim registration review decision for lactofen.

7. *Macleaya extract (proposed interim decision).* The registration review docket for macleaya extract (EPA–HQ–OPP–2011–0172) opened in a notice published in the **Federal Register** of March 30, 2011 (76 FR 17646) (FRL–8868–9). Macleaya extract is a plant extract of *Macleaya cordata,* and is registered for use only in enclosed commercial greenhouses, as an

ornamental plant fungicide for the control of foliar fungal diseases. There are no registered food uses of macleaya extract. EPA completed a qualitative draft human health risk assessment for all macleaya extract uses. No risks of concern were identified. The Agency also conducted an ecological risk assessment and endangered species effects determination. No risks of concern were identified and the Agency has made a ''no effect'' determination for federally listed species and a ''No Habitat Modification'' determination for all designated critical habitats under ESA. Macleaya extract has not been evaluated under EDSP. Therefore, the Agency's final registration review decision is dependent on the result of the evaluation of potential endocrine disruptor risk. Pending the outcome of this action, EPA is planning to issue an interim registration review decision for macleaya extract.

8. *Quizalofop (proposed interim decision).* The registration review docket for quizalofop (EPA–HQ–OPP–2007–1089) opened in a notice published in the **Federal Register** of December 19, 2007 (72 FR 71893) (FRL–8342–9). Quizalofop is a selective post-emergence herbicide and appears as two different isomers: Quizalofop-ethyl and quizalofop-*p*-ethyl. Quizalofop-ethyl is a 50/50 racemic mixture of *R*- and *S*-enantiomers and there are no active pesticide registrations of this isomer. Quizalofop is the purified *R*-enantiomer and the pesticidally active isomer. For the Agency's purposes, both isomers will be referred to collectively as quizalofop. Quizalofop is registered to control annual and perennial grasses in various crops including Chinese cabbage, cotton, garlic, grains, legumes, mint, pineapple, soybean, sugar beets, and sunflower. Quizalofop is also used in non-agricultural settings, such as cottonwood and poplar plantations, fencerows, roadsides, and other uncultivated areas. EPA conducted a risk assessment for both human health and ecological risk. No risks of concern were identified in the human health risk assessment. The ecological risk assessment indicated potential risks to amphibians, freshwater fish, non-target monocots, and terrestrial mammals. The Agency is proposing mitigation to reduce spray drift risk to non-target organisms. The ecological risk assessment did not come to a conclusion of ''no effect'' to listed species, therefore, consultation with FWS on the potential risk of quizalofop to listed species will be necessary. Quizalofop has not been evaluated under EDSP. Therefore, the Agency's final registration review decision is dependent on the result of consultation under ESA section 7 with FWS and the evaluation of potential endocrine disruptor risk. Pending the outcome of these actions, EPA is planning to issue an interim registration review decision for quizalofop.

9. *Trinexapac-ethyl (proposed interim decision).* The registration review docket for trinexapac-ethyl (EPA–HQ–OPP–2008–0657) opened in a notice published in the **Federal Register** of September 15, 2008 (73 FR 53244) (FRL–8381–3). Trinexapac-ethyl is a plant growth regulator registered for use by homeowners and professional applicators to manage growth of barley, grasses grown for seed, oats, sugarcane, triticale, turf grass, and wheat. Turf grass uses include athletic fields and parks, commercial and residential lawns, golf courses, and sod farms. It is also registered for application around flower beds, ornamental trees, and shrubs.

EPA conducted a human health risk assessment and did not identify any risks of concern. In addition, EPA conducted an ecological risk assessment. Based on low-risk estimates, and the conservative nature of the risk assessment, the Agency does not anticipate ecological risks of concern for assessed taxa from currently registered uses of trinexapac-ethyl. The Agency is not proposing mitigation changes at this time. However, the Agency is proposing that labels clarify the single-maximum application rate for liquid turf end-use products. The risk assessment for trinexapac-ethyl did not come to a conclusion of ''no effect'' to listed species. Therefore, consultation with the Services on the potential risk of trinexapac-ethyl to listed species will be necessary. Trinexapac-ethyl has not been evaluated under EDSP. Therefore, the Agency's final registration review decision is dependent on the result of consultation under ESA section 7 with FWS and the evaluation of potential endocrine disrupter risk. Pending the outcome of these actions, EPA is planning to issue an interim registration review decision for trinexapac-ethyl.

TABLE—REGISTRATION REVIEW PROPOSED INTERIM DECISIONS

Registration review case name and number	Pesticide docket identification number	Chemical review manager, telephone number, email address
Acetaminophen (Case 7610)	EPA–HQ–OPP–2012–0145.	Bonnie Adler, (703) 308–8523, *adler.bonnie@epa.gov*.
Clofentezine (Case 7602)	EPA–HQ–OPP–2006–0240.	Wilhelmena Livingston, (703) 308–8025, *livingston.wilhelmena@epa.gov*.
Cyromazine (Case 7439)	EPA–HQ–OPP–2006–0108.	James Parker, (703) 306–0469, *parker.james@epa.gov*.
Fosthiazate (Case 7604)	EPA–HQ–OPP–2009–0267.	James Parker, (703) 306–0469, *parker.james@epa.gov*.
Hexythiazox (Case 7404)	EPA–HQ–OPP–2006–0114.	Molly Clayton, (703) 603–0522, *clayton.molly@epa.gov*.
Lactofen (Case 7210)	EPA–HQ–OPP–2005–0287.	Kelly Ballard, (703) 305–8126, *ballard.kelly@epa.gov*.
Macleaya Extract (Case 7024)	EPA–HQ–OPP–2011–0172.	Susan Bartow, (703) 603–0065, *bartow.susan@epa.gov*.
Quizalofop (Case 7215)	EPA–HQ–OPP–2007–1089.	Khue Nguyen, (703) 347–0248, *nguyen.khue@epa.gov*.
Trinexapac-ethyl (Case 7228)	EPA–HQ–OPP–2008–0657.	Kaitlin Keller, (703) 308–8172, *keller.kaitlin@epa.gov*.

The registration review docket for a pesticide includes earlier documents related to the registration review of the case. For example, the review opened with a Summary Document, containing a Preliminary Work Plan, for public

comment. A Final Work Plan was placed in the docket following public comment on the initial docket.

The documents in the dockets describe EPA's rationales for conducting additional risk assessments for the registration review of the pesticides included in the table in Unit II.A., as well as the Agency's subsequent risk findings and consideration of possible risk mitigation measures. These proposed interim registration review decisions are supported by the rationales included in those documents.

Following public comment, the Agency is planning to issue interim registration review decisions for products containing the pesticides listed in the table in Unit II.A.

The registration review program is being conducted under congressionally mandated timeframes, and EPA recognizes the need both to make timely decisions and to involve the public. Section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136a(g)) required EPA to establish by regulation procedures for reviewing pesticide registrations, originally with a goal of reviewing each pesticide's registration every 15 years to ensure that a pesticide continues to meet the FIFRA standard for registration. The Agency's final rule to implement this program was issued in the **Federal Register** of August 9, 2006 (71 FR 45720) (FRL–8080–4) and became effective October 10, 2006, and appears at 40 CFR part 155, subpart C. The Pesticide Registration Improvement Act of 2003 (PRIA) was amended and extended in September 2007. FIFRA, as amended by PRIA in 2007, requires EPA to complete registration review decisions by October 1, 2022, for all pesticides registered as of October 1, 2007 (7 U.S.C. 136a(g)).

The registration review final rule at 40 CFR 155.58(a) provides for a minimum 60-day public comment period on all 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. 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 the table in Unit II.A. Comments received after the close of the comment period will be marked ''late.'' EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and will provide a ''Response to Comments Memorandum'' in the docket. The final registration review decision will explain the effect that any comments had on the decision and provide the Agency's response to significant comments.

Background on the registration review program is provided at: *http://www.epa.gov/oppsrrd1/registration_review.* Links to earlier documents related to the registration review of these pesticides are provided at: *http://www.epa.gov/oppsrrd1/registration_review/reg_review_status.htm.*

B. What is the Agency's authority for taking this action?

Section 3(g) of FIFRA (7 U.S.C. 136a(g)) and 40 CFR part 155, subpart C, provide authority for this action.

List of Subjects

Environmental protection, Acetaminophen, Administrative practice and procedure, Clofentezine, Cyromazine, Fosthiazate, Hexythiazox, Lactofen, Macleaya extract, Pesticides and pests, Quizalofop, and Trinexapac-ethyl.

Dated: July 15, 2014.

Richard P. Keigwin, Jr.,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2014–17244 Filed 7–22–14; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OA–2014–0001: FRL 9914–13–OA]

Good Neighbor Environmental Board

AGENCY: Environmental Protection Agency (EPA).

ACTION: Request for Nominations to the Good Neighbor Environmental Board.

SUMMARY: The Environmental Protection Agency (EPA) invites nominations from a diverse range of qualified candidates to be considered for appointment to its Good Neighbor Environmental Board (GNEB). Vacancies are expected to be filled by March 9, 2015. Sources in addition to this **Federal Register** Notice may also be utilized in the solicitation of nominees.

Background: GNEB is a federal advisory committee chartered under the Federal Advisory Committee Act (FACA), Public Law 92–463. GNEB was created in 1992 by the Enterprise for the Americas Initiative Act, Public Law 102–532, 7 U.S.C. 5404. Implementing authority was delegated to the Administrator of EPA under Executive Order 12916. The GNEB is charged by statute with submitting an annual report to the President on the need for implementation of environmental and infrastructure projects within the states of the United States contiguous to Mexico. The statute calls for the GNEB to have representatives from U.S. Government agencies; the governments of the states of Arizona, California, New Mexico and Texas; and tribal and private organizations with experience in environmental and infrastructure issues along the U.S./Mexico Border. Members are appointed by the EPA Administrator for two year terms with the possibility of reappointment. The GNEB meets approximately three times annually either in person or via video/teleconference. The average workload for committee members is approximately 10 to 15 hours per month. Members serve on the committees in a voluntary capacity. Although we are unable to offer compensation or an honorarium, members may receive travel and per diem allowances, according to applicable federal travel regulations. The EPA is seeking nominations from a variety of nongovernmental interests along the U.S.-Mexico border from the private sector, including representatives from business, academia, environmental groups, health groups, ranching and grazing, energy, financial, and other relevant sectors. EPA values and welcomes diversity. In an effort to obtain nominations of diverse candidates, EPA encourages nominations of women and men of all racial and ethnic groups.

The following criteria will be used to evaluate nominees:

- Background and experiences that would help members contribute to the diversity of perspectives on the committee (e.g., geographic, economic, social, cultural, educational, and other considerations).
- Representative of a sector or group that helps to shape border-region environmental policy or representatives of a group that is affected by border region environmental policy.
- Has extensive professional knowledge and experience with the particular issues that the GNEB examines (i.e. environmental and infrastructure issues along the U.S.-Mexico border), including the bi-national dimension of these issues.
- Bring senior level experience that will fill a need of the GNEB in bringing a new and relevant dimension to its deliberations.
- Possesses a demonstrated ability to work in a consensus building process

with a wide range of representatives from diverse constituencies.

• Ability to contribute approximately 10 to 15 hours per month to the GNEB's activities, including face-to-face meetings, conference calls and participation in the development of the GNEB's annual report to the President and comment letters.

• Nominees may self-nominate by submitting a resume describing their professional and educational qualifications, including current business address, email and daytime telephone number.

• All nominees must demonstrate the potential for active and constructive involvement in the GNEB's work.

If you are interested in serving on GNEB, we will need the following items to process your nomination package:

• Nominations must include a brief statement of interest, resume, curriculum vitae, or a short biography (no more than two paragraphs) describing your professional and educational qualifications, including a list of relevant activities and any current or previous service on advisory committees. The statement of interest, resume, curriculum vitae, or short biography should include the candidate's name, name and address of current organization, position title, email address, and daytime telephone number(s). In preparing your statement of interest, please describe how your background, knowledge, and experience will bring value to the work of the committee, and how these qualifications would contribute to the overall diversity of the GNEB. Also, be sure to describe any previous involvement with the Agency through employment, grant funding and/or contracting sources.

• Candidates from the academic sector must also provide a letter of recommendation authorizing the nominee to represent their institution.

• Please be advised that federal registered lobbyists are not permitted to serve on federal advisory boards.

ADDRESSES: Submit nominations to Ann-Marie Gantner, Acting Designated Federal Officer, Office of Diversity, Advisory Committee Management and Outreach (1601M), 1200 Pennsylvania Avenue NW., Washington, DC 20460. You may also email nominations with the subject line COMMITTEE RESUME 2014 to *gantner.ann-marie @epa.gov.*

FOR FURTHER INFORMATION CONTACT: Ann-Marie Gantner, Acting Designated Federal Officer, U.S. EPA, telephone 202–564–4330, fax: 202–564–8129.

Dated: July 1, 2014.

Ann-Marie Gantner,

Acting Designated Federal Officer.

[FR Doc. 2014–17241 Filed 7–22–14; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK OF THE UNITED STATES

Intent To Conduct a Detailed Economic Impact Analysis

AGENCY: Export-Import Bank.

ACTION: Notice.

SUMMARY: In conformity with the provisions of Section 2(e)(7)(B) of the Ex-Im Bank Charter, this notice is to inform the public that the Export-Import Bank of the United States has received an application for a loan guarantee to support the export of U.S.-manufactured Boeing 777 and Boeing 737 passenger aircraft that will be operated by an airline in China. The specific amount of the loan guarantee, the value of the transaction, and the amount of new foreign production capacity are not included here because they are proprietary information. However, the total value of the transaction is in excess of $200 million and, based on currently available information, the amount of increased wide-body seat capacity resulting from these aircraft will be 1% or more of comparable wide-body seat capacity within the U.S. airline industry. The aircraft in this transaction will enable passenger route service within China and from China to various regional and international destinations, potentially including the United States.

DATES: Comments are due August 6, 2014.

ADDRESSES: Comments can be sent electronically to economic.impact@exim.gov or by mail to 811 Vermont Avenue, Washington, DC 20571, attention Policy and Planning Division.

James C. Cruse,

Senior Vice President, Policy and Planning.

[FR Doc. 2014–17277 Filed 7–22–14; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before September 22, 2014. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0627.

Title: FCC Form 302–AM, Application for AM Broadcast Station License.

Form Number: FCC Form 302–AM.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not for profit institutions.

Number of Respondents and Responses: 380 respondents and 380 responses.

Estimated Time per Response: 4–20 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 2,800 hours.

Total Annual Costs: $5,684,350.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority is contained in Sections 154(i), 303 and 308 of the Communications Act of 1934, as amended.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Impact Assessment(s): No impact(s).

Needs and Uses: Licenses and permittees of AM broadcast stations are required to file FCC Form 302–AM to obtain a new or modified station license, and/or to notify the Commission of certain changes in the licensed facilities of these stations. Additionally, when changes are made to an AM station that alter the resistance of the antenna system, a licensee must initiate a determination of the operating power by the direct method. The results of this are reported to the Commission using the FCC 302–AM.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary, Office of the Managing Director.

[FR Doc. 2014–17341 Filed 7–22–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Radio Broadcasting Services; AM or FM Proposals To Change the Community of License

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The following applicants filed AM or FM proposals to change the community of license: Connoisseur Media Licenses, LLC, Station WFOX, Facility ID 14379, BPH–20140522AGF, from Norwalk, CT, to Southport, CT; DJ Broadcasting, Inc., Station NEW, Facility ID 191571, BMPH–20140515ADE, from Rosebud, SD, to Kilgore, NE; Jacom, Inc., Station WQBX, Facility ID 60788, BPH–20140508ABS, from Fowler, MI, to Alma, MI; Oasis of Faith, Inc., Station NEW, Facility ID 172635, BMPED–20140530AFO, from Uvalde, TX, to Bracketville, TX; South Central Oklahoma Christian Broadcasting, Inc., Station KTMU, Facility ID 174356, BPED–20140528AAB, from Muenster, TX, to Oak Ridge, TX.

DATES: The agency must receive comments on or before September 22, 2014.

ADDRESSES: Federal Communications Commission, 445 Twelfth Street SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Tung Bui, 202–418–2700.

SUPPLEMENTARY INFORMATION: The full text of these applications is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street SW., Washington, DC 20554 or electronically via the Media Bureau's Consolidated Data Base System, *http://svartifoss2.fcc.gov/prod/cdbs/pubacc/prod/cdbs_pa.htm.* A copy of this application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone 1–800–378–3160 or *www.BCPIWEB.com.*

Federal Communications Commission.

James D. Bradshaw,

Deputy Chief, Audio Division, Media Bureau.

[FR Doc. 2014–17372 Filed 7–22–14; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice to All Interested Parties of the Termination of the Receivership of 10398, First International Bank, Plano, TX

Notice is hereby given that the Federal Deposit Insurance Corporation (''FDIC'') as Receiver for First International Bank, Plano, TX (''the Receiver'') intends to terminate its receivership for said institution. The FDIC was appointed receiver of First International Bank on September 30, 2011. The liquidation of the receivership assets has been completed. To the extent permitted by available funds and in accordance with law, the Receiver will be making a final dividend payment to proven creditors.

Based upon the foregoing, the Receiver has determined that the continued existence of the receivership will serve no useful purpose. Consequently, notice is given that the receivership shall be terminated, to be effective no sooner than thirty days after the date of this Notice. If any person wishes to comment concerning the termination of the receivership, such comment must be made in writing and sent within thirty days of the date of this Notice to: Federal Deposit Insurance Corporation, Division of Resolutions and Receiverships, Attention: Receivership Oversight Department 32.1, 1601 Bryan Street, Dallas, TX 75201.

No comments concerning the termination of this receivership will be considered which are not sent within this time frame.

Dated: July 18, 2014.

Federal Deposit Insurance Corporation.

Ralph E. Frable,

Assistant Executive Secretary.

[FR Doc. 2014–17311 Filed 7–22–14; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve days of the date this notice appears in the **Federal Register**. Copies of the agreements are available through the Commission's Web site (*www.fmc.gov*) or by contacting the Office of Agreements at (202) 523–5793 or *tradeanalysis@fmc.gov*.

Agreement No.: 011961–016.

Title: The Maritime Credit Agreement.

Parties: Alianca Navegacao e Logistica Ltda. & Cia.; A.P. Moller-Maersk A/S trading under the name of Maersk Line; China Shipping Container Lines Co., Ltd.; Companhia Libra de Navegacao; Compania Libra de Navegacion Uruguay S.A.; Compania Sud Americana de Vapores, S.A.; COSCO Container Lines Company Limited; Dole Ocean Cargo Express; Hamburg-Süd; Hanjin Shipping Co., Ltd.; Independent Container Line Ltd.; Kawasaki Kisen Kaisha, Ltd.; Nippon Yusen Kaisha; Norasia Container Lines Limited; United Arab Shipping Company (S.A.G.); Wallenius Wilhelmsen Logistics AS; Zim Integrated Shipping Services, Ltd.

Filing Party: Wayne R. Rohde, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

Synopsis: The amendment removes CMA CGM S.A. as a party to the Agreement.

Agreement No.: 012210–001.

Title: Siem Car Carrier Pacific AS/Eukor Car Carriers Inc. Space Charter Agreement.

Parties: Siem Car Carrier Pacific AS and Eukor Car Carriers Inc.

Filing Party: Ashley W. Craig, Esq. and Elizabeth K. Lowe, Esq.; Venable LLP; 575 Seventh Street NW., Washington, DC 20004.

Synopsis: The amendment expands the geographic scope and updates the name and address of one of the parties.

Agreement No.: 012287.

Title: Siem Car Carrier Pacific AS/ Mitsui O.S.K Lines Ltd. Space Charter Agreement.

Parties: Siem Car Carrier Pacific AS and Mitsui O.S.K Lines Ltd.

Filing Party: Ashley W. Craig, Esq. and Elizabeth K. Lowe, Esq.; Venable LLP; 575 Seventh Street NW., Washington, DC 20004.

Synopsis: The agreement authorizes the parties to charter space in the trade between the U.S. East and West Coasts, on the one hand, and China Japan, South Korea, and Mexico, on the one hand.

Agreement No.: 201224.

Title: Marine Terminal Lease and Operating Agreement between Canaveral Port Authority and GT USA LLC.

Parties: Canaveral Port Authority and GT USA LLC.

Filing Party: Paul Heylman, Partner; Saul Ewing LLP; 1919 Pennsylvania Avenue NW., Suite 550; Washington, DC 20006.

Synopsis: The agreement authorizes GT USA to lease space from Canaveral Port Authority.

By Order of the Federal Maritime Commission.

Dated: July 18, 2014.

Karen V. Gregory,

Secretary.

[FR Doc. 2014–17309 Filed 7–22–14; 8:45 am]

BILLING CODE 6730–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 15, 2014.

A. Federal Reserve Bank of St. Louis (Yvonne Sparks, Community Development Officer) P.O. Box 442, St. Louis, Missouri 63166–2034:

1. Simmons First National Corporation, Pine Bluff, Arkansas; to acquire 100 percent of Liberty Bancshares, Inc., and thereby indirectly acquire Liberty Bank, both of Springfield, Missouri.

Board of Governors of the Federal Reserve System, July 18, 2014.

Michael J. Lewandowski,

Assistant Secretary of the Board.

[FR Doc. 2014–17306 Filed 7–22–14; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL TRADE COMMISSION

[File No. 132 3204]

Engineered Plastic Systems, LLC; Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or deceptive acts or practices. The attached Analysis to Aid Public Comment describes both the allegations in the draft complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before August 18, 2014.

ADDRESSES: Interested parties may file a comment at *https://ftcpublic.commentworks.com/ftc/plasticlumberconsent* online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write ''Engineered Plastic Systems, Consent Agreement; File No. 132 3204'' on your comment and file your comment online at *https://ftcpublic.commentworks.com/ftc/plasticlumberconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Robert Frisby, Bureau of Consumer Protection, (202–326–2098), 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for July 17, 2014), on the World Wide Web, at *http://www.ftc.gov/os/actions.shtm.*

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before August 18, 2014. Write ''Engineered Plastic Systems, Consent Agreement; File No. 132 3204'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at *http://www.ftc.gov/os/publiccomments.shtm.* As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health

information, like medical records or other individually identifiable health information. In addition, do not include any ''[t]rade secret or any commercial or financial information which . . . is privileged or confidential,'' as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).[1] Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/plasticlumberconsent* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that Web site.

If you file your comment on paper, write ''Engineered Plastic Systems, Consent Agreement; File No. 132 3204'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before August 18, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at *http://www.ftc.gov/ftc/privacy.htm.*

[1] In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'' or ''Commission'') has accepted, subject to final approval, an agreement containing a consent order from Engineered Plastic Systems, LLC, a limited liability company (''Respondent'').

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

This matter addresses allegedly deceptive green claims that Respondent made while promoting its plastic lumber products. According to the FTC complaint, Respondent represented that some of its benches and tables are all, or virtually all, recycled plastic. The complaint also alleges that these products contained substantially less recycled plastic than Respondent represented. According to the complaint, from June 2011 to early 2014, Respondent's tables and benches, on average, contained only about 72% recycled plastic. Thus, the complaint alleges that the above claims were false, misleading, or unsubstantiated in violation of Section 5(a) of the FTC Act.

The proposed consent order contains several provisions designed to prevent Respondent from engaging in similar acts and practices in the future. Part I prohibits Respondent from making representations regarding the recycled content or the environmental benefit of any product or package unless they are true, not misleading, and substantiated by competent and reliable evidence. Part I further provides that if, in general, experts in the relevant scientific field would conclude it necessary, such evidence must be competent and reliable scientific evidence. Consistent with the Guides for the Use of Environmental Marketing Claims (''Green Guides''), 16 CFR 260.13(b), Part I specifically requires Respondent to substantiate recycled content claims by demonstrating that such content is composed of materials that were recovered or otherwise diverted from the waste stream.

Parts II through VI are reporting and compliance provisions. Part II requires Respondent to keep (and make available to the Commission on request): copies of advertisements and promotional materials containing the representations covered by the order; materials relied upon in disseminating those representations; and evidence that contradicts, qualifies, or calls into question the representations, or the basis relied upon for the representations. Part III requires dissemination of the order now and in the future to principals, officers, directors, and managers, and to all current and future employees, agents, and representatives having responsibilities relating to the subject matter of the order. It also requires Respondent to maintain and make available to the FTC all acknowledgments of receipt of the order. Part IV requires notification to the FTC of changes in corporate status. Part V mandates that Respondent submit an initial compliance report to the FTC and subsequent reports requested by the FTC. Part VI is a provision terminating the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed consent order. It is not intended to constitute an official interpretation of the proposed order or to modify its terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2014–17285 Filed 7–22–14; 8:45 am]

BILLING CODE 6750–01–P

GOVERNMENT ACCOUNTABILITY OFFICE

Vacancy on Board of Governors of the Patient-Centered Outcomes Research Institute (PCORI)

AGENCY: Government Accountability Office (GAO).

ACTION: Notice on letters of nomination.

SUMMARY: The Patient Protection and Affordable Care Act gave the Comptroller General of the United States responsibility for appointing 19 members to the Board of Governors the Patient-Centered Outcomes Research Institute and for filling vacancies that may occur. Board members must meet the qualifications listed in Section 6301 of the Act, including one member

representing quality improvement or independent health services researchers. Due to a vacancy on the board in this category, I am announcing the following: letters of nomination and resumes should be submitted by August 15, 2014 to ensure adequate opportunity for review and consideration of nominees prior to appointment. Letters of nomination and resumes can be sent to either the email or mailing address listed below.

ADDRESSES: Nominations can be submitted by either of the following:

Email: PCORI@gao.gov.

Mail: U.S. GAO, Attn: PCORI Appointments, 441 G Street NW., Washington, DC 20548.

FOR MORE INFORMATION CONTACT:

GAO: Office of Public Affairs, (202) 512–4800.

Authority: Sec. 6301, Pub. L. 111–148.

Gene L. Dodaro,

Comptroller General of the United States.

[FR Doc. 2014–17238 Filed 7–22–14; 8:45 am]

BILLING CODE 1610–02–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Designation of a Class of Employees for Addition to the Special Exposure Cohort

AGENCY: National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HHS gives notice of a decision to designate a class of employees from the Nuclear Metals, Inc. facility in West Concord, Massachusetts, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000. On July 11, 2014, the Secretary of HHS designated the following class of employees as an addition to the SEC:

''All Atomic Weapons Employees who worked at the facility owned by Nuclear Metals, Inc. (or a subsequent owner) in West Concord, Massachusetts, during the period from January 1, 1980, through December 31, 1990, for a number of work days aggregating at least 250 work days, occurring either solely under this employment, or in combination with work days within the parameters established for one or more other classes of employees included in the Special Exposure Cohort.''

This designation will become effective on August 10, 2014, unless Congress provides otherwise prior to the effective date. After this effective date, HHS will publish a notice in the **Federal Register** reporting the addition of this class to the SEC or the result of any provision by Congress regarding the decision by HHS to add the class to the SEC.

FOR FURTHER INFORMATION CONTACT: Stuart L. Hinnefeld, Director, Division of Compensation Analysis and Support, NIOSH, 1090 Tusculum Avenue, MS C–46, Cincinnati, OH 45226–1938, Telephone 1–877–222–7570. Information requests can also be submitted by email to *DCAS@CDC.GOV.*

John Howard,

Director, National Institute for Occupational Safety and Health.

[FR Doc. 2014–17320 Filed 7–22–14; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Meeting of the Presidential Advisory Council on HIV/AIDS

AGENCY: Office of the Assistant Secretary for Health, Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: As stipulated by the Federal Advisory Committee Act, the U.S. Department of Health and Human Service (DHHS) is hereby giving notice that the Presidential Advisory Council on HIV/AIDS (PACHA) will hold a meeting to discuss HIV/AIDS in the Southern United States, HIV related workforce issues, and Hepatitis C and the impact of the Affordable Care Act. The meeting will be open to the public.

DATES: The meeting will be held on September 4, 2014, from 9:00 a.m. to approximately 5:00 p.m. (EDT) and September 5, 2014, from 9:00 a.m. to approximately 12:30 p.m. (EDT).

ADDRESSES: The Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201. On September 4, the meeting will be held in the auditorium of the Hubert H. Humphrey Building. On September 5, the meeting will be held in the Great Hall of the Hubert H. Humphrey Building.

FOR FURTHER INFORMATION CONTACT: Ms. Caroline Talev, Public Health Analyst, Presidential Advisory Council on HIV/AIDS, U.S Department of Health and Human Services, 200 Independence Avenue SW., Room 443H, Washington, DC 20201; (202) 205–1178. More detailed information about PACHA can be obtained by accessing the Council's Web site *www.aids.gov/pacha.*

SUPPLEMENTARY INFORMATION: PACHA was established by Executive Order 12963, dated June 14, 1995, as amended by Executive Order 13009, dated June 14, 1996. The Council was established to provide advice, information, and recommendations to the Secretary regarding programs and policies intended to promote effective prevention of HIV disease and AIDS. The functions of the Council are solely advisory in nature.

The Council consists of not more than 25 members. Council members are selected from prominent community leaders with particular expertise in, or knowledge of, matters concerning HIV and AIDS, public health, global health, philanthropy, marketing or business, as well as other national leaders held in high esteem from other sectors of society. Council members are appointed by the Secretary or designee, in consultation with the White House Office on National AIDS Policy. The agenda for the upcoming meeting will be posted on the Council's Web site at *www.aids.gov/pacha.*

Public attendance at the meeting is limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the designated contact person. Due to space constraints, pre-registration for public attendance is advisable and can be accomplished by contacting Caroline Talev at *caroline.talev@hhs.gov* by close of business Wednesday, August 20, 2014. Members of the public will have the opportunity to provide comments at the meeting. Any individual who wishes to participate in the public comment session must register with Caroline Talev at *caroline.talev@hhs.gov* by close of business Wednesday, August 20, 2014; registration for public comment will not be accepted by telephone. Individuals are encouraged to provide a written statement of any public comment(s) for accurate minute taking purposes. Public comment will be limited to two minutes per speaker. Any members of the public who wish to have printed material distributed to PACHA members at the meeting should submit, at a minimum, 1 copy of the material(s) to Caroline Talev, no later than close of business August 20, 2014.

Dated: July 9, 2014.

B. Kaye Hayes,

Executive Director, Presidential Advisory Council on HIV/AIDS.

[FR Doc. 2014–17271 Filed 7–22–14; 8:45 am]

BILLING CODE 4150–43–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–14–14VS]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The notice for the proposed information collection is published to obtain comments from the public and affected agencies.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address any of the following: (a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) Enhance the quality, utility, and clarity of the information to be collected; (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and (e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570 or send an email to *omb@cdc.gov.* Written comments and/or suggestions regarding the items contained in this notice should be directed to the Attention: CDC Desk Officer, Office of Management and Budget, Washington, DC 20503 or by fax to (202) 395–5806. Written comments should be received within 30 days of this notice.

Proposed Project

Developmental Studies to Improve the National Health Care Surveys—New—National Center for Health Statistics (NCHS), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Section 306 of the Public Health Service (PHS) Act (42 U.S.C. 242k), as amended, authorizes the Secretary of Health and Human Services (DHHS), acting through the Division of Health Care Statistics (DHCS) within NCHS, shall collect statistics on the extent and nature of illness and disability of the population of the United States.

The DHCS conducts the National Health Care Surveys, a family of nationally representative surveys of encounters and health care providers in inpatient, outpatient, and long-term care settings. This information collection request (ICR) is for a new generic clearance to conduct developmental studies to improve this family of surveys. This three year clearance period will include studies to evaluate and improve upon existing survey design and operations, as well as to examine the feasibility of, and address challenges that may arise with, future expansions of the National Health Care Surveys.

Specifically, this request covers developmental research with the following aims: (1) To explore ways to refine and improve upon existing survey designs and procedures; and (2) to explore and evaluate proposed survey designs and alternative approaches to data collection. The goal of these research studies is to further enhance DHCS existing and future data collection protocols to increase research capacity and improve health care data quality for the purpose of monitoring public health and well-being at the national, state and local levels, thereby informing health policy decision-making process. The information collected through this generic ICR will not be used to make generalizable statements about the population of interest or to inform public policy; however, methodological findings may be reported.

This generic clearance would include studies conducted in person, via the telephone or internet, and by postal or electronic mail. Methods covered would include qualitative (e.g., usability testing, focus groups, ethnographic studies, and respondent debriefing questionnaires) and/or quantitative (e.g., pilot tests, pre-tests and split sample experiments) research methodologies. Examples of studies to improve existing survey designs and procedures may include evaluation of incentive approaches to improve recruitment and increase participation rates; testing of new survey items to obtain additional data on providers, patients, and their encounters while minimizing misinterpretation and human error in data collection; testing data collection in panel surveys; triangulating and validating survey responses from multiple data sources; assessment of the feasibility of data retrieval; and development of protocols that will locate, identify, and collect accurate survey data in the least labor-intensive and burdensome manner at the sampled practice site.

To explore and evaluate proposed survey designs and alternative approaches to collecting data, especially with the nationwide adoption of electronic health records, studies may expand the evaluation of data extraction of electronic health records and submission via continuity of care documentation to small/mid-size/large medical providers and hospital networks, managed care health plans, prison-hospitals, and other inpatient, outpatient, and long-term care settings that are currently either in-scope or out-of-scope of the National Health Care Surveys. Research on feasibility, data quality and respondent burden also may be carried out in the context of developing new surveys of health care providers and establishments that are currently out-of-scope of the National Health Care Surveys.

Specific motivations for conducting developmental studies include: (1) Within the National Ambulatory Medical Care Survey (NAMCS) (OMB No. 0920–0234), new clinical groups may be expanded to include dentists, psychologists, podiatrists, chiropractors, optometrists), mid-level providers (e.g., physician assistants, advanced practice nurses, nurse practitioners, certified nurse midwives) and allied-health professionals (e.g., certified nursing aides, medical assistants, radiology technicians, laboratory technicians, pharmacists, dieticians/nutritionists). Current sampling frames such as those from the American Medical Association may be obtained and studied, as well as frames that are not currently in use by NAMCS, such as state and organizational listings of other licensed providers. (2) Within the National Study of Long-Term Care Providers (OMB No. 0920–0912), additional new frames may be sought and evaluated and data items from home care agencies, long-term care hospitals, and facilities exclusively serving individuals with intellectual/developmental disability may be tested. Similarly, data may be obtained from lists compiled by states and other organizations. Data about the facilities as well as residents and their visits will be investigated. (3) In the inpatient and outpatient care settings, the National Hospital Care Survey (NHCS) (OMB No.

0920–0212) and the National Hospital Ambulatory Medical Care Survey (NHAMCS) (OMB No. 0920–0278) may investigate the addition of facility and patient information especially as it relates to insurance and electronic medical records.

Discussion is underway with the DHHS Office of Minority Health on the possibility of conducting a study to collect data on the awareness, adoption and implementation of the Enhanced National Standards on Culturally and Linguistically Appropriate Services (CLAS) in physician offices. The study may be preceded by a feasibility study.

The National Health Care Surveys collect critical, accurate data that are used to produce reliable national estimates—and in recent years, state-level estimates—of clinical services and of the providers who delivered those services in inpatient, outpatient, ambulatory, and long-term care settings. The data from these surveys are used by providers, policy makers and researchers to address important topics of interest, including the quality and disparities of care among populations, epidemiology of medical conditions, diffusion of technologies, effects of policies and practice guidelines, and changes in health care over time. Research studies need to be conducted to improve existing and proposed survey design and procedures of the National Health Care Surveys, as well as to evaluate alternative data collection approaches particularly due to the expansion of electronic health record use, and to develop new sample frames of currently out-of-scope providers and settings of care. There is no cost to respondents other than their time to participate. Average burdens are designed to cover 15–40 min interviews as well as 90 minute focus groups, longer on-site visits, and situations where organizations may be preparing electronic data files. The total estimated annualized burden is 7,085 hours.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Health Care Providers and Business entities	Interviews, surveys, focus groups, experiments (in person, phone, internet, postal/electronic mail).	6,667	1	1
Health Care Providers,State/local government agencies, and business entities.	Interviews, surveys, focus groups, experiments (in person, phone, internet, postal/electronic mail).	167	1	2.5

Leroy Richardson,

Chief, Information Collection Review Office, Office of Scientific Integrity, Office of the Associate Director for Science, Office of the Director, Centers for Disease Control and Prevention.

[FR Doc. 2014–17328 Filed 7–22–14; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2014–N–1009]

Agency Information Collection Activities; Proposed Collection; Comment Request; Information Request Regarding pH of Smokeless Tobacco Products

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (the PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information and to allow 60 days for public comment in response to the notice. This notice solicits comments on the collection of information regarding pH of smokeless tobacco products.

DATES: Submit either electronic or written comments on the collection of information by September 22, 2014.

ADDRESSES: Submit electronic comments on the collection of information to *http://www.regulations.gov.* Submit written comments on the collection of information to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 8455 Colesville Rd., COLE–14526, Silver Spring, MD 20993–0002, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Information Request Regarding pH of Smokeless Tobacco Products (OMB Control Number 0910–NEW)

On June 22, 2009, President Obama signed the Family Smoking Prevention and Tobacco Control Act (the Tobacco Control Act) (Pub. L. 111–31) into law. The Tobacco Control Act amended the Federal Food, Drug, and Cosmetic Act (the FD&C Act) by granting FDA authority to regulate the manufacture, marketing, and distribution of tobacco products to protect the public health generally and to reduce tobacco use by minors.

Section 904(b) of the FD&C Act (21 U.S.C. 387d(b)) states that at the request of the Secretary, each tobacco product manufacturer or importer, or agents thereof, must submit:

- Any or all documents (including underlying scientific information) relating to research activities, and research findings, conducted, supported, or possessed by the manufacturer (or agents thereof) on the health, toxicological, behavioral, or physiological effects of tobacco products and their constituents (including smoke constituents), ingredients, components, and additives.
- Any or all documents (including underlying scientific or financial information) relating to research activities, and research findings, conducted, supported, or possessed by the manufacturer (or agents thereof) that relate to the issue of whether a reduction in risk to health from tobacco products can occur upon the employment of technology available or known to the manufacturer.
- Any or all documents (including underlying scientific or financial information) relating to marketing research involving the use of tobacco products or marketing practices and the effectiveness of such practices used by tobacco manufacturers and distributors.

If the Secretary requests information from the manufacturer of a tobacco product not manufactured in the United States, the importer of the tobacco product is required to supply the information.

FDA is requesting OMB approval of an information collection under section 904(b) of the FD&C Act. To become better informed about the impact of the use of tobacco products on the public health, FDA would request information about the effects of product pH in smokeless tobacco products from all tobacco product manufacturers. FDA would send letters to tobacco product manufacturers and importers who FDA has identified as having an obligation to respond based on information before the Agency. The requested information would include information about research requested under section 904(b) of the FD&C Act as well as information to be provided voluntarily beyond the inquiries described in section 904(b).

I. Information Requested

The proposed request would include the following information:

All documents (including underlying scientific information and financial information) relating to research activities, and research findings, conducted, supported, or possessed by the respondent or the respondent's agents relating to a specified set of topics listed in this document. The request includes but is not limited to documents relating to research findings and activities, if any, that the respondent possesses as the result of acquiring or merging with another company. For purposes of the request, ''research'' would include, but would not be limited to, focus groups, surveys, experimental clinical studies, toxicological and biochemical assays, in vivo and in vitro assays including animal testing, laboratory formulation and processing testing, taste panels, and assessments of the effectiveness of product marketing practices. The request would apply to research relating to any and all smokeless tobacco products, including but not limited to those products for research, investigational use, developmental studies, test marketing, and/or commercial marketing, and also to the components, parts, or accessories of such products. For products not manufactured in the United States, the request would apply to the extent the respondent has imported such products into the United States.

II. Topics

Under section 904(b) of the FD&C Act, FDA would request all documents and underlying scientific and financial information relating to research activities, research findings, and marketing research for smokeless tobacco products developed since January 1, 1970, on the following topics:

- The effect of product pH on ratio of free/bound (unprotonated/protonated) nicotine;
- the effect of product pH on user behavior;
- the effect of product pH on user subjective effects and experiences including, but not limited to, sensory effects in the mouth and throat, liking, craving and withdrawal symptoms, stimulation, concentration, and anxiety;
- the effect of product pH on user physiological responses including, but not limited to, heart rate, blood pressure, temperature, and nicotine pharmacokinetics; and
- for smokeless tobacco products that have a pH of 7.2 or less, marketing research that includes attractiveness or appeal to new users, inexperienced users, and/or to persons under the age of 25.

Research and development of methodology for adjusting the pH of smokeless tobacco products would be specifically excluded from this 904(b) request.

III. Limitations on Types of Documents and Information

With respect to the topics listed, FDA would request only the following documents and information:

- Study proposals, protocols (including all amendments), analysis plans, agreements, notebooks, data collection tools, including but not limited to, forms and assessment scales for planned, ongoing, or completed studies, surveys, and other research, whether for external release or internal use;
- final data analyses and reports regarding studies, surveys, data compilations, or other research, whether for external or internal use (if there were no final analyses, interim data analyses would be included in the request);
- posters and/or presentations exhibited or to be exhibited at external meetings or conferences if the underlying data has not been presented in other documents and information within the request;
- manuscripts, articles, editorials, and letters that have been submitted for publication but not yet published (e.g., in review, accepted, rejected); and
- underlying data (e.g., in the form of spreadsheets, SAS datasets, charts, tables, and diagrams) analyzed to produce any of the data analyses, reports, posters, manuscripts, or articles requested previously in this notice.

FDA would request only the final versions of documents, or in the absence of a final version, the most recent draft of each document. Published (i.e., publically available) press releases, abstracts, editorials, letters, manuscripts, material safety data sheets, and HHS correspondences, would not be requested, although FDA would appreciate a list of such publications provided as a separate appendix.

Data supporting summary reports would be included in the request, and FDA would ask that spreadsheets or SAS datasets be submitted both in PDF and in a file type and structured format that allows for meaningful review and analysis of the data (e.g., Excel (.xls),

comma separated values (.csv), or SAS transport (.xpt) file formats). Also, FDA would request relevant data submissions be accompanied by the name and version of the software used to create the file, and names and definitions of variables and copies of programs and macros needed to generate the analyses. FDA would also ask that respondents include any data analyses that stratify scientific results by gender, race, ethnicity, age, or other similar factors.

Information responsive to the request that has been previously provided to FDA under the FD&C Act would not have to be resubmitted as long as the document was fully referenced in the metadata load file. For documents previously provided to FDA under section 904(a)(1), 904(a)(3), 904(c)(1), 904(c)(2), or 904(c)(3) of the FD&C Act, FDA would ask that the respondent provide the following additional information in the metadata load file: The file name and file extension, Bates number (begin Bates number to end Bates number) and relevant page numbers, date of submission, section under which the document was submitted, tobacco product brand/subbrand name, and product identification number. FDA would also ask that respondents identify the presence of each document in the University of California San Francisco Legacy Tobacco Documents Library (LTDL) as one of the following: Present with the Bates number (begin Bates number to end Bates number), not present, or unknown.

IV. Additional Information

FDA would ask the respondent to submit voluntarily the following additional information, as applicable, to provide context and background for FDA:

- A summary (one to five pages in length) for each of the topics previously mentioned in this notice, that includes the number and type of documents included, and a high-level overview of the content and
- an explanation of the scientific and business reasons, rationale, or justification for developing and marketing smokeless tobacco products with different pH values, including expected and observed perception and behavior of current and potential consumers.

This is a new collection of information. FDA would use the information to assess the effects of pH of smokeless tobacco products on consumers and the public health.

V. Burden Estimate

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Type of respondent gathering product pH information	Number of respondents	Number of responses per respondent	Total annual responses	Average burden hours per response	Total hours	Total capital costs
Tobacco product manufacturers and importers with LTDL collections	3	1	3	120	360	$29
Additional tobacco product manufacturers and importers with previous submissions to FDA	3	1	3	125	375	186
Other manufacturers who have no documents, do not manufacture smokeless tobacco products, or do not anticipate manufacturing these products	119	1	119	5	595	59
Total					1,330	274

[1] There are no operating and maintenance costs associated with this collection of information.

We estimate the capital costs associated with this document submission to be $274. This estimate is based upon: (1) 3 submissions being submitted by mailing an average of 10 CDs per envelope ($29); (2) 3 submissions being submitted by mailing a package of paper documents weighing an average of 50 pounds total ($186); and (3) 119 submissions of 1 business class letter describing that no documents are available (119 × $0.49 (the price of a first class business stamp), or $59).

FDA developed its reporting burden estimates from the expected volume of documents to be received based upon broad searches of LTDL, the Agency's experience with previous information collection requests under section 904(b) of the FD&C Act, and submissions received as health documents under section 904(a)(4).

FDA estimates the burden for this one-time collection of information to be 1,330 hours. FDA estimates it will receive 125 submissions. Based upon the expected number of tobacco product manufacturers and importers, the burden has been broken into three tiers:

- FDA anticipates documents for this request will be submitted by three tobacco product manufacturers and importers that have related document collections within LTDL. Manufacturers 1 through 3 were estimated to take 140, 142, and 80 hours respectively, for an approximate average of 120 hours per response, to process and prepare a submission (i.e., cover letter, documents and information, and metadata load file). Total estimated burden hours for this portion of the collection are expected to be 360 hours.
- FDA anticipates documents will also be submitted by three additional tobacco product manufacturers and importers that provided health documents under section 904(a)(4) of the FD&C Act. Manufacturers 4 through 6 were estimated to take 194, 96, and 83 hours respectively, for an approximate average of 125 hours per response, to process and prepare a submission (i.e., cover letter, documents and information, and metadata load file). Total estimated burden hours for this portion of the collection are expected to be 375 hours.
- FDA estimates that 119 manufacturers and importers will not have documents responsive to this request and are estimated to take approximately 5 hours each to conduct a review of their records and to draft and send a letter to FDA indicating that they do not have documents to submit. These manufacturers do not have documents, do not manufacture smokeless tobacco products, or do not anticipate manufacturing these tobacco products. Total estimated burden hours for this portion of the collection are expected to be 595 hours.

Dated: July 18, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–17294 Filed 7–22–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–1496]

Agency Information Collection Activities; Announcement of Office of Management and Budget Approval; Generic Food and Drug Administration Rapid Response Surveys

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a collection of information entitled ''Generic FDA Rapid Response Surveys'' has been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995.

FOR FURTHER INFORMATION CONTACT: FDA PRA Staff, Office of Operations, Food and Drug Administration, 8455 Colesville Rd., COLE–14526, Silver Spring, MD 20993–0002, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: On April 23, 2014, the Agency submitted a proposed collection of information entitled ''Generic FDA Rapid Response Surveys'' to OMB for review and clearance under 44 U.S.C. 3507. 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. OMB has now approved the information collection and has assigned OMB control number 0910–0500. The approval expires on July 31, 2017. A copy of the supporting statement for this information collection is available on the Internet at *http://www.reginfo.gov/public/do/PRAMain.*

Dated: July 18, 2014.

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–17292 Filed 7–22–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2007–D–0369]

Draft and Revised Draft Guidances for Industry Describing Product-Specific Bioequivalence Recommendations; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of additional draft and revised draft product-specific bioequivalence (BE) recommendations. The recommendations provide product-specific guidance on the design of BE studies to support abbreviated new drug applications (ANDAs). In the **Federal Register** of June 11, 2010, FDA announced the availability of a guidance for industry entitled ''Bioequivalence Recommendations for Specific Products,'' which explained the process that would be used to make product-specific BE recommendations available to the public on FDA's Web site. The BE recommendations identified in this notice were developed using the process described in that guidance.

DATES: Although you can comment on any guidance at any time (see 21 CFR 10.115(g)(5)), to ensure that the Agency considers your comments on these draft and revised draft guidances before it begins work on the final versions of the guidances, submit either electronic or written comments on the draft and revised draft product-specific BE recommendations listed in this notice by September 22, 2014.

ADDRESSES: Submit written requests for single copies of the individual BE guidances to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, rm. 2201, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance recommendations.

Submit electronic comments on the draft product-specific BE recommendations to *http://www.regulations.gov.* Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Kris André, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, rm. 1615, Silver Spring, MD 20993–0002, 240–402–7959.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 11, 2010 (75 FR 33311), FDA announced the availability of a guidance for industry entitled ''Bioequivalence Recommendations for Specific Products'' which explained the process that would be used to make product-specific BE recommendations available to the public on FDA's Web site at *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm.*

As described in that guidance, FDA adopted this process as a means to develop and disseminate product-specific BE recommendations and provide a meaningful opportunity for the public to consider and comment on those recommendations. Under that process, draft recommendations are posted on FDA's Web site and announced periodically in the **Federal Register**. The public is encouraged to submit comments on those recommendations within 60 days of their announcement in the **Federal Register**. FDA considers any comments received, and either publishes final recommendations or publishes revised draft recommendations for comment. Recommendations were last announced in the **Federal Register** on April 2, 2014 (79 FR 18561). This notice announces draft product-specific recommendations, either new or revised, that are posted on FDA's Web site.

II. Drug Products for Which New Draft Product-Specific BE Recommendations Are Available

FDA is announcing the availability of a new draft guidance for industry on product-specific BE recommendations for drug products containing the following active ingredients:

TABLE 1—NEW DRAFT PRODUCT-SPECIFIC BE RECOMMENDATIONS FOR DRUG PRODUCTS

A	Alogliptin benzoate.
	Alogliptin benzoate; Metformin hydrochloride (HCl).
	Alogliptin benzoate; Pioglitazone HCl.
	Amoxicillin (multiple reference listed drugs).
	Atenolol; Chlorthalidone.
C	Canagliflozin.
	Carbidopa.
	Carbinoxamine maleate.

TABLE 1—NEW DRAFT PRODUCT-SPECIFIC BE RECOMMENDATIONS FOR DRUG PRODUCTS—Continued

	Cefixime.
	Colestipol HCl.
	Crizotinib.
D	Daunorubicin citrate.
	Diflorasone diacetate.
	Dimethyl fumarate.
	Diphenhydramine HCl.
	Doxycycline (multiple reference listed drugs).
	Doxylamine succinate; Pyridoxine HCl.
E	Esomeprazole strontium.
	Ethinyl estradiol; Levonorgestrel and Ethinyl estradiol.
	Ethinyl estradiol; Norethindrone acetate.
F	Fosfomycin tromethamine.
G	Gentamicin sulfate.
H	Hydromorphone HCl.
L	Lanreotide acetate.
	Linagliptin; Metformin HCl.
	Lomustine.
M	Menthol; Methyl salicylate.
	Metformin HCl; Sitagliptin phosphate.
O	Ospemifene.
	Oxcarbazepine.
P	Paroxetine mesylate.
	Promethazine (multiple reference listed drugs and strengths).
	Propranolol HCl.
R	Ropinirole HCl.
S	Sucralfate (multiple reference listed drugs and dosage forms).
T	Tacrolimus.
Z	Zolmitriptan.

III. Drug Products for Which Revised Draft Product-Specific BE Recommendations Are Available

FDA is announcing the availability of a revised draft guidance for industry on product-specific BE recommendations for drug products containing the following active ingredients:

TABLE 2—REVISED DRAFT PRODUCT-SPECIFIC BE RECOMMENDATIONS FOR DRUG PRODUCTS

D	Dronedarone HCl.
	Duloxetine HCl.
E	Ergocalciferol
	Esomeprazole magnesium.
F	Fluorouracil.
H	Hydrochlorothiazide; Moexipril HCl.
I	Imatinib mesylate.
L	Lansoprazole.
M	Mesalamine (multiple reference listed drugs).
N	Nevirapine.
	Nilotinib HCl monohydrate.
P	Pentosan polysulfate sodium.

For a complete history of previously published **Federal Register** notices related to product-specific BE recommendations, please go to *http://www.regulations.gov* and enter Docket No. FDA–2007–D–0369.

These draft and revised draft guidances are being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). These guidances represent the Agency's current thinking on product-specific design of BE studies to support ANDAs. They do not create or confer any rights for or on any person and do not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

IV. Comments

Interested persons may submit either electronic comments on any of the specific BE recommendations posted on FDA's Web site to *http://www.regulations.gov* or written comments to the Division of Dockets Management (see **ADDRESSES**). It is only necessary to send one set of comments. Identify comments with the docket number found in brackets in the heading of this document. The guidances, notices, and received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday, and will be posted to the docket at *http://www.regulations.gov.*

V. Electronic Access

Persons with access to the Internet may obtain the document at either *http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm or http://www.regulations.gov.*

Dated: *July 17, 2014.*

Leslie Kux,

Assistant Commissioner for Policy.

[FR Doc. 2014–17293 Filed 7–22–14; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Availability of Interpretive Rule: Implementation of the Exclusion of Orphan Drugs for Certain Covered Entities Under the 340B Program

AGENCY: Health Resources and Services Administration (HRSA), HHS.

ACTION: Notice.

SUMMARY: HHS is announcing the availability of an interpretive rule providing HHS's interpretation of section 340B(e) of the Public Health Service Act (PHSA), entitled ''Implementation of the Exclusion of Orphan Drugs for Certain Covered Entities Under the 340B Program.'' The interpretive rule states that section 340B(e) of the PHSA excludes drugs with an orphan designation only when those drugs are transferred, prescribed, sold, or otherwise used for the rare condition or disease for which the drug was designated under section 526 of the Federal Food, Drug, and Cosmetic Act (FD&C Act).

DATES: Effective July 23, 2014.

ADDRESSES: Submit written requests for single copies of the interpretive rule to the Office of Pharmacy Affairs, Healthcare Systems Bureau, HRSA, 5600 Fishers Lane, Room 8W03A, Rockville, MD 20857. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the interpretive rule.

FOR FURTHER INFORMATION CONTACT: CDR Krista Pedley, Director, Office of Pharmacy Affairs, Healthcare Systems Bureau, HRSA, 5600 Fishers Lane, Room 8W03A, Rockville, MD 20857, or by telephone at (301) 594–4353.

SUPPLEMENTARY INFORMATION:

I. Background

HHS is announcing the availability of an interpretive rule entitled ''Implementation of the Exclusion of Orphan Drugs for Certain Covered Entities Under the 340B Program.'' This interpretive rule explains how HHS interprets section 340B(e) of the PHSA. 42 U.S.C. 256b(e). This interpretive rule intends to: (1) Provide clarity in the marketplace; (2) maintain the 340B Program savings for newly-eligible entities; and (3) protect the financial incentives for manufacturing orphan drugs designated for a rare disease or condition, as indicated in the Patient Protection and Affordable Care Act (''Affordable Care Act'') (Pub. L. 111–148) and intended by Congress.

Earlier this year, after notice and comment rulemaking, HHS issued a final rule on this subject, ''Exclusion of Orphan Drugs for Certain Covered Entities Under 340B Program'' (78 FR 44016, July 23, 2013) (the ''Rule''). The Rule was vacated by U.S. District Court for the District of Columbia on May 23, 2014, on the grounds that HHS does not have the authority to issue the Rule as a substantive rule. *PhRMA* v. *HHS,* No. 13–01501 (D.D.C. May 23, 2014). However, the decision did not invalidate HHS's interpretation of the orphan drug exclusion in the Rule.

Because there still is a need for HHS to clarify its interpretation of how the orphan drug exclusion in the 340B Program should be implemented to be consistent with section 340B(e) of the PHSA, HHS is making available an interpretive rule on this topic. In short, this interpretive rule clarifies that HHS interprets section 340B(e) of the PHSA as excluding drugs with an orphan designation only when those drugs are transferred, prescribed, sold, or otherwise used for the rare condition or disease for which the drug was designated under section 526 of the FD&C Act. This section of the PHSA does not exclude drugs that are transferred, prescribed, sold, or otherwise used for conditions or diseases other than for which the drug was designated under section 526 of the FD&C Act.

II. Electronic Access

Persons with access to the Internet may obtain the document at *www.hrsa.gov/opa/programrequirements/interpretiverule/*.

Dated: July 16, 2014.

Mary K. Wakefield,

Administrator, Health Resources and Services Administration.

Dated: July 18, 2014.

Sylvia M. Burwell,

Secretary.

[FR Doc. 2014–17409 Filed 7–21–14; 11:15 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), 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: Environmental Health Sciences Review Committee.

Date: August 14–15, 2014.

Time: 8:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Sheraton Imperial Hotel & Convention Center, 4700 Emperor Boulevard, Durham, NC 27703.

Contact Person: Linda K Bass, Ph.D., Scientific Review Administrator, Scientific Review Branch, Division of Extramural Research and Training, Nat'l Institute of Environmental Health Sciences, P.O. Box 12233, MD EC–30, Research Triangle Park, NC 27709, (919) 541–1307.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: July 17, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–17262 Filed 7–22–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel Member Conflict: Cardiovascular and Respiratory Sciences.

Date: August 21, 2014.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Margaret Chandler, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4126, MSC 7814, Bethesda, MD 20892, (301) 435–1743, *margaret.chandler@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: July 17, 2014.

Carolyn Baum,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–17259 Filed 7–22–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Deafness and Other Communication Disorders Advisory Council.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the 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 Deafness and Other Communication Disorders Advisory Council.

Date: September 12, 2014

Closed: 8:30 a.m. to 10:00 a.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, Room 6C6, 31 Center Drive, Bethesda, MD 20892.

Open: 10:00 a.m. to 2:00 p.m.

Agenda: Staff reports on divisional, programmatic, and special activities.

Place: National Institutes of Health, Building 31, Room 6C6, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Craig A. Jordan, Ph.D., Director, Division of Extramural Activities NIDCD, NIH, Room 8345, MSC 9670, 6001 Executive Blvd., Bethesda, MD 20892–9670, 301–496–8693, *jordanc@nidcd.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.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *http://www.nidcd.nih.gov/about/Pages/Advisory-Groups-and-Review-Committees.aspx,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: July 17, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–17261 Filed 7–22–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2); 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 purpose of this meeting is to evaluate requests for preclinical development resources for potential new therapeutics for the treatment of cancer. The outcome of the evaluation will provide information to internal NCI committees that will decide whether NCI should support requests and make available contract resources for development of the potential therapeutic to improve the treatment of various forms of cancer. The research proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the proposed research projects, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel NCI Experimental Therapeutics Program (Cycle 17 NExT).

Date: August 22, 2014.

Time: 8:30 a.m. to 4:30 p.m.

Agenda: To evaluate the NCI Experimental Therapeutics Program Portfolio.

Place: National Institutes of Health, 9000 Rockville Pike, Building 31, Conference Room 6C06, Bethesda, MD 20892.

Contact Person: Barbara Mroczkowski, Ph.D., Executive Secretary, Discovery Experimental Therapeutics Program, National Cancer Institute, NIH, 31 Center Drive, Room 3A44, Bethesda, MD 20892, (301) 496–4291, *mroczkoskib@mail.nih.gov.*

Joseph Tomaszewski, Ph.D., Executive Secretary, Development Experimental Therapeutics Program, National Cancer Institute, NIH, 31 Center Drive, Room 3A44, Bethesda, MD 20892, (301) 496–6711, *tomaszej@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: July 17, 2014.

Melanie J. Gray,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2014–17260 Filed 7–22–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Announcement of Requirements and Registration for ''Stories of Basic Science to Medical Advances'' Challenge

Authority: 15 U.S.C. 3719.

SUMMARY: The National Institute of General Medical Sciences (NIGMS), one of the components of the National Institutes of Health (NIH), announces a challenge titled ''Stories of Basic Science to Medical Advances.'' This Challenge aims to track medical advances stemming from NIGMS-supported basic science.

DATES: Submission Period: July 21, 2014—October 20, 2014.

Judging Period: October 21, 2014—November 20, 2014.

Winners announced: 14 days after judging is complete.

FOR FURTHER INFORMATION CONTACT: Darren Sledjeski, Ph.D. 301–594–0943, *nigms_challenges@mail.nih.gov.*

SUPPLEMENTARY INFORMATION: The mission of NIGMS is to support basic, non-disease-targeted research that increases understanding of life processes and lays the foundation for advances in disease diagnosis, treatment, and prevention. NIGMS-funded researchers seek to answer important scientific questions to increase our knowledge about the mechanisms and pathways involved in diseases and develop new tools and techniques that have medical applications. NIGMS' strategic plan states that one of its goals is to ''advance awareness and understanding of the basic biomedical research enterprise, including its value, requirements, and potential impact.'' Accomplishing this goal, however, can be difficult because the path between basic discoveries and their applications is often long, and the connections can be hard to track.

In addition to tracking the medical advances stemming from NIGMS-supported science, the Challenge is also intended to attract more interest and attention to the basic science research funded by NIGMS; stimulate innovation by acknowledging the key role that NIGMS funded research plays in laying the foundation for advances in disease diagnosis, treatment and prevention; and advance the statutory purpose of NIGMS to ''conduct and support research and health information dissemination with respect to general or basic medical sciences and related natural and behavioral sciences which have significance for two or more other national research institutes or are outside the general area of responsibility of any other national research institute.'' 42 U.S.C. 285k.

Subject of Challenge: NIH seeks the public's help in capturing NIGMS' progress toward its strategic goal to ''advance awareness and understanding of the basic biomedical research enterprise, including its value, requirements, and potential impact.'' The goal of the Challenge is to identify past advances that are serving (or have served) to improve human health and well-being but not ongoing studies that may, in the future, have a major impact. NIGMS will use these examples to help inform the historical context of scientific breakthroughs and NIGMS'

role in supporting them. These examples will augment the institute's ongoing efforts to link advances in human health and well-being to taxpayer-supported basic research and to stimulate further innovation by explaining the value and the impact of basic research on human health.

Eligibility Rules for Participating in the Challenge; Official Rules: The Challenge is open to any ''Contestant.'' A ''Contestant'' may be (i) an entity or (ii) an individual or group of individuals (i.e., a team), each of whom is a U.S. citizen or permanent resident of the United States and 18 years of age or older. Contestants may submit more than one entry.

1. To be eligible to win a prize under this Challenge, the Contestant

a. Shall have registered to participate in the Challenge under these rules.

b. Shall have complied with all the requirements set forth in this Notice.

c. To the extent a private entity shall be incorporated in and maintain a primary place of business in the United States, and to the extent an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States.

d. May not be a Federal entity.

e. May not be a Federal employee acting within the scope of the employee's employment and, further, in the case of HHS employees, may not work on their submission(s) during assigned duty hours.

i. Note, Federal employees seeking to participate in this Challenge outside the scope of their employment should consult their ethics official prior to developing their submission.

f. May not be an employee of the NIH, NIGMS, a judge of the Challenge, or any other party involved with the design, production, execution, or distribution of the Challenge or the immediate family of such a party (i.e., spouse, parent, step-parent, sibling, step-sibling, child, or step-child).

2. Federal grantees may not use Federal funds to develop their Challenge submissions unless consistent with the purpose of their grant award.

3. Federal contractors may not use Federal funds from a contract to develop their Challenge submissions or to fund efforts in support of their Challenge submissions.

4. Submissions must not infringe upon any copyright or any other rights of any third party.

5. By participating in this Challenge, each individual agrees to assume any and all risks and waive claims against the Federal government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from participation in this Challenge, whether the injury, death, damage, or loss arises through negligence or otherwise.

6. Based on the subject matter of the Challenge, the type of work that it will possibly require, as well as an analysis of the likelihood of any claims for death, bodily injury, property damage, or loss potentially resulting from Challenge participation, individuals are not required to obtain liability insurance or demonstrate financial responsibility in order to participate in this Challenge.

7. By participating in this Challenge, each individual agrees to indemnify the Federal government against third party claims for damages arising from or related to Challenge activities.

8. A Contestant shall not be deemed ineligible because the individual or entity used Federal facilities or consulted with Federal employees during the Challenge if the facilities and employees are made available to all individuals and entities participating in the Challenge on an equitable basis.

9. By participating in this Challenge, each Contestant grants to NIGMS irrevocable, paid-up, royalty-free nonexclusive worldwide license to post, link to, share, and display publicly on the Web the submitted document. All Contestants will retain all other intellectual property rights in their submissions.

10. Contestants must comply with all terms and conditions of these Official Rules, and participation in this Challenge constitutes each Contestant's full and unconditional agreement to abide by these Official Rules which can also be found on the NIGMS Web site. Winning is contingent upon fulfilling all requirements herein.

Submission Requirements: The submission is a written document that describes the basic research and how it directly led to improvements in human health, well-being, or other tangible benefits to the public NIGMS support must have played a major/critical role in one or more of the underlying discoveries, but a history of continuous or exclusive NIGMS support is not required. The subject of the submission must fall into one or both of the following categories:

1. Major advances funded by NIGMS that have led to improvements in human health, well-being, or other tangible benefits to the public.

2. Applications in medicine, industry, technology or elsewhere that have their roots in NIGMS-funded research projects. Examples include commonly used diagnostics, therapeutics, devices or technologies used in medical, industrial, agricultural or other fields.

Submissions are limited to 2500 words and must be clearly written in English, substantially free of scientific jargon, and understandable by readers without scientific/technical backgrounds. A complete submission includes:

- A brief historical background that puts the research in context. For example, why were scientists studying the system(s)? What were the most pressing research questions in the field at the time? What was already known prior to the key discovery? Were there competing hypotheses?
- The advance(s), the researchers most responsible for them, and the relevant NIGMS-funded projects that supported the work. Include references to seminal papers.
- An explanation of how the advance(s) led to the application(s). Reference relevant papers, collaborations, synergies or other factors that catalyzed the development of the application(s). Include the role of other funding sources, if known.
- A description of the impact of the application(s) on people's lives. If possible, provide quantitative information on economic impact and/or return on investment. Measures could include reduced mortality, reduced health care costs, improvements in quality of life, tangible contributions to the United States economy, etc.

Contestants may submit more than one submission. However, the advances(s) and application(s) described in each submission must be distinct. If a Contestant enters substantially similar submissions, as determined by NIGMS, the institute may disqualify the later entries or require the Contestant to choose one entry to enter into the Challenge.

Contestants have the option to include a link to a public or unlisted video on YouTube.com, Vimeo.com, or other internet accessible site with interviews or other material best displayed by video that supports the written submission. The submission may be disqualified if the video is primarily promotional, as determined by NIGMS. If a video is submitted, it must:

- Be in English if dialogue is present;
- Be no longer than five minutes. Any part of a video exceeding five minutes will be disregarded;
- Not include music or other copyrighted material unless the Contestant has obtained written permission to use such material;
- Not include proprietary information; and

• For any video with dialogue, captioning must be included.

○ The video must remain posted at the URL submitted with the entry for at least one year after the Challenge closes. The video (or the link to it) may be displayed publicly on the NIGMS Web site.

○ Before posting a video online, a Contestant must obtain consent from anyone appearing in the video. If a minor appears in the video, the contestant must obtain consent from the minor's parent or legal guardian.

Registration and Submission Process for Participants: The registration and submission process for entering the Challenge can be found at: *http://www.nigms.nih.gov/About/NIGMSAdvanceTracingChallenge/*

Amount of the Prize: The Challenge may have no more than 10 winning submissions. Winning submissions will receive an award of $500 and recognition on the NIGMS Web site and other outlets. If two or more submissions describe the same general advance and are judged to be equally meritorious, the prize will go to either the first submitted submission or the prize will be split between or among the Contestants at the discretion of NIGMS. If a team submits a winning entry, a single $500 prize will be awarded to that team. Winning is contingent upon fulfilling all requirements of the Challenge rules. The name, city, state, and submission of winning Contestants will be posted by 60 days after the close of the contest at *http://www.nigms.nih.gov/About/NIGMSAdvanceTracingChallenge/*).

The prize-approving official will be the Director of NIGMS. The winners will be notified by email, telephone, or mail after the date of the judging. Prizes awarded under this Challenge will be paid by electronic funds transfer and may be subject to Federal income taxes. HHS will comply with the Internal Revenue Service withholding and reporting requirements, where applicable.

NIGMS reserves the right to cancel, suspend, modify the Challenge, and/or not award any prizes if no entries are deemed worthy.

Basis Upon Which Submissions Will be Evaluated: Submissions will be judged by a qualified panel of NIGMS program directors and other employees. The panel will evaluate and select winning submissions based on the following judging criteria:

• Quality, clarity and historical accuracy (data are presented accurately)

• Impact of the advance on people's lives

• Impact of NIGMS funding on generating the advance

• Originality. The Challenge submission cannot have been previously published.

Additional Information: If Contestants choose to provide the NIGMS with personal information by providing a submission to this Challenge, that information will be used to respond to Contestants in matters regarding their submission, announcements of entry, finalists, and winners of the Challenge. Information is not collected for commercial marketing.

Dated: July 17, 2014.

Judith H. Greenberg,

Acting Deputy Director, National Institute of General Medical Sciences.

[FR Doc. 2014–17330 Filed 7–22–14; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R4–ES–2014–N025; 40120–1112–0000–F2]

Receipt of Applications for Endangered Species Permits

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits activities with listed species unless a Federal permit is issued that allows such activities. The ESA requires that we invite public comment before issuing these permits.

DATES: We must receive written data or comments on the applications at the address given below, by *August 22, 2014.*

ADDRESSES: Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345 (Attn: Angela Romito, Permit Coordinator).

FOR FURTHER INFORMATION CONTACT: Angela Romito, 10(a)(1)(A) Permit Coordinator, telephone 404–679–7101; facsimile 404–679–7081.

SUPPLEMENTARY INFORMATION:

Introduction

The public is invited to comment on the following applications for permits to conduct certain activities with endangered and threatened species pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR 17. This notice is provided under section 10(c) of the Act.

Public Comments

If you wish to comment, you may submit comments by any one of the following methods. You may mail comments to the Fish and Wildlife Service's Regional Office (see **ADDRESSES** section) or send them via electronic mail (email) to: *permitsR4ES@fws.gov.* Please include your name and return address in your email message. If you do not receive a confirmation from the Fish and Wildlife Service that we have received your email message, contact us directly at the telephone number listed above (see **FOR FURTHER INFORMATION CONTACT**). Finally, you may hand-deliver comments to the Fish and Wildlife Service office listed above (see **ADDRESSES**).

Public Availability of Comments

Before including your address, telephone number, email address, or other personal identifying information in your comments, 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 comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Permit Applications

Permit Application Number: T35313B

Applicant: Dr. Emma Willcox, Knoxville, Tennessee

The applicant requests authorization to take (acoustical monitoring, enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, attach transmitters, light-tag, wing-punch, pit-tag, and selectively euthanize for white nose syndrome testing) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*), and northern long-eared bats (*Myotis septentrionalis*) while conducting studies in Tennessee, Kentucky, and North Carolina (1) to assess effects of prescribed fire and canopy reduction treatments on roosting

and foraging habitat, and (2) to study roosting and foraging ecology of Indiana bats in an agriculture landscape.

Permit Application Number: TE35319B

Applicant: Dr. Trevor Zachariah, Brevard Zoo, Melbourne, Florida

The applicant requests authorization to hold for veterinary treatment, to retain un-releasable specimens, or to euthanize specimens of Kemp's ridley (*Lepidochelys kempii*), hawksbill (*Eretmochelys imbricata*), leatherback (*Dermochelys coriacea*), green (*Chelonia mydas*), and loggerhead (*Caretta caretta*) sea turtles. Treatment facilities are at the Brevard Zoo in Melbourne, Florida, but turtles may be accepted from authorized sources throughout Florida and other southeastern states.

Permit Application Number: TE051552–6

Applicant: Dr. Peter Frederick, University of Florida, Gainesville, Florida

The applicant requests authorization to renew his permit to take (capture, weigh, measure, examine, collect blood and tissues, sex, band, attach scientific devices, and salvage) American wood storks (*Mycteria Americana*) in Dade, Broward, Monroe, Martin, Lee, and Palm Beach Counties in Florida and in Jenkins County, Georgia.

Permit Application Number: TE077175–3

Applicant: Dr. Troy Best, Auburn University, Auburn, Alabama

The applicant requests authorization to renew his permit to take (acoustical monitoring, enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, transmitter, light-tag, wing-punch, and selectively euthanize for white nose syndrome testing) Indiana bats (*Myotis sodalis*), and gray bats (*Myotis grisescens*) in Alabama while conducting presence/absence surveys, studies to document habitat use, and population monitoring.

Permit Application Number: TE–21809A–1

Applicant: Monica Folk, Kissimmee, Florida

The applicant requests authorization to renew her permit to take (harass, capture, handle, mark, attach scientific devices, temporarily hold, and release) American wood storks (*Mycteria americana*), Red cockaded woodpeckers (*Picoides borealis*), Florida scrub jays (*Aphelocoma coerulescens*), gopher tortoises (*Gopherus polyphemus*), eastern indigo snakes (*Drymarchon couperi*), and reticulated Flatwoods salamanders (*Ambystoma cingulatum*) throughout the species' ranges in Florida.

Permit Application Number: TE–37219B–0

Applicant: Roger Perry, US Forest Service, Southern Research Station, Hot Springs, Arkansas

The applicant requests authorization to take (acoustical monitoring, enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, transmitter, light-tag, wing-punch, and selectively euthanize for white nose syndrome testing) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*), and Northern long-eared bats (*Myotis septenrionalis*) in the Ozark/Ouachita region of Arkansas and Oklahoma while conducting research activities to monitor and evaluate the effects of White Nose Syndrome in bats.

Permit Application Number: TE–034476–3

Applicant: Elizabeth Langston, US Forest Service, Milton, Florida

The applicant requests authorization to renew her permit to take (harass, capture, band, and translocate), red-cockaded woodpeckers (*Picoides borealis)* for the purposes of banding juveniles and adults and monitoring populations and nest cavities, throughout the species' range in Blackwater River State Forest, Santa Rosa and Okaloosa Counties, Florida.

Permit Application Number: TE–37492B–0

Applicant: Anthony C. Grow, HDR Inc., Millington, Tennessee

The applicant requests authorization for a new permit to take (acoustical monitoring, enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, transmitter, light-tag, and wing-punch) Indiana bats (*Myotis sodalis*), in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia while conducting presence/absence surveys and telemetry research to document bat movement.

Permit Application Number: TE–008187–1

Applicant: Stephanie Fudge, Environmental Compliance and Consulting, Hartford, Arizona

The applicant requests authorization to renew her permit to take (trap, tag, relocate, and temporarily hold) American burying beetle in Arkansas and Oklahoma for scientific research purposes.

Permit Application Number: TE–819338–1

Applicant: Hanford Farrell, Farrell-Cooper Mining Company, Ft. Smith Arkansas

The applicant requests authorization to renew her permit to take (trap, tag, relocate, and temporarily hold) American burying beetle in Arkansas and Oklahoma for scientific recovery purposes.

Permit Application Number: TE–070796–6

Applicant: Joel Beverly, Apogee Environmental & Archeological Inc., Whitesburg, Kentucky

The applicant requests authorization to renew his permit to take (acoustical monitoring, enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, transmitter, light-tag, wing-punch, and selectively euthanize for white nose syndrome testing) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*) and Virginia big-eared bats (*Corynorhinus townsendii virginianus*) throughout the species' respective ranges which cover the eastern half of the United States. The applicant also requests authorization to amend his permit to add Northern long-eared bat (*Myotis septentrionalis*) and seven subpermittees (Robert Oney, Dan Lerner, Ashleigh Green, David La Marche, Hans Otto, Curtis Hart, and Dylan Brooks).

Permit Application Number: TE–212106–1

Applicant: Richard K. Kessler, Campbellsville University, Campbellsville, Kentucky

The applicant requests authorization to renew his permit to take (capture, retain temporarily, and release) ringpink mussels (*Obovaria retusa*), fanshell mussels (*Cyprogenia stegaria*), pocketbook mussels (*Potamilus capax*), clubshell mussels (*Pleurobema clava*), rough pigtoe mussels (*Pleurobema plenum*), snuffbox mussels (*Epioblasma triquetra*), and rabbit's-foot mussels (*Quadrula cylindrica cylindrica*)

throughout the species' ranges in the state of Kentucky.

Permit Application Number: TE–009638–10

Applicant: Timothy Compton, Appalachian Technical Services, Wise, Virginia

The applicant requests authorization to renew his permit to take (capture, handle, radio-tag, and release) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*), Virginia big-eared bats (*Corynorhinus townsendii virginianus*), blackside dace (*Phoxinus cumberlandensis*), yellowfin madtom (*Noturus flavipinnis*), slender chub (*Erimystax cahni*), fanshell (*Cyprogenia stegaria*), dromedary pearlymussel (*Dromus dromas*), Cumberlandian combshell (*Epioblasma brevidens*), Appalachian monkeyface (*Quadrula sparsa*), Cumberland monkeyface (*Quadrula intermedia*), pink mucket (*Lampsilis abrupta*), rough pigtoe (*Pleurobema plenum*), littlewing pearlymussel (*Pegias fabula*), birdwing pearlymussel (*Conradilla caelata*), oyster mussel (*Epioblasma capsaeformis*), fine-rayed pigtoe (*Fusconia cor*), shiny pigtoe (*Fusconia cuneolus*), cracking pearlymussel (*Hemistena lata*), rough rabbitsfoot (*Quadrula cylindrica strigillata*), purple bean (*Villosa perpurpurea*), and Cumberland bean (*Villosa trabilis*) throughout the species' ranges in Georgia, North Carolina, Alabama, Mississippi, Tennessee, Kentucky, Indiana, Ohio, Pennsylvania, Virginia, and West Virginia. The applicant also requests to amend his permit to add James E. Breeding as a subpermittee and to remove Quinten D. Tolliver.

Permit Application Number: TE–37490B–0

Applicant: Melissa Littrell, Lexington, Kentucky

The applicant requests authorization to take (capture, handle, radio-tag, and release) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*), Virginia big-eared bats (*Corynorhinus townsendii virginianus*), Northern long-eared bats (*Myotis septenrionalis*), and the following mussels: fanshell (*Cyprogenia stegaria*), Cumberland bean (*Villosa trabalis*), tubercled blossom (*Epioblasma torulosa torulosa*), purple cat's paw (*Epioblasma obliquata obliquata*), rough pigtoe (*Pleurobema plenum*), ringpink mussel (*Obovaria retusa*), fat pocketbook mussel (*Potamilus capax*), clubshell mussel (*Pleurobema clava*), Cumberlandian combshell (Epioblasma brevidens), Cumberland elktoe (*Alasmidonta atropurpurea*), winged mapleleaf (*Quadrula fragosa*), pink mucket (*Lampsilis abrupta*), cracking pearlymussel (*Hemistena lata*), dromedary pearlymussel (*Dromus dromas*), little-wing pearlymussel (*Pegias fabula*), orangefoot pimpleback (*Plethobasus cooperianus*), Northern riffleshell (*Epioblasma torulosa rangiana*), tan riffleshell (*Epioblasma florentina walker*), and white wartyback pearlymussel (*Plethobasus cicatricosus*), for the purposes of conducting presence/absence surveys and studies to document habitat use. The applicant would be authorized to work with listed mussels and the Virginia big-eared bat throughout their ranges in the State of Kentucky. The applicant requests to be authorized to work with gray bats, Indiana bats, and Northern long-eared bats throughout the species' ranges.

Permit Application Number: TE–022689–4

Applicant: Dr. Philip Sheridan, Meadowview Biological, Woodford Virginia

The applicant requests authorization to renew his permit to sell via interstate commerce artificially propagated specimens of the green pitcher-plant (*Sarracenia oreophila*), Alabama canebrake pitcher-plant (*Sarracenia rubra ssp. alabamensis*), and the mountain sweet pitcher-plant (*Sarracenia rubra ssp. jonesii*) for the purposes of outreach and education.

Permit Application Number: TE–070584–11

Applicant: Mark Gumbert, Copperhead Environmental Consulting, Paint Lick, Kentucky

The applicant requests authorization to renew and amend his permit to take (capture, handle, radio-tag, and release) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*), Virginia big-eared bats (*Corynorhinus townsendii virginianus*), Ozark big-eared bats (*Corynorhinus townsendii ingens*), and Northern longed-eared bats (*Myotis septentrionalis*) for the purposes of conducting presence/absence surveys, migration surveys, and telemetry surveys throughout the species' ranges.

Permit Application Number: TE–022468–4

Applicant: Jessie Schillaci, Fort Bragg Endangered Species Branch, Fort Bragg, North Carolina

The applicant requests authorization to renew her permit to take (harass) endangered red-cockaded woodpeckers (*Picoides borealis*) for the purposes of constructing and monitoring artificial nest cavities and restrictors; for capturing, banding, and translocating birds; and for monitoring populations and nest cavities in the areas of Fort Bragg and Camp Mackall, and on private and State lands throughout the Sandhills Region of North Carolina.

Permit Application Number: TE–37498B–0

Applicant: Rena Borkhataria, Everglades Research and Education Center, Belle Glade, Florida

The applicant requests authorization to take (capture, handle, monitor, and salvage) wood storks (*Mycteria americana*) for the purpose of investigating demographic parameters and habitat availability in the States of Florida, Georgia, North Carolina, and South Carolina.

Permit Application Number: TE–37886B–0

Applicant: Jeff Duke, Civil & Environmental Consultants Inc., Franklin, Tennessee

The applicant requests authorization to take (capture, identify, enumerate, determine sex, and relocate) the Nashville Crayfish (*Orconectes shoupi*) for the purpose of minimizing impacts of construction activities associated with stream crossings in the Mill Creek Watershed, Davidson and Williamson Counties, Tennessee.

Permit Application Number: TE–225877–1

Applicant: Daniel Maloney, Jacksonville Zoological Society and Gardens, Jacksonville, Florida

The applicant requests authorization to renew his permit to take (possess) Key deer (*Odocoileus virginianus clavium*) for the purposes of conducting rehabilitation and educational outreach activities at the Jacksonville Zoo in Duval County, Florida. The applicant also requests to amend his permit to reflect changes in personnel at the Jacksonville Zoo (i.e., add Daniel Maloney as the Principal Officer and Tracey Fenn and Dr. Adrienne Atkins as subpermittees).

Permit Application Number: TE–125620–3

Applicant: Brian Roh, Burns and McDonnell, Kansas City, Missouri

The applicant requests authorization to renew his permit to take (trap and release) the American burying beetle (*Nicrophorus americanus*) while conducting presence and absence surveys in Crawford, Sebastian, Franklin, Logan, and Scott Counties in Arkansas and Oklahoma.

Permit Application Number: TE–171516–3

Applicant: Mark Gumbert, Copperhead Consulting, Paint Lick, Kentucky

The applicant requests authorization to renew his permit to take (capture, identify, and release) the blackside dace (*Phoxinus cumberlandensis*) and to take (capture, release, track/radio-telemetry, wade in habitat) the following federally listed mussels: Cumberland elktoe (*Alasmidonta atropurpurea*), tan riffleshell (*Epioblasma florentina*), white catspaw (*Epioblasma obliquata perobliqua*), northern riffleshell (*Epioblasma torulosa rangiana*), scaleshell (*Leptodea leptodon*), fat pocketbook (*Potamilus capax*), rough rabbitsfoot (*Quadrula cylindrical strigillata*), Appalachian monkeyface (*Quadrula sparsa*), purple bean (*Villosa perpurpurea*), catspaw (*Epioblasma obliquata obliquata*), clubshell (*Pleurobema clava*), cracking pearlymussel (*Hemistena lata*), Cumberland bean (*Villosa trabalis*), Cumberlandian combshell (*Epioblasma brevidens*), fanshell (*Cyprogenia stegaria*), fine-rayed pigtoe (*Fusconaia cuneolus*), littlewing pearlymussel (*Pegias fabula*), orangefoot pimpleback (*Plethobasus cooperianus*), oyster mussel (*Epioblasma capsaeformis*), pink mucket pearlymussel (*Lampsilis abrupta*), ring pink mussel (*Obovaria retusa*), rough pigtoe (*Pleurobema plenum*), shiny pigtoe (*Fusconaia coredgariana*), southern clubshell (*Pleurobema decisum*), tubercled blossom (*Epioblasma torulosa torulosa*), turgid blossom pearlymussel (*Epioblasma turgidula*), white wartyback pearlymussel (*Plethobasus cicatricosus*), and yellow blossom pearlymussel (*Epioblasma florentina florentina*), for the purpose of conducting presence/absence surveys throughout the species' ranges in Kentucky, Tennessee, Arkansas, Georgia, Ohio, Illinois, Indiana, and Missouri. The applicant also requests to amend his permit to add mussel species (fluted kidneyshell (*Ptychobranchus subtentum*), sheepnose mussel (*Plethobasus cyphyus*), snuffbox mussel (*Epioblasma triquetra*), dromedary pearlymussel (*Dromus dromas*), slabside pearlymussel (*Pleuronaia dolabelloides*), rabbitsfoot (*Quadrula cylindrica cylindrica*), and spectaclecase (*Cumberlandia monodonta*)), a new subpermittee (Gregg Shirk), and the method of mark-recapture for the blackside dace.

Permit Application Number: TE–37887B–0

Applicant: Kevin Mills, South Carolina Aquarium, Charleston, South Carolina

The applicant requests authorization to hold for veterinary treatment, to retain unreleasable specimens, or to euthanize specimens of Kemp's ridley (*Lepidochelys kempii*), hawksbill (*Eretmochelys imbricata*), green (*Chelonia mydas*), leatherback (*Dermochelys coriacea*), green (*Chelonia mydas*), and loggerhead (*Caretta caretta*) sea turtles. Treatment facilities are at the South Carolina Aquarium in Charleston, South Carolina, but turtles may be accepted from authorized sources throughout South Carolina and other southeastern States.

Dated: July 15, 2014.

Mike Oetker,

Acting Regional Director.

[FR Doc. 2014–17340 Filed 7–22–14; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[DR.5B711.IA000814]

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Approved Tribal-State Class III Gaming Compact.

SUMMARY: This notice publishes the approval of an amendment to the Class III Tribal-State Gaming Compact (Amendment) between the Swinomish Indian Tribal Community and the State of Washington.

DATES: *Effective Date:* July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Paula L. Hart, Director, Office of Indian Gaming, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219–4066.

SUPPLEMENTARY INFORMATION: Under section 11 of the Indian Gaming Regulatory Act (IGRA) Public Law 100–497, 25 U.S.C. 2701 *et seq.,* the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. As required by 25 CFR 293.4, all compact amendments are subject to review and approval by the Secretary. The Amendment permits persons between the ages of 18 and 20 to participate in class III gaming activities offered by the Tribe.

Dated: July 16, 2014.

Kevin K. Washburn,

Assistant Secretary, Indian Affairs.

[FR Doc. 2014–17374 Filed 7–22–14; 8:45 am]

BILLING CODE 4310–4N–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNM006200 L99110000.EK0000 XXX L4053RV]

Final Notice: Implementation of Helium Stewardship Act Sales and Auctions

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Secretary of the Interior (Secretary), through the Bureau of Land Management (BLM), New Mexico State Office, is issuing this Final Notice to conduct auctions and sales from the Federal Helium Program, administered by the BLM New Mexico Amarillo Field Office. The BLM will use the sale and auction process outlined in this Notice for the sales and auctions that the Helium Stewardship Act of 2013 (''the Act'') requires the BLM to conduct during fiscal year (FY) 2014. This Notice does not apply to sales or auctions conducted after FY 2014. The BLM's process for sales and auctions conducted after FY 2014 will be announced in subsequent notices or through rulemaking to the extent rulemaking is necessary to implement the Act. Information included in this Notice regarding the BLM's anticipated actions beyond FY 2014 is provided for planning purposes only and is subject to change. This action takes into consideration public comments received as a result of the Notice of Proposed Action published in the **Federal Register** on May 16, 2014.

DATES: This implementation plan is effective on July 23, 2014.

FOR FURTHER INFORMATION CONTACT: Robert Jolley, 806–356–1002. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339. The FIRS is available 24 hours a day, 7 days a week, to leave a message for Mr. Jolley. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION:

A. Purpose and Background

The BLM published a Notice of Proposed Action: Implementation of Helium Stewardship Act Sales and Auctions, in the **Federal Register** on May 16, 2014 (79 FR 28540). The Notice

contained background information on the Act, definitions of terms used in the Notice, the reasons for proposing the action, and a proposed process for conducting the auctions and sales. The BLM requested comments regarding the proposed process for conducting the auctions and sales required under the Act. A summary of changes made as a result of those comments is provided below:

SUMMARY OF CHANGES

Affected text	Explanation of change
Supplementary Information	Updated the Supplementary Information with a summary of changes.
Supplementary Information	Provided web links to the full comments and comment and response summary.
Supplementary Information	Added discussion of forms required to be submitted to the BLM as a condition of sale or auction.
Supplementary Information	Added information regarding the fees required for participation in sales and auctions, as well as storage fees.
Section 1.02	Revised the definition of ''Tolling Agreement'' to mean an agreement between a helium refinery, located on the Federal Helium System pipeline, and any other party to refine helium at a specified volume and price.
Sections 1.02 and 2.15	Added definition of ''Storage Contract Holder'' and added information regarding expiration of the current contract on September 30, 2015, and the BLM's intention to have a new contract in place by October 1, 2015. Added link to the current contract.
Section 1.04	Updated the tables and modified discussion to address not reserving a 10 percent contingency from volumes to be sold and auctioned for delivery in FY 2015 and beyond.
Section 1.04	Lowered the annual In-Kind estimate to 160 MMcf (one million cubic feet) and added 10 MMcf in the volumes to be sold and auctioned in FY 2015 and beyond. Updated table and modified discussion to reflect the estimate of In-Kind.
Sections 2.01, 2.03, 2.07, 2.08, 2.11, 2.15, 2.17.	Updated the text to reflect the changes in sales and auction volumes, as well as changes to the proposed schedule.
Section 3.01–3.04	Adjusted the delivery discussion to account for overage and shortage conditions, explanation of the dynamic process of delivery and coordination requirements, use of the formula in shortage condition, removal of 2-for-1 bonus and simplification of formula.

B. Public Comment: Analysis of Comments and Changes

In response to the invitation in the Notice of Proposed Action, nine commenters, who are refiners and non-refiners, submitted about 58 comments totaling 56 pages. The BLM developed a table of comments and responses which is available for public review at: *www.blm.gov/nm/HSAImplementation.* Based upon the comments received, the BLM has revised the Notice of Proposed Action, published in the **Federal Register** on May 16, 2014 (79 FR 28540).

The BLM has also developed several forms to assist refiners in reporting required information to the BLM. The forms are available at: *www.blm.gov/nm/HSAImplementation.* The forms are:

Excess Refining Capacity Form—This form standardizes reporting to the BLM necessary to satisfy the terms-and-conditions section of the Act, which requires the refiners to make excess refining capacity available at commercially reasonable rates. The Act requires the BLM to aggregate this data and post the aggregated data on a public Web site. The form can also be used to inform the BLM of changes in the refiner's calculation of excess refining capacity as they occur. This form is due to the BLM by July 29, 2014, and should be resubmitted to the BLM within two weeks of any changes in excess refining capacity exceeding +/− 10 percent.

Tolling Report Form—This form provides documentation of the tolling agreements that were entered into between a refiner and another party during the preceding year. The refiner may also take this opportunity to document its attempts to negotiate tolling with other parties. This form is due to the BLM annually by September 30.

Tolling Occurrence Report—This form should be submitted throughout the year whenever a refiner enters into a tolling agreement with another party. This form is due to the BLM within 2 weeks of entry into a tolling agreement.

The fee structure used by the BLM for storage contract holders and participants in the sales or auctions is provided at: *www.blm.gov/nm/HSAImplementation.* These forms and the information collected do not require Office of Management and Budget approval under the Paperwork Reduction Act because there are fewer than ten potential respondents (44 U.S.C. 3501 *et seq.*)

Implementation Plan

1.01 What is the purpose of this Implementation Plan? The Secretary, through the BLM, New Mexico State Office, is issuing this Final Notice to conduct auctions and sales from the Federal Helium Reserve, administered by the BLM New Mexico Amarillo Field Office.

1.02 What terms do I need to know to understand this Notice? Unless otherwise noted, the following definitions apply to helium sales and auctions that will be conducted in FY 2014. The definitions provided are taken from the Act, existing regulations, and established industry practice. These definitions apply only for purposes of the sales conducted in FY 2014 under this Notice.

Allocated sale means a Phase A crude helium sale under which crude helium is sold to refiners.

Auction volume means those volumes of the Federal Helium Reserve offered for sale to any person or qualified bidder under the Act in an auction.

Cliffside Field means the subterranean formation near Amarillo, Texas, used as a helium storage reservoir and in which the Federal Helium Reserve is stored.

Crude helium means a partially refined gas containing about 70 percent helium and 30 percent nitrogen. However, the helium concentration may vary from 50 to 95 percent.

Excess refining capacity means a refiner's reported operational refining capacity minus the refiner's forecasted crude helium demand for that particular fiscal year. The BLM will require each refiner to report excess refining capacity in advance of all Phase B sales as a condition of those sales. (NOTE: Section 6(b)(8)(B) of the Act, 50 U.S.C. 167d(b)(8)(B), states: ''(B) Condition.—As a condition of sale or auction to a refiner under subsection (a)(1) and paragraphs (1) and (2) effective beginning 90 days after the date of enactment of the Helium Stewardship Act of 2013, the refiner shall make

excess refining capacity of helium available at commercially reasonable rates to—(i) any person prevailing in auctions under paragraph (2); and (ii) any person that has acquired crude helium from the Secretary from the Federal Helium Reserve by means other than an auction under paragraph (2) after the date of enactment of the Helium Stewardship Act of 2013, including nonallocated sales.'')

Federal Helium Pipeline means the federally owned pipeline system through which helium extracted from the Federal Helium Reserve may be transported.

Federal Helium Reserve means helium reserves owned by the United States that are stored in the Cliffside Field.

Federal Helium System means:

(1) The Federal Helium Reserve;

(2) The Cliffside Field;

(3) The Federal Helium Pipeline; and

(4) All other infrastructure owned, leased, or managed under contract by the Secretary for the storage, transportation, withdrawal, enrichment, purification, or management of helium.

Federal In-Kind crude helium or ''In-Kind helium'' means helium purchased by private refiners who have sold or are selling to Federal users and their contractors a quantity of refined helium equivalent to the quantity of crude helium the refiner is purchasing or will purchase from the BLM under contract, under the requirements and procedures of 43 CFR part 3195. The refined helium initially supplied to a Federal user or its contractor may come from a source outside the Federal Helium Reserve.

Helium storage contract means a contract between the BLM and a private entity allowing the private entity to store crude helium in underground storage at the Cliffside Field.

HPA means the Helium Privatization Act of 1996, Public Law 104–273, 110 Stat. 3315.

HSA means the Helium Stewardship Act of 2013, Public Law 113–40, 127 Stat. 534.

Mcf means one thousand cubic feet of gas measured at standard conditions of 14.65 pounds per square inch atmosphere (psia) and 60 degrees Fahrenheit.

MMcf means one million cubic feet of gas measured at standard conditions of 14.65 psia and 60 degrees Fahrenheit.

Non-allocated sale means a Phase A crude helium sale, under which crude helium is sold only to non-refiners.

One-time sale means a sale of helium from amounts available for delivery in FY 2016 offered by the BLM in FY 2014 under the HSA, 50 U.S.C. 167d(b)(13).

Person means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, or State or political subdivision.

Phase A means the allocation transition period prescribed in the HSA at 50 U.S.C. 167d(a).

Phase B means the auction implementation period prescribed in the HSA at 50 U.S.C. 167d(b).

Phase B sale means a sale of helium offered by the BLM to refiners during Phase B under the HSA, 50 U.S.C. 167d(b)(1), after completion of an auction.

Phase B auction means an auction of helium offered by the BLM during Phase B under the HSA, 50 U.S.C. 167d(b)(2).

Priority pipeline access means the first priority of delivery of crude helium under which the Secretary schedules and ensures the delivery of crude helium to a helium refinery through the Federal Helium System.

Production capability means the estimated or calculated physical volume of helium that can be produced from the Cliffside Field.

Qualified bidder means a person the Secretary determines is seeking to purchase helium for the person's own use, refining, or redelivery to users.

Qualifying domestic helium transaction means any agreement entered into or any renegotiated agreement during the preceding 1-year period in the United States for the purchase or sale of at least 15,000,000 standard cubic feet of crude or pure helium to which any holder of a contract with the BLM for the acceptance, storage, delivery, or redelivery of crude helium from the Federal Helium System is a party.

Refiner means a person with the ability to take delivery of crude helium from the Federal Helium Pipeline and refine the crude helium into pure helium.

Storage Contract Holder means a refiner or non-refiner who has purchased helium through sale or auction for storage in the Federal Helium System and has a signed contract with the BLM.

Toll or Tolling means the practice of a helium refiner processing or refining another party's helium at an agreed upon price. Refiners are required by the Act (50 U.S.C. 167d(b)(8)(B)), as a condition of sale, to make excess refining capacity of helium available at commercially reasonable rates to: (i) Any person prevailing in auctions under section 167d(b)(2); and (ii) Any person that has acquired crude helium from the BLM from the Federal Helium Reserve by means other than an auction under section 167d(b)(2) after the date of enactment of the HSA, including nonallocated sales.

Toller means a non-refiner that has an agreement with a refiner to process or refine helium.

Tolling Agreement means an agreement between a helium refinery, located on the Federal Helium System pipeline, and any other party (refiner or non-refiner) to refine helium for a specified volume and price.

1.03 What is the purpose of sales and auctions? The BLM is implementing the statutory directives to sell off the Federal Helium Reserve to a level of 3,000,000,000 standard cubic feet (3,000,000 Mcf) of recoverable helium (not including privately stored helium) (50 U.S.C. 167d(b)(5)) and implement Phase D: Disposal of assets (50 U.S.C. 167d(d)) by September 30, 2021.

1.04 What is the estimated volume of helium available for sale, auction and delivery in each fiscal year? The BLM has created an illustration of the gradual reduction between the present time and FY 2021 in the volume of helium in million cubic feet (MMcf) that is expected to be produced from the Cliffside Field according to current geological modeling. The graphic can be viewed at *www.blm.gov/nm/nitec*. Table 1 identifies the volumes offered for sale as part of Phase A under the Act. Those sales are divided into allocated sales for the refiners (549,000 Mcf) and non-allocated sales for the non-refiners (61,000 Mcf). Table 1 also identifies a substantial delivery of privately stored helium (564,600 Mcf), which was primarily the result of a delay in the initial FY 2014 offering and the Phase B sales in FY 2014 for delivery in FY 2015 and FY 2016. Table 2 provides the projected volume of helium in MMcf available according to current geological modeling and provides estimated annual volumes that the BLM anticipates that it will offer, in accordance with Phase B of the Act, for sales, auctions and delivery during FY 2015 through FY 2021. Information regarding projected volumes that the BLM will offer for sale in sales conducted beginning in FY 2016 is provided for planning purposes only.

The terms ''allocated sale'' and ''non-allocated sale'' do not apply to Phase B offerings. Phase B sales are reserved for refiners, while the Phase B auctions are open to all qualified bidders. Table 3 provides an estimate of the production capability of the Cliffside Field broken into components (estimated sale volume and auction volume) and delivery of privately-owned helium, as well as an estimate of the total production.

TABLE 1—PROJECTED VOLUMES FOR ALLOCATED AND NON-ALLOCATED SALES, PHASE B AUCTION AND SALES, AND PRIVATE STORAGE DELIVERY FOR FY 2014

Fiscal year (FY)	Forecasted production capability (NITEC study)	10% Contingency	In-kind sales	Total production available for sale/ auction or delivery	Volume of private storage delivered prior to January 2014 sale	Allocated sale or Phase B sale	Non-allocated sale or Phase B auction	Private storage delivery
	Mcf	Mcf	Mcf	Mcf	Mcf	Mcf	Mcf	Mcf
FY 2014A	1,494,000	149,400	170,000	1,174,600	408,000	360,000	40,000	564,600
FY 2014B	1,494,000	149,400	170,000	1,174,600	408,000	189,000	21,000	564,600
FY 2015*						835,315	92,813	
FY 2016**						250,000		

* According to the Act, all of FY 2015 volumes will be sold and/or auctioned and paid for in FY 2014.
** According to the Act, 250,000 Mcf of FY 2016 volumes estimated to be offered must be sold before August 1, 2014.

TABLE 2—PROJECTED VOLUMES FOR SALES, AUCTIONS AND PRIVATE STORAGE DELIVERY FOR FY 2015–FY 2021

Fiscal year (FY)	Forecasted production capability (NITEC study)	In-kind sales	Total production available for sale/auction/delivery	80% Available for sale/ auction	FY 2016 advanced sale (conducted in FY 2014)	Sale volume	Auction volume	20% Available for private storage delivery
	Mcf	Mcf	Mcf	Mcf	Mcf	Mcf	Mcf	Mcf
FY 2015	1,320,160	160,000	1,160,160	928,128	0	835,315	92,813	232,032
FY 2016*	1,158,150	160,000	998,150	798,520	250,000	348,890	199,630	199,630
FY 2017*	997,450	160,000	837,450	669,960	0	401,976	267,984	167,490
FY 2018*	848,280	160,000	688,280	550,624	0	247,781	302,843	137,656
FY 2019*	714,430	160,000	554,430	443,544	0	133,063	310,481	110,886
FY 2020*	606,130	160,000	446,130	356,904	0		356,904	89,226
FY 2021*	537,880	160,000	377,880	302,304	0		302,304	75,576

* Delivery for FY 16–FY 21 sales and auctions will be subject to a new storage contract beginning October 1, 2015, and projected volumes are subject to change.

TABLE 3—SUMMARY OF TOTAL SALES, AUCTIONS, AND DELIVERY THROUGH FY 2021

[All volumes in Mcf]

Total Production Capability		7,676,480
	Total Sales Volume	2,827,025
	Total Auction Volume	1,832,959
	Total In-Kind Volume	1,290,000
	Total Engineering Contingency	149,400
Total Pre-Act, Privately-Owned Helium to be Delivered		1,577,096

Phase B Sales and Auctions

2.01 What volume of helium will the BLM offer under a Phase B auction for FY 2015? Pursuant to 50 U.S.C. 167d(b)(12), the BLM intends to offer 92,813 Mcf for auction on July 30, 2014, for delivery in FY 2015 (hereinafter referred to as the ''FY 2015 Phase B auction'').

2.02 What will be the minimum FY 2015 Phase B auction price and minimum FY 2015 Phase B sales price, and how were those prices determined? The minimum FY 2015 Phase B auction reserve price is $100 per Mcf based on Producer Price Index adjustments to the open market crude sales price for FY 2014 (absent a market survey). The BLM will calculate the FY 2015 Phase B sales price using a weighted average of the average FY 2015 Phase B auction price (10 percent) and the adjusted FY 2014 helium sales price (90 percent).

2.03 What volume of helium will the BLM offer under a Phase B sale for FY 2015? The FY 2015 volume of helium the BLM will offer for sale will be about 835,315 Mcf (hereinafter referred to as the ''FY 2015 Phase B sale'').

2.04 What will be the price for the FY 2015 Phase B sale and how is that price determined? The FY 2015 Phase B sales price will be calculated using a weighted average methodology as follows:

FY 2015 Phase B sales price = (10 percent × AAP) + (90 percent × $100)

Where

AAP is the average auction price in dollars
$100 is the auction reserve price

2.05 What volume will be sold for the FY 2016 one-time sale? The BLM intends to offer 250 MMcf for the FY 2016 one-time sale to be conducted in FY 2014.

2.06 What will be the price for the FY 2016 one-time sale and how was that price determined? The price for the FY 2016 one-time sale and the methodology will be the same as the FY 2015 Phase B sales price.

2.07 When will the sales and auctions occur? The BLM intends to offer helium in FY 2014 according to the following schedule:

June 25, 2014—Required forms posted to the BLM's Web site

July 29, 2014—

- Pre-bid qualification form due to the BLM
- Excess refining capacity to be reported to the BLM

July 30, 2014—FY 2015 Phase B auction held in Amarillo, Texas

July 31, 2014—FY 2015 Phase B auction results published on the BLM Web site

August 1, 2014—Invitation for Offer—FY 2015 Phase B sale/FY 2016 one-time sale

August 14—FY 2015 Phase B sale/FY 2016 one-time sale complete

August 15, 2014—

- FY 2015 Phase B sale/FY 2016 one-time sale results published
- Invoices sent (Net 30)

September 15, 2014—Revenue from auction and sales due to the BLM

September 26, 2014—Statutory deadline for receipt of revenue.

September 30, 2014—Refiners' FY 2014 Tolling Report due to the BLM

2.08 What will be the auction format and who may participate? The auction will be a live auction, held in the main conference room of the Amarillo Field Office at 9 a.m. Central Time on July 30, 2014. The address is 801 S. Fillmore, Suite 500, Amarillo, TX 79101. Anyone meeting the definition of a qualified bidder provided in section 1.02 of this Notice may participate in the auction. The logistics for the auction and the pre-bid qualification form is included in the auction notice at: *www.blm.gov/nm/HSAImplementation*. Questions relating to the auction can be submitted by phone to the BLM at 806–356–1001.

2.09 Who is qualified to purchase helium at Phase B auctions? Only qualified bidders may purchase helium at Phase B auctions. The BLM will make the final determination of who is a qualified bidder using the requirements of a qualified bidder under the Act regardless of whether or not that person was previously determined to be a qualified bidder. Prior to issuing a Notice of Sale and Auction, the BLM will notify those persons that the agency has determined to be qualified bidders.

2.10 What are the helium lot sizes that will be available for the Phase B auctions?

The BLM plans to auction lots consisting of 5 MMcf and 10 MMcf. Because volumes are not always going to be divisible by 5, there will be an odd lot that will range from 5 MMcf to 10 MMcf.

2.11 How many helium lots does the BLM anticipate offering for the FY 2015 Phase B auction? The BLM anticipates auctioning 92.813 MMcf for FY 2015. That volume would be divided as follows:

(6) Lots of 10 MMcf each
(5) lots of 5 MMcf each
(1) lot of 7.813 MMcf each

2.12 When will helium that is purchased at sale or won at auction be available in the purchaser's storage account? The volumes purchased in the FY 2015 Phase B auction and sale and in the FY 2016 one-time sale (to be offered in FY 2014) will be transferred to buyers' storage accounts beginning on the first day of the month following receipt of payment.

2.13 What must I do to bid at auction? Detailed bidding instructions, including pre-bid registration, will be provided in the auction notices. A description of the live auction process is available by calling the BLM, Amarillo Field Office, at 806–356–1001. The Auction Notice will contain information regarding the time and location of the auction, process for notification of winning bidders, payments, and how to make such payments.

2.14 Who will be allowed to purchase helium in the FY 2015 Phase B sale? Only those who are refiners as defined in section 1.02 of this Notice may purchase helium in the FY 2015 Phase B sale.

2.15 How will the helium sold in the FY 2015 Phase B sale be allocated among the refiners? The allocation to each refiner connected to the Federal Helium Pipeline, through September 30, 2015, will be based on its percentage share of the estimated total refining capability as of October 1, 2000. The BLM intends to revise the storage contract effective October 1, 2015. The current standard contract expires on September 30, 2015, and the BLM will renegotiate all storage contracts prior to the FY 2016 delivery cycle, which begins October 1, 2015. A formal letter will be sent to each storage contract holder by September 30, 2014, with information regarding the new storage contract.

2.16 What will happen if one or more refiners request an amount other than its share of what is offered for sale? If one or more refiners requests less than its allocated share, any other refiner(s) that requested more than its share will be allowed to purchase the excess volume based on proportionate shares of remaining refining capacities. Requests by the crude helium refiners that are in excess of the amount available in the FY 2015 Phase B sale will not be considered.

2.17 What will happen if the total amount requested by the crude helium refiners is less than the 835,315 Mcf offered in the FY 2015 Phase B sale? Any excess volume not sold to the refiners in the FY 2015 Phase B sale will be available for future sale or auction.

2.18 Do you have a hypothetical example of how a Phase B sale would be conducted? Assume 1,000 MMcf available for the Phase B sale.

Bidder—allocated sale	Installed refining capacity (percent)	Refiner bid volume *	Allocated volume *	Excess volume requested *	Proration percent	Excess allocated *	Total allocated *
Refiner A	10	115	100	15	20	15	115
Refiner B	50	400	400	0	0	0	400
Refiner C	40	700	400	300	80	80+5	485
Total	100	1,215	900	315	100	100	1,000

* All volumes in MMcf.

After the initial allocation, Refiner B has received all volumes requested. However, 215 MMcf is deemed in excess of the total in the first iteration of the Phase B sale and reallocated to the two remaining refiners based on the refining capacity between them. With the reallocation, Refiner A gets all volumes requested, but Refiner C is still short by 215 MMcf. Additionally, 5 MMcf remains unallocated and, without any other refiners, is awarded to Refiner C. All percentages used in the calculation will be rounded to the nearest one-tenth of one percent. All volumes calculated will be rounded to the nearest 1 Mcf.

Delivery of Purchased Helium, Helium Won at Auction and Pre-Helium Stewardship Act (PHSA) Helium

3.01 When will I receive helium that I own from purchase in a sale, or successful auction bid, or that I have in a PHSA storage account? Helium purchased at sale or won at auction will be delivered starting October 1 of each

designated fiscal year on a reasonable basis established by the BLM. The intent is to ensure timely delivery of all helium purchased or won at auction along with helium in PHSA storage accounts up to the BLM's production capability for the year. This delivery includes helium purchased or won at auction by refiners and non-refiners alike.

3.02 How will the BLM prioritize delivery? The Act gives priority to Federal In-Kind helium. In addition to that priority, the BLM will make delivery on a reasonable basis to ensure storage contract holders who have purchased or won helium at auction have the opportunity during the year to have that helium produced or refined. For FY 2015, the BLM will continue to allocate helium purchased during the FY 2015 Phase B sale and the FY 2016 one-time sale to refiners based on each refiner's percentage share of the estimated total refining capability as of October 1, 2000. Refiners and non-refiners would have access to In-Kind helium and to volumes won at auction in approximately equal monthly volumes. In addition, the BLM will provide refiners access to up to 20 percent of PHSA stored helium in approximately equal monthly volumes, based upon relative percentages of the privately-owned stored helium.

Non-refiners would have access to the helium volumes they purchased in the FY 2014 Phase A non-allocated sale or won at auction in approximately equal monthly volumes based upon successfully negotiating tolling agreements with refiners.

3.03 How will the BLM deliver helium? Delivery occurs in one of two situations—when there is a shortage or a surplus, both of which are addressed below. First, a shortage situation is one in which the demand for helium from the Federal Helium System exceeds the maximum production capability of the system. In a shortage, the volume delivered to the refiners, including tolling of non-refiner-owned helium, would be calculated using the following equation:

$$MD = (IK_R + IK_T) + (AC_R + AC_T) + S_R + UL_T + PHSA$$

where

MD—Monthly Delivery is the volume delivered from the Crude Helium Enrichment Unit (CHEU) during a particular month.

IK_R—In-Kind Refiners is the monthly amount of planned In-Kind helium sales to refiners to support Federal helium needs.

IK_T—In-Kind Tollers is the monthly amount of planned In-Kind helium sales to non-refiners requiring tolling services to support Federal helium needs.

AC_R—Auction Refiners is the monthly amount of planned auction-acquired helium to meet refiners' forecasted helium demand.

AC_T—Auction Tollers is the monthly amount of planned auction-acquired helium to meet non-refiners' planned tolling.

UL_T—Unallocated Tollers is the monthly amount of non-allocated sale-acquired helium sold during the Phase A-Transition Sales in FY 2014 but not delivered in FY 2014.

Once UL_T deliveries are complete, this element will not be a part of the equation.

S_R—Sales Refiners is the monthly amount of planned sale-acquired helium to meet refiners' forecasted crude helium demand.

PHSA—Pre-Helium Stewardship Act is the monthly amount of helium purchased before enactment of the HSA that remains in storage. The BLM plans to dedicate about 20 percent of delivery capability per year to delivery of PHSA volumes, based upon the proportion to each refiner's volume in storage. This methodology will allow helium storage contract holders the opportunity to receive substantially all of their PHSA purchased volumes within 7 years. An example follows:

Refiner A owns 40 percent of the total privately owned helium in storage. The calculation for the refiner's monthly delivery of PHSA helium is:

Monthly PHSA delivery = (40% × 232,032 Mcf)/12, where 232,032 Mcf is the volume available in 2015 for private storage delivery

Monthly PHSA delivery = 7,734 Mcf

In a shortage situation, IK_R and IK_T will be fulfilled at 100 percent of demand. The BLM intends to deliver as much of AC_R, AC_T, S_R, UL_T, and PHSA as practicable on an equitable basis.

The BLM will deliver helium to each refiner up to the prescribed amount as calculated above. If a refiner takes more than allowed, the overage will be reduced in the next calculation month. Amounts not delivered will carry forward to the next calculation month to the extent practical, as determined by the BLM.

Second, a surplus situation is one in which the demand for helium from the Federal Helium System is less than the maximum production capability of the system. The BLM will coordinate with refiners who are able to take delivery of volumes greater than their normal allocated volumes. The BLM will coordinate with refiners who are able to take delivery of volumes greater than their normal allocated volumes to balance delivery on a reasonable basis. Surplus situations provide additional capability to support tolling and delivery of additional PHSA volumes.

Surplus situations in the helium market can result in reduced demand for helium from the BLM Helium Program and lead to the BLM reducing volumes delivered or, in extreme cases, re-injecting some of the helium being produced into recoverable wells or plant shutdown.

3.04 Do you have a hypothetical example of how the Delivery Schedule would be implemented? Delivery is a dynamic process which takes into account a variety of factors including: Plant operating parameters, pipeline pressures, changes to refiners planned delivery, differences in planned versus actual delivery, verification process for In-Kind delivery and maintenance activities. An example of the process described in section 3.03 follows:

	Planned	Toller A	Toller B	Refiner allowed	Refiner actual	Toll actual	Delta carryover
Refiner A				37,105			(106)
In-Kind	2,000	20		2,020	1,990	20	
Auction	2,500	1,500		4,000	2,400	1,500	
Sale	24,816			24,816	25,000		
PHSA Stored	6,269			6,269	6,300		
Refiner B				30,627			245
In-Kind	2,000		25	2,025	2,100	25	
Auction	200		120	320	200	120	
Sale	21,056			21,056	20,900		
PHSA Stored	7,164		121	7,285	7,000	121	

In the example, Refiner A plans for delivery of 4,500 Mcf of its own In-Kind and auction helium and refining for Toller A, an additional 1,520 Mcf of Toller A's In-Kind and auction helium. Refiner A also has 24,816 Mcf available for delivery of helium purchased at sale and a percentage of the amount of its PHSA stored volume (6,269 Mcf) available for delivery.

Refiner B plans for delivery of 2,200 Mcf of its own In-Kind and auction helium and refining for Toller B, an additional 266 Mcf of Toller B's In-Kind, auction, and PHSA helium. Refiner B also has 21,056 Mcf available for delivery of helium purchased at sale and a percentage of the amount of its PHSA stored volume (7,164 Mcf) available for delivery.

Refiner A overdrew its allowance of helium acquired at sale by 106 Mcf. This overage will be deducted during the next calculation month. Toller A had its In-Kind and auction helium refined.

Refiner B drew less than its allowance of helium acquired at sale by 245 Mcf. The volume may still be available for delivery in the next calculation month, based upon the total demand and production capability for that month.

In cases where the volumes requested for the month exceed the BLM's production capacity, the BLM may have to limit delivery to refiners. In those situations, any undelivered gas would remain in the refiners' storage accounts.

In cases where tolling is not occurring and pipeline pressure is rising, the BLM would systematically reduce plant operations to lower levels and potentially re-inject helium or, in the extreme, cease plant production during a particular month.

In-Kind Program

4.01 What is the Federal In-Kind Program? Federal helium suppliers who have contracts to supply helium to the Federal government (agencies, government contractors, and universities with certified Federal grant numbers) are required to buy like amounts of helium from the Federal Helium Reserve. The supplied helium may originate from sources other than the Federal Helium Reserve. Replenishment of helium volumes provided to the government typically takes about 5 months to complete. However, the helium is sold to the suppliers at a discounted rate compared to open market rate.

4.02 Who participates in the Program? Federal helium suppliers, Federal agencies, and grant recipients participate in the Federal In-Kind Program.

4.03 How do I participate? You may be a participant in the Federal In-Kind Program if you are a supplier of pure helium and have entered into contracts to supply helium to the Federal Government, you are a Federal agency requesting helium deliveries, or you are a Federal end user with a per location local volume of 200 Mcf per year and wish to participate in the In-Kind program. Potential Federal end users/Federal grant recipients and universities are encouraged to register with the BLM at the provided Web page link: *http://www.blm.gov/nm/heliumops.*

Authority: The Helium Stewardship Act of 2013, Public Law No. 113–40, codified to various sections in 50 U.S.C. 167–167q.

Sheila Mallory,

Acting State Director.

[FR Doc. 2014–17376 Filed 7–22–14; 8:45 am]

BILLING CODE 4310–FB–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–NERO–MAMC–15743; PPNCNACEN0, PPMPSAS1Z.Y00000]

Request for Nominations for the Mary McLeod Bethune Council House National Historic Site Advisory Commission

AGENCY: National Park Service, Interior.

ACTION: Call for Nominations.

SUMMARY: The National Park Service, U.S. Department of the Interior, is seeking nominations for individuals to be considered for appointment to the Mary McLeod Bethune Council House National Historic Site Advisory Commission. The Commission was authorized on December 11, 1991, by Section 4 of the Public Law 102–211, for the purpose of advising the Secretary of the Interior. The Commission shall meet and consult on matters relating to the management and development of the historic site as often as necessary, but at least semiannually.

DATES: Written nominations must be received by September 8, 2014.

ADDRESSES: Send nominations to: Judy Bowman, Staff Assistant, Office of the Regional Director, National Capital Region, National Park Service, 1100 Ohio Drive SW., Washington, DC 20240, or by email *Judy_Bowman@nps.gov.*

FOR FURTHER INFORMATION CONTACT: Gopaul Noojibail, Deputy Superintendent, Office of the Superintendent, National Capital Parks—East, 1900 Anacostia Drive SE., Washington, DC 20020, by telephone number (202) 692–6000, or email *gopaul_noojibail@nps.gov.*

SUPPLEMENTARY INFORMATION: The Mary McLeod Bethune Council House National Historic Site was established by Section 4 of the Public Law 102–211, December 11, 1991. The Secretary and the Advisory Commission shall meet and consult on matters relating to the management and development of the historic site as often as necessary, but at least semiannually.

Nominations should describe and document the proposed member's qualifications for membership to the Commission, and include a resume listing his or her name, title, address, telephone, email, and fax number (if available).

The Commission shall be composed of 15 members appointed by the Secretary for 4-year terms as follows: (1) 3 members appointed from recommendations submitted by the National Council of Negro Women, Inc. (2) 2 members appointed from recommendations submitted by other national organizations in which Mary McLeod Bethune played a leadership role. (3) 2 members appointed who shall have professional expertise in the history of African American women. (4) 3 members who shall have professional expertise in archival management. (5) 3 members who shall represent the general public. (6) 2 members who shall have professional expertise in historic preservation.

The Chair and the other officers of the Commission shall be elected by a majority of the members of the Commission to serve for terms established by the Commission.

Some Commissioners may serve as Special Governmental Employees, which may include the completion of an annual financial disclosure report and annual ethics training.

No individual who is currently registered as a Federal lobbyist is eligible to serve on the Commission.

All required documents must be compiled and submitted in one complete nomination package. Incomplete submissions (missing one or more of the items described below) will not be considered.

Submitting Nominations

Nominations should be typed and must include each of the following:

A. Brief summary of no more than two (2) pages explaining the nominee's suitability to serve on the Commission.

B. Resume or curriculum vitae.

C. At least one (1) letter of reference.

Members of the Commission will receive no pay, allowances, or benefits by reason of their service on the

Commission. However, while away from their homes or regular places of business in the performance of services for the Commission as approved by the Designated Federal Officer (DFO), members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed such expenses under Section 5703 of Title 5 of the United State Code.

Meetings may take place at such times as designated by the DFO. Members are expected to make every effort to attend all meetings. Members may not appoint deputies or alternates.

Dated: May 19, 2014.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2014–17269 Filed 7–22–14; 8:45 am]

BILLING CODE 4310–WV–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[MMAA104000]

Proposed Geological and Geophysical (G&G) Activities on the Mid- and South Atlantic Outer Continental Shelf (OCS)

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior.

ACTION: Notice of Availability (NOA) of a Record of Decision (ROD) for the Atlantic OCS Proposed Geological and Geophysical Activities, Mid-Atlantic and South Atlantic Planning Areas, Final Programmatic Environmental Impact Statement (PEIS).

Description: The ROD documents BOEM's selection of Alternative B of the PEIS. The PEIS was prepared to assess environmental impacts of authorizing geological and geophysical (G&G) survey activities in the Mid-Atlantic and South Atlantic Planning Areas between 2012 and 2020. The PEIS covers G&G activities conducted under BOEM's oil and gas, renewable energy, and marine minerals programs. The purpose of the proposed action addressed by the PEIS is to gather state-of-the-practice data about the ocean bottom and subsurface of the Area of Interest. These data are needed to inform government and business decisions regarding resource availability and use. The PEIS evaluates and the ROD discusses three potential alternative actions by BOEM: Alternative A—to authorize G&G activities with time-area closures and other mitigation measures; Alternative B—to authorize G&G activities with mitigation measures in addition to those provided in Alternative A; and Alternative C—no action or the status quo.

Record of Availability: To obtain a single printed or CD copy of the ROD for the Final PEIS, you may contact BOEM, Gulf of Mexico OCS Region, Public Information Office (GM 335A), 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123–2394 (1–800–200–GULF). An electronic copy of the ROD is available on BOEM's Internet Web site at *http://www.boem.gov/Oil-and-Gas-Energy-Program/GOMR/GandG.aspx* or at *http://www.boem.gov/nepaprocess/.*

FOR FURTHER INFORMATION CONTACT: For more information on the ROD, you may contact Mr. Gary D. Goeke, Chief, Environmental Assessment Section, Office of Environment (GM 623E), Bureau of Ocean Energy Management, Gulf of Mexico OCS Region, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123–2394, or by email at *ggeis@boem.gov.* You may also contact Mr. Goeke by telephone at 504–736–3233.

Authority: This NOA is published pursuant to the regulations (40 CFR 1506.6) implementing the provisions of the NEPA of 1969, as amended (42 U.S.C. 4321 *et seq.* [1988]).

Dated: July 7, 2014.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2014–17386 Filed 7–21–14; 8:45 am]

BILLING CODE 4310–MR–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–887]

Certain Crawler Cranes and Components Thereof Notice of Request for Statements on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the presiding administrative law judge has issued a Final Initial Determination and Recommended Determination on Remedy and Bonding in the above-captioned investigation. The Commission is soliciting comments on public interest issues raised by the recommended relief, specifically a limited exclusion order and a cease and desist order for certain crawler cranes and components thereof, imported by named respondents Sany Heavy Industry Co., Ltd. and Sany America, Inc. This notice is soliciting public interest comments from the public only. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

FOR FURTHER INFORMATION CONTACT: Amanda P. Fisherow, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–2737. The public version of the complaint can be accessed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov,* and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server (*http://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://edis.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: Section 337 of the Tariff Act of 1930 provides that if the Commission finds a violation it shall exclude the articles concerned from the United States:

> unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry.

19 U.S.C. 1337(d)(1). A similar provision applies to cease and desist orders. 19 U.S.C. 1337(f)(1).

The Commission is interested in further development of the record on the public interest in these investigations. Accordingly, members of the public are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the administrative law judge's Recommended Determination on Remedy and Bonding issued in this investigation on July 11, 2014. Comments should address whether issuance of a limited exclusion order and/or a cease a desist order in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the

United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the recommended orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the recommended exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the limited exclusion order and/or cease and desist order would impact consumers in the United States.

Written submissions must be filed no later than by close of business on August 19, 2014.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the investigation number (''Inv. No. 887'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf*). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. A redacted non-confidential version of the document must also be filed simultaneously with the any confidential filing. All non-confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.50).

By order of the Commission.

Issued: July 18, 2014.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2014–17317 Filed 7–22–14; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Advanced Media Workflow Association, Inc.

Notice is hereby given that, on June 25, 2014, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Advanced Media Workflow Association, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Aframe, London, UNITED KINGDOM; Imagine Communications, Toronto, Ontario, CANADA; Levels Beyond, Inc., Denver, CO; NetApp, Sunnyvale, CA; Savis Vietnam Corp., Hanoi, VIETNAM; John A. Hoehn (individual member), Pennsville, NJ; and John Warburton (individual member), Montreal, Quebec, CANADA, have been added as parties to this venture.

Also, Harris Broadcast, Toronto, Ontario, CANADA; JVC, Kenwood Holdings, Inc., Kanagawa, JAPAN; Media-Alliance, Brescia, ITALY; Sequencia, Inc., Wakefield, MA; VRT, Brussels, BELGIUM; William Garrett (individual member), Sydney, AUSTRALIA; and Josef Marc (individual member), Delray Beach, FL, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Advanced Media Workflow Association, Inc. intends to file additional written notifications disclosing all changes in membership.

On March 28, 2000, Advanced Media Workflow Association, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 29, 2000 (65 FR 40127).

The last notification was filed with the Department on March 21, 2014. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on April 30, 2014 (79 FR 24451).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2014–17364 Filed 7–22–14; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Pistoia Alliance, Inc.

Notice is hereby given that, on June 16, 2014, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Pistoia Alliance, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, PerkinElmer, Boston, MA; Rachel Belani Baker (Individual), Brooklyn, NY; Promeditec srl, Milan, ITALY; and Osthus GmbH, Aachen, GERMANY, have been added as parties to this venture.

Also, H. Lundbeck A/S, Valby, DENMARK; InfoChem GmbH, Munich, GERMANY; Unilever (UK) Central Resources Limited, London, UNITED KINGDOM; Parthys Reverse Informatics Analytic Solutions (P) Ltd., Tamilnadu, INDIA; and Hewlett-Packard Company, Palo Alto, CA, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Pistoia Alliance, Inc. intends to file additional written notifications disclosing all changes in membership.

On May 28, 2009, Pistoia Alliance, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to

Section 6(b) of the Act on July 15, 2009 (74 FR 34364).

The last notification was filed with the Department on January 16, 2014. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 27, 2014 (79 FR 17181).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2014–17353 Filed 7–22–14; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Allseen Alliance, Inc.

Notice is hereby given that, on June 26, 2014, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), AllSeen Alliance, Inc. (''AllSeen Alliance'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Throughtek Co., Ltd., Taipei City, Taiwan; Geo Semiconductor Inc., San Jose, CA; Razer USA Ltd., Carlsbad, CA; Robert Bosch LLC, Palo Alto, CA; Local Motors, Chandler, AZ; Red Bend Software, Hod Hasharon, Israel; Octoblu, Inc., Tempe, AZ; and Symantec Corporation, Mountain View, CA, have been added as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and AllSeen Alliance intends to file additional written notifications disclosing all changes in membership.

On January 29, 2014, AllSeen Alliance filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on March 4, 2014 (79 FR 12223).

The last notification was filed with the Department on April 16, 2014. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on May 16, 2014 (79 FR 28554).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2014–17351 Filed 7–22–14; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Joint Task-Force Networked Media

Notice is hereby given that, on June 18, 2014, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Joint Task-Force Networked Media (''JT–NM'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, AJA Video, Grass Valley, CA; Aperi, Camarillo, CA; Artel Video Systems, Westford, MA; b-com, Geveze, FRANCE; Beck Associates, Cedar Grove, NJ; Broadcom, Santa Cruz, CA; BT Media and Broadcast, London, UNITED KINGDOM; Huawei, Shenzhen, PEOPLE'S REPUBLIC OF CHINA; Huffman Technical Services, Middletown, NJ; Letterboxes, London, UNITED KINGDOM; Mesclado, Languedoc Roussillon, FRANCE; metaFrontier.jp, Tokyo, JAPAN; National TeleConsultants, Inc., New York, NY; Perspective Media Group, Los Angeles, CA; RGB Spectrum, El Dorado Hills, CA; SDNsquare-NV, Ghent, BELGIUM; TeloSalliance, Lancaster, PA, have been added as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and JT–NM intends to file additional written notifications disclosing all changes in membership.

On July 10, 2013, JT–NM filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on August 15, 2013 (78 FR 49768).

The last notification was filed with the Department on February 6, 2014. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 4, 2014 (79 FR 12224).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2014–17362 Filed 7–22–14; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

Antitrust Division

United States *et al.* v. Sinclair Broadcast Group, Inc. and Perpetual Corporation

Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement have been filed with the United States District Court for the District of Columbia in *United States of America et al.* v. *Sinclair Broadcast Group, Inc. and Perpetual Corporation,* Civil Action No. 14–01186. On July 15, 2014, the United States and the Pennsylvania Office of Attorney General filed a Complaint alleging that the proposed acquisition by Sinclair Broadcast Group, Inc. of the broadcast television stations and related assets of Perpetual Corporation would violate Section 7 of the Clayton Act, 15 U.S.C. 18. The proposed Final Judgment and a Hold Separate Stipulation and Order, filed the same time as the Complaint, require the defendants to divest the assets of WHTM–TV, a broadcast television station in Harrisburg, Pennsylvania, along with certain tangible and intangible assets.

Copies of the Complaint, proposed Final Judgment and Competitive Impact Statement are available for inspection at the Department of Justice, Antitrust Division, Antitrust Documents Group, 450 Fifth Street, NW., Suite 1010, Washington, DC 20530 (telephone: 202–514–2481), on the Department of Justice's Web site at *http://www.usdoj.gov/atr,* and at the Office of the Clerk of the United States District Court for the District of Columbia. Copies of these materials may be obtained from the Antitrust Division upon request and payment of the copying fee set by Department of Justice regulations.

Public comment is invited within 60 days of the date of this notice. Such comments, including the name of the submitter, and responses thereto, will be posted on the U.S. Department of Justice, Antitrust Division's internet Web site, filed with the Court and,

under certain circumstances, published in the **Federal Register** and filed with the Court. Comments should be directed to Scott Scheele, Chief, Telecommunications and Media Enforcement Section, Antitrust Division, Department of Justice, Washington, DC 20530, (telephone: 202–514–5621).

Patricia A. Brink,

Director of Civil Enforcement.

United States District Court for the District of Columbia

United States of America, Department of Justice, Antitrust Division, 450 Fifth Street, N.W. Suite 7000, Washington, D.C. 20530, and Commonwealth of Pennsylvania, 14th Floor, Strawberry Square, Harrisburg, PA 17120, Plaintiffs, v. *Sinclair Broadcast Group, Inc., 10706 Beaver Dam Rd., Hunt Valley, Maryland 21030, and Perpetual Corporation, 1000 Wilson Blvd., Suite 2700, Arlington, Virginia 22209,* Defendants.

CASE NO. 1:14-cv-01186

JUDGE: Honorable Tanya S. Chutkan

FILED: 07/15/2014

COMPLAINT

The United States of America, acting under the direction of the Attorney General of the United States, and the Commonwealth of Pennsylvania, acting by and through its Attorney General, bring this civil action to enjoin the proposed acquisition of Perpetual Corporation (''Perpetual'') by Sinclair Broadcast Group, Inc. (''Sinclair'') and to obtain other equitable relief. The acquisition likely would substantially lessen competition in the sale of broadcast television spot advertising in the Harrisburg-Lancaster-Lebanon-York, Pennsylvania Designated Market Area (''HLLY DMA''), in violation of Section 7 of the Clayton Act, 15 U.S.C. 18. Plaintiffs allege as follows:

I. NATURE OF THE ACTION

1. Pursuant to a Purchase Agreement dated as of July 28, 2013, Sinclair has agreed to purchase all of the outstanding voting securities of Perpetual for a total value of $963 million, inclusive of the acquisition of voting securities and payoff of certain indebtedness of Perpetual and its subsidiaries. Perpetual owns broadcast television station WHTM–TV, the only ABC affiliate serving the HLLY DMA.

2. Sinclair already operates two broadcast television stations in the HLLY DMA. It owns and operates WHP–TV, the only CBS affiliate serving that market. Sinclair also operates WLYH–TV, a CW affiliate, pursuant to an agreement with WLYH–TV's owner, Nexstar Broadcasting, Inc., including the day-to-day operation and management of WLYH–TV's advertising. Accordingly, WHP–TV and WLYH–TV do not meaningfully compete with one another for advertisers.

4. If consummated, Sinclair's acquisition of Perpetual would result in Sinclair owning or controlling the sale of advertising for three of six broadcast television stations selling advertising in the HLLY DMA: WHP–TV (CBS affiliate), WHTM–TV (ABC affiliate) and WLYH–TV (CW affiliate). Together, these stations account for approximately a 38% share of the gross revenues for broadcast television advertising in the HLLY DMA.

5. Currently, Perpetual (on behalf of WHTM–TV) and Sinclair (on behalf of WHP–TV and WLYH–TV) vigorously compete for the business of local and national companies that seek to advertise on broadcast television stations in the HLLY DMA. WHTM–TV and WHP–TV are particularly close competitors due to their respective affiliations with ABC and CBS, their news programming, and their viewership strengths in certain geographic areas. Advertisers benefit from the ability to substitute advertising placement between WHTM–TV and WHP–TV in particular, as well as among the three stations.

6. The acquisition would eliminate the head-to-head competition between Sinclair and Perpetual in the HLLY DMA and so eliminate the benefits of this competition. Unless blocked, the transaction is likely to lead to higher prices for broadcast television spot advertising in the HLLY DMA in violation of Section 7 of the Clayton Act, 15 U.S.C. 18.

II. JURISDICTION AND VENUE

7. The United States brings this action pursuant to Section 15 of the Clayton Act, as amended, 15 U.S.C. 25, to prevent and restrain defendants from violating Section 7 of the Clayton Act, 15 U.S.C. 18.

8. The Commonwealth of Pennsylvania brings this action under Section 16 of the Clayton Act, 15 U.S.C. 26, to prevent and restrain defendants from violating Section 7 of the Clayton Act, 15 U.S.C. 18. The Commonwealth, by and through its Attorney General, brings this action as *parens patriae* on behalf of the citizens, general welfare, and economy of Pennsylvania.

9. Sinclair and Perpetual sell broadcast television spot advertising, a commercial activity that substantially affects, and is in the flow of, interstate commerce, and commerce in the Commonwealth of Pennsylvania. The Court has subject-matter jurisdiction over this action pursuant to Section 15 of the Clayton Act, 15 U.S.C. 25, and 28 U.S.C. 1331, 1337(a), and 1345.

10. Sinclair transacts business and is found in the District of Columbia, and is subject to the personal jurisdiction of this Court. All Defendants have consented to venue and personal jurisdiction in this District. Therefore, venue is proper in this District under Section 12 of the Clayton Act, 15 U.S.C. 22, and 28 U.S.C. 1391(c).

III. THE DEFENDANTS

11. Sinclair is a Maryland corporation, with its headquarters in Hunt Valley, Maryland. Sinclair reported broadcast revenues of over $1.2 billion in 2013. Sinclair owns and operates, or provides programming, operating, or sales services to more than 145 stations in 70 markets. The broadcast television stations that Sinclair owns or operates include two in the HLLY DMA: WHP–TV, a CBS affiliate, and WLYH–TV, a CW affiliate.

12. Perpetual is a Delaware corporation, with its headquarters in Arlington, Virginia. Perpetual owns seven broadcast television stations in six markets throughout the United States, including WHTM–TV, the ABC affiliate in the HLLY DMA.

IV. TRADE AND COMMERCE

A. Broadcast Television Spot Advertising is a Relevant Product Market

13. Broadcast television stations attract viewers through their programming, which is delivered for free over the air or retransmitted to viewers, mainly through wired cable or other terrestrial television systems and through satellite television systems. Broadcast television stations then sell advertising time to businesses that want to advertise their products to television viewers. Broadcast television ''spot'' advertising, which comprises the majority of a television station's revenues, is sold directly by the station itself or through its national representative on a localized basis and is purchased by advertisers who want to target potential customers in specific geographic areas. Spot advertising differs from network and syndicated television advertising, which are sold by television networks and producers of syndicated programs on a nationwide basis and broadcast in every market where the network or syndicated program is aired.

14. Broadcast television spot advertising possesses a unique

combination of attributes that set it apart from advertising using other types of media. Television combines sight, sound, and motion, thereby creating a more memorable advertisement. Moreover, of all media, broadcast television spot advertising generally reaches the largest percentage of all potential customers in a particular target geographic area and is therefore especially effective in introducing, establishing, and maintaining the image of a product. For a significant number of advertisers, broadcast television spot advertising, because of its unique combination of attributes, is an advertising medium for which there is no close substitute. Other media, such as radio, newspapers, or outdoor billboards, are not desirable substitutes for broadcast television advertising. None of these media can provide the important combination of sight, sound, and motion that makes television unique and impactful as a medium for advertising.

15. Like broadcast television, subscription television channels such as those carried over cable or satellite television combine elements of sight, sound, and motion, but they are not a desirable substitute for broadcast television spot advertising for two important reasons. First, satellite, cable, and other subscription content delivery systems do not have the ''reach'' of broadcast television. Typically, broadcast television can reach well-over 90% of homes in a DMA, while cable television often reaches much less. Even when several subscription television companies within a DMA jointly offer cable television spot advertising through a consortium called an interconnect, cable spot advertising does not match the reach of broadcast television spot advertising. As a result, an advertiser can achieve greater audience penetration through broadcast television spot advertising than through advertising on a subscription television channel. Second, because subscription services may offer more than 100 channels, they fragment the audience into small demographic segments. Because broadcast television programming typically has higher rating points than subscription television programming, it is much easier and more efficient for an advertiser to reach a high proportion of its target demographic on broadcast television. Media buyers often buy time on subscription television channels not so much as a substitute for broadcast television, but rather to supplement a broadcast television message, to reach a narrow demographic with greater frequency (e.g., 18–24 year olds) or to target narrow geographic areas within a DMA. A small but significant price increase by broadcast television spot advertising providers would not be made unprofitable by advertisers switching to advertising on subscription television channels.

16. Internet-based media is not currently a substitute for broadcast television spot advertising. Although Online Video Distributors (''OVDs'') such as Netflix and Hulu are important sources of video programming, as with cable television advertising, the local video advertising of OVDs lacks the reach of broadcast television spot advertising. Non-video Internet advertising, e.g., Web site banner advertising, lacks the important combination of sight, sound, and motion that gives television its impact. Consequently, local media buyers currently purchase Internet-based advertising primarily as a supplement to broadcast television spot advertising, and a small but significant price increase by broadcast television spot advertising providers would not be made unprofitable by advertisers switching to Internet-based advertising.

17. Broadcast television stations generally can identify advertisers with strong preferences for using broadcast television advertising. Broadcast television stations negotiate prices individually with advertisers and consequently can charge different advertisers different prices. During the individualized negotiations on price and available advertising slots that commonly occur between advertisers and broadcast television stations, advertisers provide stations with information about their advertising needs, including their target audience. Broadcast television stations could profitably raise prices to those advertisers who view broadcast television as a necessary advertising medium, either as their sole means of advertising or as a necessary part of a total advertising plan.

18. Accordingly, the sale of broadcast television spot advertising is a line of commerce under Section 7 of the Clayton Act and a relevant product market for purposes of analyzing the proposed acquisition under Section 7 of the Clayton Act.

B. The HLLY DMA is the Relevant Geographic Market

19. DMAs are geographic units defined by the A.C. Nielsen Company, a firm that surveys television viewers and furnishes broadcast television stations, advertisers, and advertising agencies in a particular area with data to aid in evaluating audience size and composition. DMAs are ranked according to the number of households therein, and the HLLY DMA is the 43rd largest in the United States, containing 724,000 television households. The HLLY DMA includes each of its named cities and the surrounding ten counties in central Pennsylvania. Signals from broadcast television stations located in the HLLY DMA reach viewers throughout the DMA, but signals from broadcast television stations located outside the DMA reach few viewers within the DMA. DMAs are used to analyze revenues and shares of broadcast television stations in the *Investing in Television BIA Market Report 2014* (1st edition), a standard industry reference.

20. Advertisers use broadcast television stations within the HLLY DMA to reach the largest possible number of viewers across the DMA. Some of these advertisers are located in the DMA and need to reach customers there; others are regional or national businesses that want to target consumers across the DMA. Advertising on television stations outside the HLLY DMA is not an alternative for these advertisers because such stations cannot be viewed by a significant number of potential customers within the DMA. Thus, if there were a small but significant increase in broadcast television spot advertising prices within the HLLY DMA, an insufficient number of advertisers would switch advertising purchases to television stations outside the DMA to render the price increase unprofitable.

21. Accordingly, the HLLY DMA is a section of the country under Section 7 of the Clayton Act and a relevant geographic market for the sale of broadcast television spot advertising for purposes of analyzing the proposed acquisition under Section 7 of the Clayton Act.

C. The Proposed Acquisition would Harm Competition in the HLLY DMA

22. Broadcast television stations compete for advertisers through programming that attracts viewers to their stations. In developing their own programming and in considering the programming of the networks with which they may be affiliated, broadcast television stations try to select programs that appeal to the greatest number of viewers and to differentiate their stations from others in the same DMA by appealing to specific demographic groups. Advertisers, in turn, are interested in using broadcast television spot advertising to reach both a large audience and a high proportion of the

type of viewers that are most likely to buy their products.

23. Broadcast station ownership in the HLLY DMA is already significantly concentrated. Four stations, each affiliated with a major network, had more than 90% of gross advertising revenues in 2013, with Sinclair's WHP–TV having a revenue share of nearly 16% and Perpetual's WHTM–TV having a revenue share of nearly 17%. Together, the three stations run by Sinclair and Perpetual have approximately 38% of all television station gross advertising revenues in the HLLY DMA.

24. Using the Herfindahl-Hirschman Index (''HHI''), a standard measure of market concentration (defined and explained in Appendix A), a combination of WHTM–TV, WHP–TV, and WLYH–TV in the HLLY DMA would result in both a large change in concentration and a highly concentrated market, increasing the HHI by 693 points from 2615 to 3308. Under the Horizontal Merger Guidelines issued by the Department of Justice and Federal Trade Commission, mergers resulting in highly concentrated markets (with an HHI in excess of 2500) and with an increase in the HHI of more than 200 points are presumed to be likely to enhance market power.

25. In addition to increasing concentration in the HLLY DMA, the transaction combines stations that are close substitutes and vigorous competitors in a market with limited alternatives. Their respective affiliations with CBS and ABC, and their local news operations, lead the stations to have a variety of competing programming options that are often each other's next-best or second-best substitutes for many advertisers. WHP–TV and WHTM–TV both have viewership strengths in the northern counties of the geographically disperse Harrisburg-Lancaster-Lebanon-York DMA, making them particularly close substitutes. Moreover, WHP–TV and WHTM–TV appeal to similar demographic groups, making them close substitutes for many viewers and advertisers.

26. Advertisers benefit from Sinclair's and Perpetual's head-to-head competition in the sale of broadcast television spot advertising in the HLLY DMA. During individual price negotiations between advertisers and television stations in the HLLY DMA, advertisers are able to ''play off'' the stations against each other and obtain competitive rates for programs targeting similar demographic groups.

27. Advertisers purposefully spread their advertising dollars across numerous spot ad suppliers to reach most efficiently their marketing goals. After the proposed acquisition, advertisers in the HLLY DMA would likely find it more difficult to ''buy around'' WHP–TV, WHTM–TV, and WLYH–TV in response to higher advertising rates, than to ''buy around'' Sinclair's WLYH–TV and WHP–TV, *or* Perpetual's WHTM–TV, separately, as they could have done before the proposed merger. The presence of the remaining, independent stations alone would not be sufficient to enable enough advertisers to ''buy around'' WHP–TV, WHTM–TV, and WLYH–TV to defeat a price increase. Because a significant number of advertisers would likely be unable to reach their desired audiences as effectively unless they advertise on at least one station that is controlled by Sinclair, those advertisers' bargaining positions will be weaker after the proposed acquisition, and the advertising rates they pay would likely increase.

28. Accordingly, the proposed acquisition is likely to substantially reduce competition and will restrain trade in the sale of broadcast television spot advertising in the HLLY DMA.

D. Lack of Countervailing Factors

1. Entry and Expansion Are Unlikely

29. De novo entry into the HLLY DMA is unlikely. The FCC regulates entry through the issuance of broadcast television licenses, which are difficult to obtain because the availability of spectrum is limited and the regulatory process associated with obtaining a license is lengthy. Even if a new signal became available, commercial success would come, at best, over a period of many years. In the HLLY DMA, all of the major broadcast networks (CBS, NBC, ABC, FOX) are already affiliated with a licensee, the contracts last for many years, and the broadcast networks rarely switch licensees when the contracts expire. Thus, entry into the HLLY DMA broadcast television spot advertising market would not be timely, likely, or sufficient to deter Sinclair from anticompetitive increases in price or other anticompetitive conduct after the proposed acquisition occurs.

30. Other broadcast television stations in the HLLY DMA could not readily increase their advertising capacity or change their programming sufficiently in response to a price increase by Sinclair. The number of 30-second spots in a DMA is largely fixed by programming and time constraints. This fact makes the pricing of spots very responsive to changes in demand. During so-called political years, for example, political advertisements crowd out commercial advertising and make the spots available for commercial advertisers more expensive than they would be in nonpolitical years. Adjusting programming in response to a pricing change is risky, difficult, and time-consuming. Network affiliates are often committed to the programming provided by the network with which they are affiliated, and it often takes years for a station to build its audience. Programming schedules are complex and carefully constructed, taking many factors into account, such as audience flow, station identity, and program popularity. In addition, stations typically have multi-year contractual commitments for individual shows. Accordingly, a television station is unlikely to change its programming sufficiently or with sufficient rapidity to overcome a small but significant price increase imposed by Sinclair.

2. The Alleged Efficiencies Do Not Offset the Harm

31. Although Defendants assert that the proposed acquisition would produce efficiencies, they cannot demonstrate acquisition-specific and cognizable efficiencies that would be sufficient to offset the proposed acquisition's anticompetitive effects.

V. VIOLATIONS ALLEGED

32. Plaintiffs hereby repeat and reallege the allegations of paragraphs 1 through 31 as if fully set forth herein.

33. The proposed acquisition likely would lessen competition substantially in interstate trade and commerce, in violation of Section 7 of the Clayton Act, 15 U.S.C. 18. The acquisition likely would have the following effects, among others:

a. competition in the sale of broadcast television spot advertising in the HLLY DMA would be lessened substantially;

b. competition among WHP–TV, WHTM–TV, and WLYH–TV in the sale of broadcast television spot advertising in the HLLY DMA would be eliminated; and

c. the prices for spot advertising time on broadcast television stations in the HLLY DMA would likely increase.

35. Unless restrained, the acquisition will violate Section 7 of the Clayton Act, 15 U.S.C. 18.

VI. REQUEST FOR RELIEF

36. Plaintiffs request:

a. that the Court adjudge the proposed acquisition to violate Section 7 of the Clayton Act, 15 U.S.C. 18;

b. that the Court permanently enjoin and restrain Defendants from carrying out the transaction, or entering into any other agreement, understanding, or plan

by which Perpetual would be acquired by Sinclair, unless Defendants divest WHTM–TV in accordance with the proposed Final Judgment and Hold Separate Stipulation and Order filed concurrently with this Complaint;

c. that the proposed Final Judgment giving effect to the divestiture be entered by the Court after compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. 16;

d. that the Court award Plaintiffs the costs of this action; and

e. that the Court award such other relief to Plaintiffs as the Court may deem just and proper.

Respectfully submitted,

For Plaintiff United States:

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Dated: July 15, 2014

APPENDIX A

Herfindahl-Hirschman Index

The term ''HHI'' means the Herfindahl-Hirschman Index, a commonly accepted measure of market concentration. The HHI is calculated by squaring the market share of each firm competing in the market and then summing the resulting numbers. For example, for a market consisting of four firms with shares of 30, 30, 20, and 20 percent, the HHI is 2,600 ($30^2 + 30^2 + 20^2 + 20^2 = 2{,}600$). The HHI takes into account the relative size distribution of the firms in a market. It approaches zero when a market is occupied by a large number of firms of relatively equal size and reaches its maximum of 10,000 points when a market is controlled by a single firm. The HHI increases both as the number of firms in the market decreases and as the disparity in size between those firms increases. Markets in which the HHI is between 1,500 and 2,500 points are considered to be moderately concentrated, and markets in which the HHI is in excess of 2,500 points are considered to be highly concentrated. *See* U.S. Department of Justice & FTC, *Horizontal Merger Guidelines* § 5.3 (2010). Transactions that increase the HHI by more than 200 points in highly concentrated markets presumptively raise antitrust concerns under the *Horizontal Merger Guidelines* issued by the Department of Justice and the Federal Trade Commission. *See id.*

United States District Court for the District of Columbia

United States of America, and Commonwealth of Pennsylvania, Plaintiffs, v. *Sinclair Broadcast Group, Inc., and Perpetual Corporation,* Defendants.

CASE NO. 1:14–cv–01186

JUDGE: Honorable Tanya S. Chutkan

FILED: 07/15/2014

COMPETITIVE IMPACT STATEMENT

Pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act (''APPA'' or ''Tunney Act''), 15 U.S.C. 16(b)–(h), plaintiff United States of America (''United States'') files this Competitive Impact Statement relating to the proposed Final Judgment submitted for entry in this civil antitrust proceeding.

I. NATURE AND PURPOSE OF THE PROCEEDING

Defendants Sinclair Broadcast Group, Inc. (''Sinclair''), and Perpetual Corporation (''Perpetual'') entered into a Purchase Agreement, dated July 28, 2013, pursuant to which Sinclair will acquire Perpetual for approximately $963 million, inclusive of assumed debt. Sinclair competes head to head against Perpetual in the sale of broadcast television spot advertising in the Harrisburg-Lancaster-Lebanon-York, Pennsylvania Designated Market Area (''HLLY DMA'').

The United States filed a civil antitrust Complaint on July 15, seeking to prevent the proposed acquisition. The Complaint alleges that the acquisition's likely effect would be to increase broadcast television spot advertising prices in the HLLY DMA in violation of Section 7 of the Clayton Act, 15 U.S.C. 18.

At the same time the Complaint was filed, the United States also filed a Hold Separate Stipulation and Order (''Hold Separate'') and proposed Final Judgment designed to eliminate the anticompetitive effects of the proposed acquisition. The proposed Final Judgment, which is explained more fully below, requires Defendants to divest WHTM–TV to an Acquirer approved by the United States in a manner that preserves competition in the HLLY DMA. The Hold Separate requires Defendants to take certain steps to ensure that WHTM–TV is operated as a competitively independent, economically viable business that is uninfluenced by Sinclair so that competition is maintained until the required divestiture occurs.

The United States and Defendants have stipulated that the proposed Final Judgment may be entered after compliance with the APPA. Entry of the proposed Final Judgment would terminate this action, except that the Court would retain jurisdiction to construe, modify, or enforce the provisions of the proposed Final Judgment and to punish violations thereof.

II. DESCRIPTION OF THE EVENTS GIVING RISE TO THE ALLEGED VIOLATION

A. The Defendants and the Proposed Acquisition

Sinclair, a Maryland corporation with its headquarters in Hunt Valley, Maryland, owns or operates over 145 commercial broadcast television stations in 70 markets in the United States, including two in the HLLY DMA, WHP–TV and WLYH–TV. Perpetual, a Delaware corporation with headquarters in Arlington, Virginia, owns and operates ABC-affiliated full-power broadcast television stations in six

DMAs, including the only ABC affiliate serving the HLLY DMA, WHTM–TV.

Pursuant to a Purchase Agreement dated July 28, 2013, Sinclair has agreed to purchase all of the outstanding voting securities of Perpetual.

The proposed acquisition would lessen competition substantially in the sale of broadcast television spot advertising in the HLLY DMA. This acquisition is the subject of the Complaint and proposed Final Judgment filed by the United States on July 15, 2014.

B. Anticompetitive Consequences of the Transaction

1. The Relevant Product

The Complaint alleges that the sale of broadcast television spot advertising constitutes a relevant product market for analyzing this acquisition under Section 7 of the Clayton Act. Television stations attract viewers through their programming and then sell advertising time to businesses wanting to advertise their products to those television viewers. Broadcast television ''spot'' advertising is purchased by advertisers seeking to target potential customers in specific geographic markets. It differs from network and syndicated television advertising, which are sold on a nationwide basis by major television networks and by producers of syndicated programs and are broadcast in every market where the network or syndicated program is aired.

Broadcast television spot advertising possesses a unique combination of attributes that sets it apart from advertising using other types of media. Television combines sight, sound, and motion, thereby creating a more memorable advertisement. Broadcast television spot advertising generally reaches the largest percentage of potential customers in a targeted geographic market and is therefore especially effective in introducing, establishing, and maintaining a product's image.

Because of this unique combination of attributes, broadcast television spot advertising has no close substitute for a significant number of advertisers. Spot advertising on subscription television channels and Internet-based video advertising lack the same reach; radio spots lack the visual impact; and newspaper and billboard ads lack sound and motion, as do many internet search engine and Web site banner ads. Through information provided during individualized price negotiations, stations can readily identify advertisers with strong preferences for using broadcast television spot advertising and ultimately can charge different advertisers different prices. Consequently, a small but significant increase in the price of broadcast television spot advertising is unlikely to cause enough advertising customers to switch enough advertising purchases to other media to make the price increase unprofitable.

1. The Relevant Market

The Complaint alleges that the HLLY DMA constitutes a relevant geographic market for analyzing this acquisition under Section 7 of the Clayton Act. DMAs are geographic units defined by A.C. Nielsen Company for advertising purposes. The HLLY DMA is the 43rd largest in the United States, containing over 745 thousand television households. Signals from full-powered television stations in the Harrisburg-Lancaster-Lebanon-York area reach viewers throughout that DMA, so advertisers use television stations in the HLLY DMA to target the largest possible number of viewers within that DMA. Some of these advertisers are located in the Harrisburg-Lancaster-Lebanon York area and trying to reach customers there; others are regional or national businesses wanting to target consumers in the area. Advertising on television stations outside the HLLY DMA is not an alternative for either group, because signals from television stations outside the HLLY DMA reach relatively few viewers within the DMA. Thus, advertising on those stations does not reach a significant number of potential customers in the HLLY DMA.

2. Harm to Competition in the HLLY DMA

The Complaint alleges that the proposed acquisition likely would lessen competition substantially in interstate trade and commerce, in violation of Section 7 of the Clayton Act, 15 U.S.C. 18, and likely would have the following effects, among others:

a) competition in the sale of broadcast television spot advertising in the HLLY DMA would be lessened substantially;

b) competition between WHP–TV, WHTM–TV, and WLYH–TV in the sale of broadcast television spot advertising in the HLLY DMA would be eliminated; and

c) the prices for spot advertising time on broadcast television stations in the HLLY DMA likely would increase.

By virtue of its ownership and operation of CBS-affiliated WHP–TV and the existing agreement with non-party Nexstar Broadcasting, Inc. under which it operates WLYH–TV, Sinclair currently controls the advertising time of two broadcast television stations in the HLLY DMA. Post-acquisition, Sinclair would control the advertising time of three of six broadcast television stations selling advertising in the DMA: WHP–TV (CBS), WLYH–TV (CW), and WHTM–TV (ABC). In addition to increasing Sinclair's share of broadcast television spot advertising revenue from 21 to 38 percent, the proposed acquisition would increase substantially the already high concentration in the HLLY DMA broadcast television spot advertising market. Using the Herfindahl-Hirschman Index (''HHI''), a standard measure of market concentration (defined and explained in Appendix A), the post-acquisition HHI would be approximately 3308, representing an increase of about 693 points. Under the Horizontal Merger Guidelines issued by the Department of Justice and Federal Trade Commission, mergers resulting in highly concentrated markets (with an HHI in excess of 2500) with an increase in the HHI of more than 200 points are presumed to be likely to enhance market power.

In addition to increasing concentration in the HLLY DMA, the transaction combines stations that are close substitutes and vigorous competitors in a market with limited alternatives. Their respective affiliations with CBS and ABC, and their local news operations, lead the stations to have a variety of competing programming options that are often each other's next-best or second-best substitutes for many advertisers. WHP–TV and WHTM–TV both have viewership strengths in the northern counties of the geographically disperse Harrisburg-Lancaster-Lebanon-York DMA, making them particularly close substitutes. Moreover, WHP–TV and WHTM–TV appeal to similar demographic groups, making them close substitutes for many viewers and advertisers.

Currently, WHTM–TV on the one hand, and WHP–TV and WLYH–TV on the other, vigorously complete for the business of local, regional, and national firms seeking to advertise on HLLY DMA television stations. Advertisers benefit from this competition. During individual price negotiations between advertisers and Harrisburg-Lancaster-Lebanon-York television stations, advertisers are able to ''play off'' these stations against each other and obtain competitive rates for programs that target similar demographics. The proposed acquisition is likely to eliminate this competition and thereby adversely affect a substantial volume of interstate commerce. After the proposed acquisition, a significant number of HLLY DMA advertisers would not be able to reach their desired audiences

with equivalent efficiency without advertising on stations controlled by Sinclair. The proposed acquisition, therefore, is likely to enable Sinclair to raise prices unilaterally.

3. Lack of Countervailing Factors

The Complaint alleges that entry or expansion in the HLLY DMA broadcast television spot advertising market would not be timely, likely, or sufficient to prevent anticompetitive effects. New entry is unlikely since a new station would require an FCC license, which is difficult to obtain. Even if a new station became operational, commercial success would come over a period of many years at best. Other television stations in the HLLY DMA could not readily increase their advertising capacity or change their programming in response to a price increase by Sinclair. The number of 30-second spots available at a station is generally fixed, and additional slots cannot be created. Adjusting programming in response to a pricing change is risky, difficult, and time-consuming. Programming schedules are complex and carefully constructed, and television stations often have multi-year contractual commitments for individual shows or are otherwise committed to programming provided by their affiliated network.

III. EXPLANATION OF THE PROPOSED FINAL JUDGMENT

The divestiture requirement of the proposed Final Judgment will eliminate the anticompetitive effects of the transaction in the HLLY DMA by maintaining WHTM–TV as an independent, economically viable competitor. The proposed Final Judgment requires Sinclair to divest WHTM–TV to Media General, an Acquirer selected by Defendants and approved by the United States. The Antitrust Division required such an upfront buyer in order to provide greater certainty and efficiency in the divestiture process.

The ''Divestiture Assets'' are defined in Paragraph II.G of the proposed Final Judgment to cover all assets used primarily in the operation of WHTM–TV. These assets are essentially the same HLLY DMA assets that Sinclair would have acquired from Perpetual under the Purchase Agreement. The assets include real property, equipment, FCC licenses, contracts, intellectual property rights, programming materials, and customer lists maintained by Sinclair or Perpetual in connection with WHTM–TV. These do not include assets that are not primarily used in the operation of WHTM–TV, but are maintained at the corporate level and used to support multiple stations. Thus, Defendants will be able to retain back-office systems or other assets and contracts used at the corporate level to support multiple broadcast television stations, which they would need to conduct their remaining operations, and which an Acquirer with experience operating broadcast television stations, such as Media General, can supply for itself.

To ensure that WHTM–TV is operated as an independent competitor after the divestiture, Paragraph IV.A and Section XI of the proposed Final Judgment prohibit Defendants from entering into any agreements during the term of the Final Judgment that create a long-term relationship with the Divestiture Assets after the divestiture is completed. Examples of prohibited agreements include options to repurchase or assign interests in WHTM–TV; agreements to provide financing or guarantees for financing; local marketing agreements, joint sales agreements, or any other cooperative selling arrangements; shared services agreements; and agreements to jointly conduct any business negotiations with the Acquirer with respect to WHTM–TV. This shared services prohibition does not preclude agreements limited to helicopter sharing and stock video pooling in the form that are customary in the industry. It also does not preclude other non-sales-related agreements approved in advance by the United States in its sole discretion. These limited exceptions do not permit Defendants to enter into broader news sharing agreements with respect to WHTM–TV. To the extent the Acquirer needs Defendants to provide any transitional services that facilitate continuous operation of WHTM–TV until the Acquirer can provide such capabilities independently, the United States retains discretion to approve such arrangements.

Defendants are required to take all steps reasonably necessary to accomplish the divestiture quickly and to cooperate with prospective purchasers. Because transferring the WHTM–TV license requires FCC approval, Defendants are specifically required to use their best efforts to obtain all necessary FCC approvals as expeditiously as possible. This divestiture of WHTM–TV must occur within 90 calendar days after the filing of the Complaint in this matter or 5 days after notice that the Court has entered the Final Judgment, whichever is later, and subject to extension during the pendency of any necessary FCC order pertaining to the divestiture. The United States, in its sole discretion, may agree to one or more extensions of this time period not to exceed ninety (90) calendar days in total, and shall notify the Court in such circumstances.

If the divestiture does not occur within this prescribed timeframe, the proposed Final Judgment provides that the Court, upon application of the United States, will appoint a trustee selected by the United States to sell WHTM–TV. Sinclair will pay all costs and expenses of the trustee. The trustee's commission will be structured to provide an incentive for the trustee based on the price obtained and the speed with which the divestiture is accomplished. The trustee would file monthly reports with the Court and the United States describing efforts to divest WHTM–TV. If the divestiture has not been accomplished after 6 months, the trustee and the United States will make recommendations to the Court, which shall enter such orders as appropriate, to carry out the purpose of the trust.

IV. REMEDIES AVAILABLE TO POTENTIAL PRIVATE LITIGANTS

Section 4 of the Clayton Act, 15 U.S.C. 15, provides that any person who has been injured as a result of conduct prohibited by the antitrust laws may bring suit in federal court to recover three times the damages the person has suffered, as well as costs and reasonable attorneys' fees. Entry of the proposed Final Judgment will neither impair nor assist the bringing of any private antitrust damage action. Under the provisions of Section 5(a) of the Clayton Act, 15 U.S.C. 16(a), the proposed Final Judgment has no prima facie effect in any subsequent private lawsuit that may be brought against Defendants.

V. PROCEDURES AVAILABLE FOR MODIFICATION OF THE PROPOSED FINAL JUDGMENT

The United States and Defendants have stipulated that the proposed Final Judgment may be entered by the Court after compliance with the provisions of the APPA, provided that the United States has not withdrawn its consent. The APPA conditions entry upon the Court's determination that the proposed Final Judgment is in the public interest.

The APPA provides a period of at least sixty (60) days preceding the effective date of the proposed Final Judgment within which any person may submit to the United States written comments regarding the proposed Final Judgment. Any person who wishes to comment should do so within sixty (60) days of the date of publication of this Competitive Impact Statement in the **Federal Register**, or the last date of publication in a newspaper of the summary of this Competitive Impact

Statement, whichever is later. All comments received during this period will be considered by the United States Department of Justice, which remains free to withdraw its consent to the proposed Final Judgment at any time prior to the Court's entry of judgment. The comments and the response of the United States will be filed with the Court. In addition, comments will be posted on the United States Department of Justice, Antitrust Division's Internet Web site and, under certain circumstances, published in the **Federal Register**.

Written comments should be submitted to: Scott A. Scheele, Chief, Telecommunications and Media Enforcement Section, Antitrust Division, United States Department of Justice, 450 5th Street, NW. Suite 7000, Washington, DC 20530.

The proposed Final Judgment provides that the Court retains jurisdiction over this action, and Defendants may apply to the Court for any order necessary or appropriate for the modification, interpretation, or enforcement of the Final Judgment.

VI. ALTERNATIVES TO THE PROPOSED FINAL JUDGMENT

The United States considered, as an alternative to the proposed Final Judgment, a full trial on the merits against Defendants. The United States could have continued the litigation and sought preliminary and permanent injunctions against consummation of the transaction. The United States is satisfied, however, that the divestiture of assets described in the proposed Final Judgment will preserve competition for the sale of broadcast television spot advertising in the HLLY DMA. Thus, the proposed Final Judgment would achieve all or substantially all of the relief the United States would have obtained through litigation, but avoids the time, expense, and uncertainty of a full trial on the merits of the Complaint.

VII. STANDARD OF REVIEW UNDER THE APPA FOR THE PROPOSED FINAL JUDGMENT

The Clayton Act, as amended by the APPA, requires that proposed consent judgments in antitrust cases brought by the United States be subject to a sixty-day comment period, after which the court shall determine whether entry of the proposed Final Judgment ''is in the public interest.'' 15 U.S.C. 16(e)(1). In making that determination, the court, in accordance with the statute as amended in 2004, is required to consider:

(A) the competitive impact of such judgment, including termination of alleged violations, provisions for enforcement and modification, duration of relief sought, anticipated effects of alternative remedies actually considered, whether its terms are ambiguous, and any other competitive considerations bearing upon the adequacy of such judgment that the court deems necessary to a determination of whether the consent judgment is in the public interest; and

(B) the impact of entry of such judgment upon competition in the relevant market or markets, upon the public generally and individuals alleging specific injury from the violations set forth in the complaint including consideration of the public benefit, if any, to be derived from a determination of the issues at trial.

15 U.S.C. 16(e)(1)(A) & (B). In considering these statutory factors, the court's inquiry is necessarily a limited one as the government is entitled to ''broad discretion to settle with the defendant within the reaches of the public interest.'' *United States v. Microsoft Corp.,* 56 F.3d 1448, 1461 (D.C. Cir. 1995); *see generally United States v. SBC Commc'ns, Inc.,* 489 F. Supp. 2d 1 (D.D.C. 2007) (assessing public interest standard under the Tunney Act); *United States v. InBev N.V./S.A.,* 2009–2 Trade Cas. (CCH) ¶ 76,736, 2009 U.S. Dist. LEXIS 84787, No. 08–1965 (JR), at *3, (D.D.C. Aug. 11, 2009) (noting that the court's review of a consent judgment is limited and only inquires ''into whether the government's determination that the proposed remedies will cure the antitrust violations alleged in the complaint was reasonable, and whether the mechanism to enforce the final judgment are clear and manageable.'').[1]

As the United States Court of Appeals for the District of Columbia Circuit has held, under the APPA a court considers, among other things, the relationship between the remedy secured and the specific allegations set forth in the government's complaint, whether the decree is sufficiently clear, whether enforcement mechanisms are sufficient, and whether the decree may positively harm third parties. *See Microsoft,* 56 F.3d at 1458–62. With respect to the adequacy of the relief secured by the decree, a court may not ''engage in an unrestricted evaluation of what relief would best serve the public.'' *United States v. BNS, Inc.,* 858 F.2d 456, 462 (9th Cir. 1988) (citing *United States v. Bechtel Corp.,* 648 F.2d 660, 666 (9th Cir. 1981)); *see also Microsoft,* 56 F.3d at 1460–62; *United States v. Alcoa, Inc.,* 152 F. Supp. 2d 37, 40 (D.D.C. 2001); *InBev,* 2009 U.S. Dist. LEXIS 84787, at *3. Courts have held that:

[t]he balancing of competing social and political interests affected by a proposed antitrust consent decree must be left, in the first instance, to the discretion of the Attorney General. The court's role in protecting the public interest is one of insuring that the government has not breached its duty to the public in consenting to the decree. The court is required to determine not whether a particular decree is the one that will best serve society, but whether the settlement is ''*within the reaches of the public interest.*'' More elaborate requirements might undermine the effectiveness of antitrust enforcement by consent decree.

Bechtel, 648 F.2d at 666 (emphasis added) (citations omitted).[2] In determining whether a proposed settlement is in the public interest, a district court ''must accord deference to the government's predictions about the efficacy of its remedies, and may not require that the remedies perfectly match the alleged violations.'' *SBC Commc'ns,* 489 F. Supp. 2d at 17; *see also Microsoft,* 56 F.3d at 1461 (noting the need for courts to be ''deferential to the government's predictions as to the effect of the proposed remedies''); *United States v. Archer-Daniels-Midland Co.,* 272 F. Supp. 2d 1, 6 (D.D.C. 2003) (noting that the court should grant due respect to the United States' prediction as to the effect of proposed remedies, its perception of the market structure, and its views of the nature of the case).

Courts have greater flexibility in approving proposed consent decrees than in crafting their own decrees following a finding of liability in a litigated matter. ''[A] proposed decree must be approved even if it falls short of the remedy the court would impose on its own, as long as it falls within the range of acceptability or is 'within the reaches of public interest.' '' *United*

[1] The 2004 amendments substituted ''shall'' for ''may'' in directing relevant factors for court to consider and amended the list of factors to focus on competitive considerations and to address potentially ambiguous judgment terms. *Compare* 15 U.S.C. 16(e) (2004) *with* 15 U.S.C. 16(e)(1) (2006); *see also SBC Commc'ns,* 489 F. Supp. 2d at 11 (concluding that the 2004 amendments ''effected minimal changes'' to Tunney Act review).

[2] *Cf. BNS,* 858 F.2d at 464 (holding that the court's ''ultimate authority under the [APPA] is limited to approving or disapproving the consent decree''); *United States v. Gillette Co.,* 406 F. Supp. 713, 716 (D. Mass. 1975) (noting that, in this way, the court is constrained to ''look at the overall picture not hypercritically, nor with a microscope, but with an artist's reducing glass''). *See generally Microsoft,* 56 F.3d at 1461 (discussing whether ''the remedies [obtained in the decree are] so inconsonant with the allegations charged as to fall outside of the 'reaches of the public interest' '').

States v. Am. Tel. & Tel. Co., 552 F. Supp. 131, 151 (D.D.C. 1982) (citations omitted) (quoting *United States v. Gillette Co.,* 406 F. Supp. 713, 716 (D. Mass. 1975)), *aff'd sub nom. Maryland v. United States,* 460 U.S. 1001 (1983); *see also United States v. Alcan Aluminum Ltd.,* 605 F. Supp. 619, 622 (W.D. Ky. 1985) (approving the consent decree even though the court would have imposed a greater remedy). To meet this standard, the United States ''need only provide a factual basis for concluding that the settlements are reasonably adequate remedies for the alleged harms.'' *SBC Commc'ns,* 489 F. Supp. 2d at 17.

Moreover, the court's role under the APPA is limited to reviewing the remedy in relationship to the violations that the United States has alleged in its Complaint, and does not authorize the court to ''construct [its] own hypothetical case and then evaluate the decree against that case.'' *Microsoft,* 56 F.3d at 1459; *see also InBev,* 2009 U.S. Dist. LEXIS 84787, at *20 (''the 'public interest' is not to be measured by comparing the violations alleged in the complaint against those the court believes could have, or even should have, been alleged''). Because the ''court's authority to review the decree depends entirely on the government's exercising its prosecutorial discretion by bringing a case in the first place,'' it follows that ''the court is only authorized to review the decree itself,'' and not to ''effectively redraft the complaint'' to inquire into other matters that the United States did not pursue. *Microsoft,* 56 F.3d at 1459–60. As this Court recently confirmed in *SBC Communications,* courts ''cannot look beyond the complaint in making the public interest determination unless the complaint is drafted so narrowly as to make a mockery of judicial power.'' *SBC Commc'ns,* 489 F. Supp. 2d at 15.

In its 2004 amendments, Congress made clear its intent to preserve the practical benefits of utilizing consent decrees in antitrust enforcement, adding the unambiguous instruction that ''[n]othing in this section shall be construed to require the court to conduct an evidentiary hearing or to require the court to permit anyone to intervene.'' 15 U.S.C. 16(e)(2). The language wrote into the statute what Congress intended when it enacted the Tunney Act in 1974, as Senator Tunney explained: ''[t]he court is nowhere compelled to go to trial or to engage in extended proceedings which might have the effect of vitiating the benefits of prompt and less costly settlement through the consent decree process.'' 119 Cong. Rec. 24,598 (1973) (statement of Senator Tunney). Rather, the procedure for the public interest determination is left to the discretion of the court, with the recognition that the court's ''scope of review remains sharply proscribed by precedent and the nature of Tunney Act proceedings.'' *SBC Commc'ns,* 489 F. Supp. 2d at 11.[3]

VIII. DETERMINATIVE DOCUMENTS

There are no determinative materials or documents within the meaning of the APPA that were considered by the United States in formulating the proposed Final Judgment.

Dated: July 15, 2014.

Respectfully submitted,

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Alvin Chu
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*Attorney of Record

United States District Court for the District of Columbia

United States of America, and Commonwealth of Pennsylvania, Plaintiffs, v. *Sinclair Broadcast Group, Inc., and Perpetual Corporation,* Defendants.

CASE NO. 1:14-cv-01186

JUDGE: Honorable Tanya S. Chutkan

FILED: 07/15/2014

PROPOSED FINAL JUDGMENT

WHEREAS, plaintiffs, the United States of America and the Commonwealth of Pennsylvania, filed their Complaint on July __, 2014, and plaintiffs and defendants Sinclair Broadcast Group, Inc. (''Sinclair''), and Perpetual Corporation (''Perpetual''), by their respective attorneys, have consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law herein, and without this Final Judgment constituting any evidence against or an admission by any party with respect to any issue of law or fact herein;

AND WHEREAS, defendants have agreed to be bound by the provisions of this Final Judgment pending its approval by the Court;

AND WHEREAS, the essence of this Final Judgment is the prompt and certain divestiture of certain rights and assets by the defendants to assure that competition is not substantially lessened;

AND WHEREAS, the United States requires defendants to make certain divestitures for the purpose of remedying the loss of competition alleged in the Complaint;

AND WHEREAS, defendants have represented to the United States that the divestitures required below can and will be made, and that defendants will later raise no claim of hardship or difficulty as grounds for asking the Court to modify any of the divestiture provisions contained below;

NOW THEREFORE, before any testimony is taken, without trial or adjudication of any issue of fact or law, and upon consent of the parties, it is hereby ORDERED, ADJUDGED, and DECREED:

I. JURISDICTION

This Court has jurisdiction over each of the parties hereto and over the subject matter of this action. The Complaint states a claim upon which relief may be granted against defendants under Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18.

II. DEFINITIONS

As used in this Final Judgment:

A. ''Sinclair'' means defendant Sinclair Broadcast Group, Inc., a Maryland corporation headquartered in Hunt Valley, Maryland, its successors and assigns, and its subsidiaries, divisions, groups, affiliates, partnerships and joint ventures, and their directors, officers, managers, agents, and employees.

B. ''Perpetual'' means defendant Perpetual Corporation, a Delaware corporation headquartered in Arlington, Virginia, its successors and assigns, and its subsidiaries, divisions, groups, affiliates, partnerships and joint ventures, and their directors, officers, managers, agents, and employees.

C. ''Acquirer'' means Media General, or another entity to which the defendants divest the Divestiture Assets.

D. ''Media General'' means Media General, Inc., a Virginia corporation headquartered in Richmond, Virginia,

[3] *See United States v. Enova Corp.,* 107 F. Supp. 2d 10, 17 (D.D.C. 2000) (noting that the ''Tunney Act expressly allows the court to make its public interest determination on the basis of the competitive impact statement and response to comments alone''); *United States v. Mid-Am. Dairymen, Inc.,* 1977–1 Trade Cas. (CCH) ¶ 61,508, at 71,980 (W.D. Mo. 1977) (''Absent a showing of corrupt failure of the government to discharge its duty, the Court, in making its public interest finding, should . . . carefully consider the explanations of the government in the competitive impact statement and its responses to comments in order to determine whether those explanations are reasonable under the circumstances.''); S. Rep. No. 93–298, 93d Cong., 1st Sess., at 6 (1973) (''Where the public interest can be meaningfully evaluated simply on the basis of briefs and oral arguments, that is the approach that should be utilized.'').

its successor and assigns, and its subsidiaries, divisions, groups, affiliates, partnerships and joint ventures, including but not limited to Media General Operations, Inc., and their directors, officers, managers, agents, and employees.

E. ''DMA'' means Designated Market Area as defined by A.C. Nielsen Company based upon viewing patterns and used by the *Investing in Television BIA Market Report 2014* (1st edition). DMAs are ranked according to the number of households therein and are used by broadcasters, advertisers, and advertising agencies to aid in evaluating television audience size and composition.

F. ''WHTM–TV'' means the ABC-affiliated broadcast television station located in the Harrisburg-Lancaster-Lebanon-York DMA owned by defendant Perpetual.

G. ''Divestiture Assets'' means all of the assets, tangible or intangible, used in the operation of WHTM–TV, including, but not limited to, all real property (owned or leased) used in the operation of the station, all broadcast equipment, office equipment, office furniture, fixtures, materials, supplies, and other tangible property used in the operation of the station; all licenses, permits, authorizations, and applications therefore issued by the Federal Communications Commission (''FCC'') and other government agencies related to the station; all contracts (including programming contracts and rights), agreements, network affiliation agreements, leases and commitments and understandings of Sinclair or Perpetual relating to the operation of WHTM–TV; all trademarks, service marks, trade names, copyrights, patents, slogans, programming materials, and promotional materials relating to WHTM–TV; all customer lists, contracts, accounts, and credit records; and all logs and other records maintained by Sinclair or Perpetual in connection with WHTM–TV.

III. APPLICABILITY

A. This Final Judgment applies to Sinclair and Perpetual as defined above, and all other persons in active concert or participation with any of them who receive actual notice of this Final Judgment by personal service or otherwise.

B. If, prior to complying with Sections IV and V of this Final Judgment, defendants sell or otherwise dispose of all or substantially all of their assets or of lesser business units that include the defendants' Divestiture Assets, they shall require the purchaser to be bound by the provisions of this Final Judgment. Defendants need not obtain such an agreement from the Acquirer of the assets divested pursuant to the Final Judgment.

IV. DIVESTITURES

A. Defendants are ordered and directed, within ninety (90) calendar days after the filing of the Hold Separate Stipulation and Order in this matter, to divest the Divestiture Assets to an Acquirer acceptable to the United States, in its sole discretion. The United States, in its sole discretion, may agree to one or more extensions of this time period not to exceed ninety (90) calendar days in total, and shall notify the Court in such circumstances. With respect to divestiture of the Divestiture Assets by defendant or the trustee appointed pursuant to Section V of this Final Judgment, if applications have been filed with the FCC within the period permitted for divestiture seeking approval to assign or transfer licenses to the Acquirer of the Divestiture Assets, but an order or other dispositive action by the FCC on such applications has not been issued before the end of the period permitted for divestiture, the period shall be extended with respect to divestiture of the Divestiture Assets for which no FCC order has issued until five (5) days after such order is issued. Defendants shall use their best efforts to accomplish the divestitures ordered by this Final Judgment as expeditiously as possible, including using their best efforts to obtain all necessary FCC approvals as expeditiously as possible. This Final Judgment does not limit the FCC's exercise of its regulatory powers and process with respect to the Divestiture Assets. Authorization by the FCC to conduct the divestiture of a Divestiture Asset in a particular manner will not modify any of the requirements of this decree.

B. In the event that defendants are attempting to divest the assets to an Acquirer other than Media General, in accomplishing the divestiture ordered by this Final Judgment,

(1) Defendants promptly shall make known, by usual and customary means, the availability of the Divestiture Assets;

(2) Defendants shall inform any person making inquiry regarding a possible purchase of the Divestiture Assets that they are being divested pursuant to this Final Judgment and provide that person with a copy of this Final Judgment;

(3) Defendants shall offer to furnish to all prospective Acquirers, subject to customary confidentiality assurances, all information and documents relating to the Divestiture Assets customarily provided in a due diligence process except such information or documents subject to the attorney-client privileges or work-product doctrine; and

(4) Defendants shall make available such information to the United States at the same time that such information is made available to any other person.

C. Defendants shall provide the Acquirer and the United States information relating to the personnel involved in the operation and management of the Divestiture Assets to enable the Acquirer to make offers of employment. Defendants shall not interfere with any negotiations by the Acquirer to employ or contract with any employee of any defendant whose primary responsibility relates to the operation or management of the Divestiture Assets.

D. Defendants shall permit the Acquirer of the Divestiture Assets to have reasonable access to personnel and to make inspections of the physical facilities of WHTM–TV; access to any and all environmental, zoning, and other permit documents and information; and access to any and all financial, operational, or other documents and information customarily provided as part of a due diligence process.

E. Defendants shall warrant to the Acquirer that each asset will be operational on the date of sale.

F. Defendants shall not take any action that will impede in any way the permitting, operation, or divestiture of the Divestiture Assets.

G. Defendants shall warrant to the Acquirer that there are no material defects in the environmental, zoning, or other permits pertaining to the operation of each asset, and that following the sale of the Divestiture Assets, defendants will not undertake, directly or indirectly, any challenges to the environmental, zoning, or other permits relating to the operation of the Divestiture Assets.

H. Unless the United States otherwise consents in writing, the divestiture pursuant to Section IV, or by trustee appointed pursuant to Section V of this Final Judgment, shall include the entire Divestiture Assets, and be accomplished in such a way as to satisfy the United States, in its sole discretion, that the Divestiture Assets can and will be used by the Acquirer as part of a viable, ongoing commercial television broadcasting business, and the divestiture of such assets will achieve the purposes of this Final Judgment and remedy the competitive harm alleged in the Complaint. The divestitures, whether pursuant to Section IV or Section V of this Final Judgment:

(1) shall be made to an Acquirer that, in the United States' sole judgment, has the intent and capability (including the necessary managerial, operational, technical, and financial capability) of competing effectively in the television broadcasting business in the Harrisburg-Lancaster-Lebanon-York DMA; and

(2) shall be accomplished so as to satisfy the United States, in its sole discretion, that none of the terms of any agreement between the Acquirer and defendants gives defendants the ability unreasonably to raise the Acquirer's costs, to lower the Acquirer's efficiency, or otherwise to interfere in the ability of the Acquirer to compete effectively.

V. APPOINTMENT OF TRUSTEE

A. If either (a) the defendants have not divested the Divestiture Assets within the time period specified in Paragraph IV(A), or (b) the defendants have reason to believe that the Acquirer may be unable to complete the purchase of the Divestiture Assets, defendants shall notify the United States of that fact in writing.

B. If (a) the defendants have not divested the Divestiture Assets within the time period specified in Paragraph IV(A), or (b) the United States decides in its sole discretion that the Acquirer is likely to be unable to complete the purchase of the Divestiture Assets, upon application of the United States in its sole discretion, the Court shall appoint a trustee selected by the United States and approved by the Court to effect the divestiture of the Divestiture Assets.

C. After the appointment of a trustee becomes effective, only the trustee shall have the right to sell the Divestiture Assets. The trustee shall have the power and authority to accomplish the divestiture to an Acquirer, and in a manner acceptable to the United States in its sole discretion, at such price and on such terms as are then obtainable upon reasonable effort by the trustee, subject to the provisions of Sections IV, V, and VI of this Final Judgment, and shall have such other powers as this Court deems appropriate. Subject to Paragraph V(E) of this Final Judgment, the trustee may hire at the cost and expense of Sinclair any investment bankers, attorneys, or other agents, who shall be solely accountable to the trustee, reasonably necessary in the trustee's judgment to assist in the divestiture. Defendants shall inform any person making an inquiry regarding a possible purchase of the Divestiture Assets that they are being divested pursuant to this Final Judgment and provide that person with a copy of this Final Judgment and contact information for the trustee.

D. Defendants shall not object to a sale by the trustee on any ground other than the trustee's malfeasance. Any such objection by defendants must be conveyed in writing to the United States and the trustee within ten (10) calendar days after the trustee has provided the notice required under Section VI.

E. The trustee shall serve at the cost and expense of Sinclair, on such terms and conditions as the United States approves, including confidentiality requirements and conflict of interest certifications. The trustee shall account for all monies derived from the sale of the assets sold by the trustee and all costs and expenses so incurred. After approval by the Court of the trustee's accounting, including fees for its services yet unpaid and those of any professionals and agents retained by the trustee, all remaining money shall be paid to defendants and the trust shall then be terminated. The compensation of the trustee and any professionals and agents retained by the trustee shall be reasonable in light of the value of the Divestiture Assets and based on a fee arrangement providing the trustee with an incentive based on the price and terms of the divestiture and the speed with which it is accomplished, but timeliness is paramount. If the trustee and Defendants are unable to reach agreement on the trustee's compensation or other terms and conditions of sale within fourteen (14) calendar days of appointment of the trustee, the United States may, in its sole discretion, take appropriate action, including making a recommendation to the Court.

F. Defendants shall use their best efforts to assist the trustee in accomplishing the required divestiture. The trustee and any consultants, accountants, attorneys, and other persons retained by the trustee shall have full and complete access to the personnel, books, records, and facilities of the business to be divested, and defendants shall develop financial and other information relevant to such business as the trustee may reasonably request, subject to reasonable protection for trade secret or other confidential research, development or commercial information. Defendants shall take no action to interfere with or to impede the trustee's accomplishment of the divestiture.

G. After its appointment, the trustee shall file monthly reports with the United States and, as appropriate, the Court setting forth the trustee's efforts to accomplish the divestiture ordered under this Final Judgment. To the extent such reports contain information that the trustee deems confidential, such reports shall not be filed in the public docket of the Court. Such reports shall include the name, address and telephone number of each person who, during the preceding month, made an offer to acquire, expressed an interest in acquiring, entered into negotiations to acquire, or was contacted or made an inquiry about acquiring, any interest in the Divestiture Assets, and shall describe in detail each contact with any such person. The trustee shall maintain full records of all efforts made to divest the Divestiture Assets.

H. If the trustee has not accomplished the divestiture ordered under this Final Judgment within six (6) months after its appointment, the trustee shall promptly file with the Court a report setting forth: (1) the trustee's efforts to accomplish the required divestiture, (2) the reasons, in the trustee's judgment, why the required divestiture has not been accomplished, and (3) the trustee's recommendations. The trustee shall at the same time furnish such report to the United States, which shall have the right to make additional recommendations consistent with the purpose of the trust. The Court thereafter shall enter such orders as it shall deem appropriate to carry out the purpose of the Final Judgment, which may, if necessary, include extending the trust and the term of the trustee's appointment by a period requested by the United States.

I. If the United States determines that the trustee has ceased to act or failed to act diligently or in a reasonably cost-effective manner, it may recommend the Court appoint a substitute trustee.

VI. NOTICE OF PROPOSED DIVESTITURE

A. If the trustee is responsible for effecting the divestitures required herein, within two (2) business days following execution of a definitive divestiture agreement, the trustee, shall notify the United States of any proposed divestiture required by Section IV or V of this Final Judgment. The notice provided to the United States shall set forth the details of the proposed divestiture and list the name, address, and telephone number of each person not previously identified who offered or expressed an interest in or desire to acquire any ownership interest in the Divestiture Assets, together with full details of the same.

B. Within fifteen (15) calendar days of receipt by the United States of such notice, the United States may request from defendants, the proposed Acquirer, any other third party, or the trustee if applicable, additional information concerning the proposed divestiture, the proposed Acquirer, and any other

potential Acquirer. Defendants and the trustee shall furnish any additional information requested within fifteen (15) calendar days of the receipt of the request, unless the parties shall otherwise agree.

C. Within thirty (30) calendar days after receipt of the notice or within twenty (20) calendar days after the United States has been provided the additional information requested from defendants, the proposed Acquirer, any third party, and the trustee, whichever is later, the United States shall provide written notice to defendants and the trustee, if there is one, stating whether or not it objects to the proposed divestiture in its sole discretion. If the United States provides written notice that it does not object, the divestiture may be consummated, subject only to defendants' limited right to object to the sale under Paragraph V(D) of this Final Judgment. Absent written notice that the United States does not object to the proposed Acquirer or upon objection by the United States, a divestiture proposed under Section IV or Section V shall not be consummated. Upon objection by defendants under Paragraph V(D), a divestiture proposed under Section V shall not be consummated unless approved by the Court.

VII. FINANCING

Defendants shall not finance all or any part of any purchase made pursuant to Section IV or V of this Final Judgment.

VIII. HOLD SEPARATE

Until the divestiture required by this Final Judgment has been accomplished, defendants shall take all steps necessary to comply with the Hold Separate Stipulation and Order entered by this Court. Defendants shall take no action that would jeopardize the divestiture ordered by this Court.

IX. AFFIDAVITS

A. Within twenty (20) calendar days of the filing of the Complaint in this matter, and every thirty (30) calendar days thereafter until the divestiture has been completed under Section IV or V of this Final Judgment, defendants shall deliver to the United States and to the Commonwealth of Pennsylvania an affidavit as to the fact and manner of their compliance with Section IV or V of this Final Judgment. Each such affidavit shall include the name, address and telephone number of each person who, during the preceding thirty (30) days, made an offer to acquire, expressed an interest in acquiring, entered into negotiations to acquire, or was contacted or made an inquiry about acquiring, any interest in the Divestiture Assets, and shall describe in detail each contact with any such person during that period. Each such affidavit shall also include a description of the efforts defendants have taken to solicit buyers for and complete the sale of the Divestiture Assets, including efforts to secure FCC or other regulatory approvals, and to provide required information to prospective acquirers, including the limitations, if any, on such information. Assuming the information set forth in the affidavit is true and complete, any objection by the United States to information provided by defendants, including limitations on information, shall be made within fourteen (14) days of receipt of such affidavit.

B. Within twenty (20) calendar days of the filing of the Complaint in this matter, each defendant shall deliver to the United States and to the Commonwealth of Pennsylvania an affidavit that describes in reasonable detail all actions defendants have taken and all steps defendants have implemented on an ongoing basis to comply with Section VIII of this Final Judgment. Each such affidavit shall also include a description of the efforts defendants have taken to complete the sale of the Divestiture Assets, including efforts to secure FCC or other regulatory approvals. Defendants shall deliver to the United States and to the Commonwealth of Pennsylvania an affidavit describing any changes to the efforts and actions outlined in defendants' earlier affidavits filed pursuant to this section within fifteen (15) calendar days after the change is implemented.

C. Defendants shall keep all records of all efforts made to preserve and divest the Divestiture Assets until one year after such divestiture has been completed.

X. COMPLIANCE INSPECTION

A. For the purposes of determining or securing compliance with this Final Judgment, or of any related orders such as the Hold Separate Stipulation and Order, or of determining whether the Final Judgment should be modified or vacated, and subject to any legally recognized privilege, from time to time duly authorized representatives of the United States Department of Justice, including consultants and other persons retained by the United States, shall, upon written request of an authorized representative of the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to defendants, be permitted:

(1) Access during defendants' office hours to inspect and copy, or at the option of the United States, to require defendants to provide hard copies or electronic copies of, all books, ledgers, accounts, records, data and documents in the possession, custody or control of defendants, relating to any matters contained in this Final Judgment; and

(2) to interview, either informally or on the record, defendants' officers, employees, or agents, who may have their individual counsel present, regarding such matters. The interviews shall be subject to the reasonable convenience of the interviewee and without restraint or interference by defendants.

B. Upon the written request of an authorized representative of the Assistant Attorney General in charge of the Antitrust Division, defendants shall submit written reports or responses to written interrogatories, under oath if requested, relating to any of the matters contained in this Final Judgment as may be requested.

C. No information or documents obtained by the means provided in this section shall be divulged by the United States to any person other than an authorized representative of the executive branch of the United States, or of the Commonwealth of Pennsylvania, except in the course of legal proceedings to which the United States is a party (including grand jury proceedings), or for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

D. If at the time information or documents are furnished by defendants to the United States, defendants represent and identify in writing the material in any such information or documents to which a claim of protection may be asserted under Rule 26(c)(1)(G) of the Federal Rules of Civil Procedure, and defendants mark each pertinent page of such material, ''Subject to claim of protection under Rule 26(c)(1)(G) of the Federal Rules of Civil Procedure,'' then the United States shall give defendants ten (10) calendar days notice prior to divulging such material in any legal proceeding (other than a grand jury proceeding).

XI. NO REACQUISITION OR OTHER PROHIBITED ACTIVITIES

Defendants may not (1) reacquire any part of the Divestiture Assets, (2) acquire any option to reacquire any part of the Divestiture Assets or to assign the Divestiture Assets to any other person, (3) enter into any local marketing agreement, joint sales agreement, other cooperative selling arrangement, or shared services agreement, or conduct

other business negotiations jointly with the Acquirer with respect to the Divestiture Assets, or (4) provide financing or guarantees of financing with respect to the Divestiture Assets, during the term of this Final Judgment. The shared services prohibition does not preclude Defendants from continuing or entering into agreements in a form customarily used in the industry to (1) share news helicopters or (2) pool generic video footage that does not include recording a reporter or other on-air talent, and does not preclude defendants from entering into any non-sales-related shared services agreement that is approved in advance by the United States in its sole discretion.

XII. RETENTION OF JURISDICTION

This Court retains jurisdiction to enable any party to this Final Judgment to apply to this Court at any time for further orders and directions as may be necessary or appropriate to carry out or construe this Final Judgment, to modify any of its provisions, to enforce compliance, and to punish violations of its provisions.

XIII. EXPIRATION OF FINAL JUDGMENT

Unless this Court grants an extension, this Final Judgment shall expire ten (10) years from the date of its entry.

XIV. PUBLIC INTEREST DETERMINATION

Entry of this Final Judgment is in the public interest. The parties have complied with the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C 16, including making copies available to the public of this Final Judgment, the Competitive Impact Statement, and any comments thereon, and the United States' responses to comments. Based on the record before the Court, which includes the Competitive Impact Statement and any comments and responses to comments filed with the Court, entry of this Final Judgment is in the public interest.

Date: _____

Court approval subject to procedures of Antitrust Procedures and Penalties Act, 15 U.S.C. 16

_____

United States District Judge

[FR Doc. 2014–17366 Filed 7–22–14; 8:45 am]

BILLING CODE P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Occupational Requirements Survey

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Bureau of Labor Statistics (BLS) sponsored information collection request (ICR) proposal titled, ''Occupational Requirements Survey,'' to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before August 22, 2014.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201403–1220–002* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129 (this is not a toll-free number) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–BLS, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–6881 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129 (this is not a toll-free number) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Authority: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks PRA authority for the Occupational Requirements Survey (ORS). More specifically, this request is for the approval of a nationwide, pre-production test for the ORS to evaluate the survey's processes and operations in a possible production environment. Information collections will include initiation test samples to obtain general establishment information, pay, work levels, and job requirements and re-interviews for quality assurance activities of ORS job requirements for initiations. A full evaluation of the data elements captured for this pre-production test will be followed by an evaluation of the processes, survey design, and other test program elements. This information collection is authorized by 29 U.S.C. 9, 9a.

This proposed information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. For additional information, see the related notice published in the **Federal Register** on March 24, 2014 (79 FR 16058).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 201403–1220–002. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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.

Agency: DOL–BLS.

Title of Collection: Occupational Requirements Survey.

OMB ICR Reference Number: 201403–1220–002.

Affected Public: State, Local, and Tribal Governments and Private Sector—businesses or other for-profits.

Total Estimated Number of Respondents: 2,550.

Total Estimated Number of Responses: 2,678.

Total Estimated Annual Time Burden: 5,086 hours.

Total Estimated Annual Other Costs Burden: $0.

Dated: July 17, 2014.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2014–17273 Filed 7–22–14; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2006–0028]

MET Laboratories, Inc.: Application for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of MET Laboratories, Inc., for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, and presents the Agency's preliminary finding to grant the application.

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 August 7, 2014.

ADDRESSES: Submit comments by any of the following methods:

1. *Electronically:* Submit comments and attachments electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.

2. *Facsimile:* If submissions, including attachments, are not longer than 10 pages, commenters may fax them to the OSHA Docket Office at (202) 693–1648.

3. *Regular or express mail, hand delivery, or messenger (courier) service:* Submit comments, requests, and any attachments to the OSHA Docket Office, Docket No. OSHA–2006–0028, Technical Data Center, U.S. Department of Labor, 200 Constitution Avenue NW., Room N–2625, Washington, DC 20210; telephone: (202) 693–2350 (TTY number: (877) 889–5627). Note that security procedures may result in significant delays in receiving comments and other written materials by regular mail. Contact the OSHA Docket Office for information about security procedures concerning delivery of materials by express mail, hand delivery, or messenger service. The hours of operation for the OSHA Docket Office are 8:15 a.m.–4:45 p.m., e.t.

4. *Instructions:* All submissions must include the Agency name and the OSHA docket number (OSHA–2006–0028). OSHA places comments and other materials, including any personal information, in the public docket without revision, and these materials will be available online at *http://www.regulations.gov.* Therefore, the Agency cautions commenters about submitting statements they do not want made available to the public, or submitting comments that contain personal information (either about themselves or others) such as Social Security numbers, birth dates, and medical data.

5. *Docket:* To read or download submissions or other material in the docket, go to *http://www.regulations.gov* or the OSHA Docket Office at the address above. All documents in the docket are listed in the *http://www.regulations.gov* index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the Web site. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

6. *Extension of comment period:* Submit requests for an extension of the comment period on or before August 7, 2014 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–3655, 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, 200 Constitution Avenue NW., Room N–3647, Washington, DC 20210; telephone: (202) 693–1999; email: *Meilinger.francis2@dol.gov.*

General and technical information: Contact Mr. David W. Johnson, 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, 200 Constitution Avenue NW., Room N–3655, Washington, DC 20210; phone: (202) 693–2110 or email: *johnson.david.w@dol.gov.*

SUPPLEMENTARY INFORMATION:

I. Notice of the Application for Expansion

The Occupational Safety and Health Administration is providing notice that MET Laboratories, Inc. (MET), is applying for expansion of its current recognition as an NRTL. MET requests the addition of one test standard to its NRTL scope of recognition.

OSHA recognition of an 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 its scope of recognition. Each NRTL's scope of recognition includes the type of products the NRTL may test, with each type specified by its applicable test standard; and 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 an 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 its preliminary finding. In the second notice, the Agency provides its 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 MET, which details the NRTL's scope of recognition. These pages are available from the OSHA Web site at *http://www.osha.gov/dts/otpca/nrtl/index.html.*

MET currently has one facility (site) recognized by OSHA for product testing and certification, with its headquarters located at: MET Laboratories, Inc., 914 West Patapsco Avenue, Baltimore, Maryland 21230. A complete list of MET's scope of recognition is available at *http://www.osha.gov/dts/otpca/nrtl/met.html.*

II. General Background on the Application and Request

MET submitted an application, dated March 7, 2014 (OSHA–2006–0028–0014), to expand its recognition to include one additional test standard. OSHA staff performed a comparability analysis and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

Table 1 below lists the appropriate test standard found in MET's application for expansion for testing and certification of products under the NRTL Program.

TABLE 1—PROPOSED APPROPRIATE TEST STANDARD FOR INCLUSION IN MET'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
ANSI/AAMI ES60601–1:2005/(R)2012	Medical electrical equipment, Part 1: General requirements for basic safety and essential performance (with amendments)

III. Preliminary Findings on the Application

MET submitted an acceptable application for expansion of its scope of recognition. OSHA's review of the application file and the comparability analysis indicates that MET can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include the addition of this one test standard for NRTL testing and certification listed above. This preliminary finding does not constitute an interim or temporary approval of MET's application.

OSHA welcomes public comment as to whether MET meets the requirements of 29 CFR 1910.7 for expansion of its recognition as an 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. Commenters must submit the written request for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer period. OSHA may deny a request for an extension if it is not adequately justified. To obtain or review copies of the publicly available information in MET's application, including pertinent documents and all submitted comments, contact the Docket Office, Room N–2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address; these materials also are available online at *http://www.regulations.gov* under Docket No. OSHA–2006–0028.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will recommend to the Assistant Secretary for Occupational Safety and Health whether to grant MET's application for expansion of its scope of recognition. The Assistant Secretary will make the final decision on granting the application. 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 this final decision in the **Federal Register**.

IV. Authority and Signature

David Michaels, Ph.D., MPH, 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. 1–2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on July 18, 2014.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2014–17343 Filed 7–22–14; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2014–0012]

Whistleblower Protection Advisory Committee (WPAC)

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Announcement of a meeting of WPAC.

SUMMARY: WPAC will meet September 3 and 4, 2014, in Washington, DC.

DATES: *WPAC meeting:* WPAC will meet from 1:30 p.m. to 5:00 p.m., E.T., Wednesday, September 3, 2014 and 8:30 a.m. to 5:00 p.m., E.T., Thursday, September 4, 2014.

Written comments, requests to speak, speaker presentations, and requests for special accommodation: You must submit (postmark, send, transmit) comments, requests to address the WPAC meeting, speaker presentations (written or electronic), and requests for special accommodations for the WPAC meeting by August 20, 2014.

ADDRESSES: *WPAC meeting:* WPAC will meet in Room S–4215 A–C, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

Submission of comments, requests to speak, and speaker presentations: You may submit comments, requests to speak at the WPAC meeting, and speaker presentations using one of the following methods:

Electronically: You may submit materials, including attachments, electronically at *http://www.regulations.gov,* which is the Federal eRulemaking Portal. Follow the on-line instructions for submissions.

Facsimile (Fax): If your submission, including attachments, does not exceed 10 pages, you may fax it to the OSHA Docket Office at (202) 693–1648.

Regular mail, express mail, hand delivery, or messenger (courier) service: You may submit your materials to the OSHA Docket Office, Docket No. OSHA–2014–0012, Room N–2625, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–2350 (TTY (877) 889–5627). OSHA's Docket Office accepts deliveries (hand deliveries, express mail, and messenger service) during normal business hours, 8:15 a.m.–4:45 p.m., E.T., weekdays.

Requests for special accommodations: Please submit any requests for special accommodations to attend the WPAC meeting to Ms. Gretta Jameson, OSHA, Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–1999; email *jameson.grettah@dol.gov.*

Instructions: Your submissions must include the agency name and docket number for this **Federal Register** notice (Docket No. OSHA–2014–0012). Due to security-related procedures, submissions by regular mail may experience significant delays. Please contact the OSHA Docket Office for information about security procedures for making submissions. For additional information on submitting comments, requests to speak, and speaker presentations, see the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Mr. Frank Meilinger, Director, OSHA Office of Communications, Room N–3647, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–1999; email *meilinger.francis2@dol.gov.*

For general information about WPAC and WPAC meetings: Ms. Meghan Smith, OSHA, Directorate of Whistleblower Protection Programs, Room N–4624, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210; telephone (202) 693–2199; email *smith.meghan.p@dol.gov.*

SUPPLEMENTARY INFORMATION:

WPAC Meeting

WPAC will meet Wednesday, September 3, 2014, and Thursday, September 4, 2014 in Washington, DC. WPAC meetings are open to the public.

The tentative agenda of the WPAC meeting includes:

Remarks from the Assistant Secretary of Labor for Occupational Safety and Health (OSHA);

WPAC work group reports and discussion;

Invited reports from other agencies or the public regarding whistleblower enforcement;

WPAC and WPAC Work Group administrative business; and Public comments (September 4).

OSHA transcribes WPAC meetings and prepares detailed minutes of the meetings.

OSHA places the meeting transcripts and minutes in the public record of the WPAC meeting. The public record also includes Work Group reports, speaker presentations, comments and other materials submitted to WPAC.

WPAC Work Groups

The WPAC work groups (11(c), Best Practices and Corporate Culture, and Transportation Industry) will meet on September 3, 2014. These work group meetings will be open to the public. The purpose of the work groups is to provide recommendations to the full WPAC committee on their subject matters. The work groups will report to WPAC at the September 3 and 4, 2014 meeting for discussion by the full committee.

The work groups will meet from 8:30 a.m. to 12:30 p.m. on September 3 in the following rooms in the Francis Perkins Building: 11(c)—Room S–4215 A, Best Practices and Corporate Culture—Room S–4215 B, Transportation Industry—Room S–4215 C.

For additional information on WPAC work group meetings or participating in them, please contact Ms. Smith or look on the WPAC page on OSHA's Web page at *http://www.whistleblowers.gov.*

Public Participation, Submissions, and Access to Public Record

WPAC meetings: All WPAC meetings are open to the public. Individuals attending meetings at the U.S. Department of Labor must enter the building at the visitors' entrance, 3rd and C Streets NW., and pass through building security. Attendees must have valid government-issued photo identification (such as a driver's license) to enter the building. For additional information about building security measures for attending WPAC meetings, please contact Ms. Jameson (see **ADDRESSES** section).

Individuals needing special accommodations to attend the WPAC meeting should contact to Ms. Jameson as well.

Submission of written comments: You may submit comments using one of the methods identified in the **ADDRESSES** section. Your submissions must include the Agency name and docket number for this WPAC meeting (Docket No. OSHA–2014–0012) OSHA will provide copies of submissions to WPAC members.

Because of security-related procedures, submissions by regular mail may experience significant delays. For information about security procedures for submitting materials by hand delivery, express mail, and messenger or courier service, please contact the OSHA Docket Office (see **ADDRESSES** section).

Requests to speak and speaker presentations: If you want to address WPAC at the meeting you must submit your request to speak, as well as any written or electronic presentation, by August 20, 2014, using one of the methods listed in the **ADDRESSES** section. Your request must state:

- The amount of time requested to speak;
- The interest you represent (e.g., business, organization, affiliation), if any; and
- A brief outline of your presentation.

PowerPoint presentations and other electronic materials must be compatible with PowerPoint 2010 and other Microsoft Office 2010 formats.

The WPAC Chair may grant requests to address WPAC as time and circumstances permit.

Public docket of the WPAC meeting: OSHA will place comments, requests to speak, and speaker presentations, including any personal information you provide, in the public docket of this WPAC meeting without change, and those documents may be available online at *http://www.regulations.gov.* Therefore, OSHA cautions you about submitting personal information such as Social Security numbers and birthdates.

OSHA also places in the public docket the meeting transcript, meeting minutes, documents presented at the WPAC meeting, and other documents pertaining to the WPAC meeting. These documents are available online at *http://www.regulations.gov* under Docket No. OSHA–2014–0012.

Access to the public record of WPAC meetings: To read or download documents in the public docket of this WPAC meeting, go to Docket No. OSHA–2014–0012 at *http://www.regulations.gov.* The *http://www.regulations.gov* index also lists all documents in the public record for this meeting; however, some documents (e.g., copyrighted materials) are not publicly available through that Web page. All documents in the public record, including materials not available through *http://www.regulations.gov,* are available for inspection and copying in the OSHA Docket Office (see **ADDRESSES** section). Please contact the OSHA Docket Office for assistance in making submissions to, or obtaining materials from, the public docket.

Electronic copies of this **Federal Register** notice are available at *http://www.regulations.gov.* This notice, as well as news releases and other relevant information, also are available on the Directorate of Whistleblower Protections Programs Web page at *http://www.whistleblowers.gov.*

Authority and Signature

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice under the authority granted by 5 U.S.C. App. 2, 41 CFR Part 102–3, chapter 1600 of Department of Labor Management Series 3 (Mar. 17, 2008), 77 FR 3912 (Jan. 25, 2012), and the Secretary of Labor's authority to administer the whistleblower provisions found in 29 U.S.C. § 660(c), 49 U.S.C. § 31105, 15 U.S.C. § 2651, 46 U.S.C. § 80507, 42

U.S.C. § 300j–9(i), 33 U.S.C. § 1367, 15 U.S.C. § 2622, 42 U.S.C. § 6971, 42 U.S.C. § 7622, 42 U.S.C. § 9610, 42 U.S.C. § 5851, 49 U.S.C. § 42121, 18 U.S.C. § 1514A, 49 U.S.C. § 60129, 49 U.S.C. § 20109, 6 U.S.C. § 1142, 15 U.S.C. § 2087, 29 U.S.C. § 218c, 12 U.S.C. § 5567, 46 U.S.C. § 2114, 21 U.S.C. § 399d, and 49 U.S.C. § 30171.

Signed at Washington, DC on July 18, 2014.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2014–17342 Filed 7–22–14; 8:45 am]

BILLING CODE 4510–26–P

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 2014–03]

Music Licensing Study: Second Request for Comments

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: Notice of inquiry.

SUMMARY: The U.S. Copyright Office has undertaken a study to evaluate the effectiveness of current methods for licensing musical works and sound recordings. At this time, the Office seeks additional comments on whether and how existing music licensing methods serve the music marketplace, including new and emerging digital distribution platforms.

DATES: Written comments are due on or before August 22, 2014.

ADDRESSES: All comments shall be submitted electronically. A comment page containing a comment form is posted on the Office Web site at *http://www.copyright.gov/200B;docs/200B;musiclicensingstudy.* The Web site interface requires commenting parties to complete a form specifying their name and organization, as applicable, and to upload comments as an attachment via a browser button. To meet accessibility standards, commenting parties must upload comments in a single file not to exceed six megabytes (MB) in one of the following formats: The Portable Document File (PDF) format that contains searchable, accessible text (not an image); Microsoft Word; WordPerfect; Rich Text Format (RTF); or ASCII text file format (not a scanned document). The form and face of the comments must include both the name of the submitter and organization. The Office will post the comments publicly on its Web site in the form that they are received, along with associated names and organizations. If electronic submission of comments is not feasible, please contact the Office at 202–707–8350 for special instructions.

FOR FURTHER INFORMATION CONTACT: Jacqueline C. Charlesworth, General Counsel and Associate Register of Copyrights, by email at *jcharlesworth@loc.gov* or by telephone at 202–707–8350; or Sarang V. Damle, Special Advisor to the General Counsel, by email at *sdam@loc.gov* or by telephone at 202–707–8350.

SUPPLEMENTARY INFORMATION:

I. Background

The U.S. Copyright Office is conducting a study to assess the effectiveness of the current methods for licensing musical works and sound recordings. To aid with this study, the Office published an initial Notice of Inquiry on March 17, 2014 (''First Notice'') seeking written comments on twenty-four subjects concerning the current environment in which music is licensed. 78 FR 14739 (Mar. 17, 2014). The eighty-five written submissions received in response to this initial notice can be found on the Copyright Office Web site at *http://www.copyright.gov/docs/musiclicensingstudy/200B;comments/Docket2014_3/.* In June 2014, the Office conducted three two-day public roundtables in Nashville, Los Angeles, and New York City. The three roundtables provided participants with the opportunity to share their views on the topics identified in the First Notice and other issues relating to music licensing. *See* 79 FR 25626 (May 5, 2014). Transcripts of the proceedings at each of the three roundtables will be made available on the Copyright Office Web site at *http://www.copyright.gov/docs/200B;musiclicensingstudy/.*

In the initial round of written comments and during the roundtable sessions, a number of significant issues were discussed that the Office believes merit additional consideration.

First, as explained in the First Notice, in 2013, the two federal district courts overseeing the antitrust consent decrees governing the largest performance rights organizations (''PROs''), American Society of Composers, Authors and Publishers (''ASCAP'') and Broadcast Music, Inc. (''BMI''), held in separate opinions that under those decrees, music publishers could not withdraw selected rights—such as ''new media'' rights—to be directly licensed outside of the PROs; rather, a particular publisher's song catalog must either be ''all in'' or ''all out.'' [1] Following these rulings, both in public statements and at the recent roundtables, certain major music publishers have indicated that, if the consent decrees remain in place without modification, they intend to withdraw their entire catalogs from the two PROs and directly license public performances.[2] Such a move would affect not only online services, but more traditional areas of public performance such as radio, television, restaurants, and bars.

Stakeholders at the roundtables expressed significant concerns regarding the impact of major publishers' complete withdrawal from the PROs. Notably, traditional songwriter contracts typically include provisions that assume that a songwriter's performance royalties will be collected by and paid directly to the songwriter through a PRO, without contemplating alternative arrangements. Songwriters and composers raised questions as to how withdrawing publishers would fulfill this responsibility in the future, including whether they would be in a position to track and provide adequate usage and payment data under a direct licensing system. Another concern is how such withdrawals would affect the PROs' cost structures and the commission rates for smaller entities and individual creators who continued to rely upon these organizations to license and administer their public performance rights. At the same time, some stakeholders questioned the existing distribution methodologies of the PROs, suggesting that the PROs should rely more on census-based reporting (as is typically supplied by digital services) and less on sampling or non-census-based approaches to allocate royalty fees among members.

Next, many stakeholders appear to be of the view that the Section 115 statutory license for the reproduction and distribution of musical works should either be eliminated or significantly modified to reflect the realities of the digital marketplace. While music owners and music users have expressed a range of views as to the particulars of how this might be accomplished, much of the commentary and discussion has centered on two

[1] *In re Pandora Media, Inc.,* Nos. 12–cv–8035, 41–cv–1395, 2013 WL 5211927 (S.D.N.Y. Sept. 17, 2013); *Broadcast Music, Inc.,* v. *Pandora Media, Inc.,* Nos. 12–cv–4037, 64–cv–3787, 2013 WL 6697788 (S.D.N.Y. Dec. 19, 2013).

[2] *See* Ed Christman, *Universal Music Publishing Plots Exit From ASCAP, BMI,* Billboard (Feb. 1, 2013), *http://www.billboard.com/biz/articles/news/publishing/1537554/universal-music-publishing-plots-exit-from-ascap-bmi; see also* Ed Christman, *Sony/ATV's Martin Bandier Repeats Warning to ASCAP, BMI, Billboard* (July 11, 2014), *http://www.billboard.com/biz/articles/news/publishing/6157469/sonyatvs-martin-bandier-repeats-warning-to-ascap-bmi.*

possible approaches. The first would be to sunset the Section 115 license with the goal of enabling musical work owners to negotiate licenses directly with music users at unregulated, marketplace rates (as the synchronization market for musical works currently operates). Some stakeholders have acknowledged, however, that such a market-based system might still have to allow for the possibility of collective licensing to accommodate individuals and smaller copyright owners who might lack the capacity or leverage to negotiate directly with online service providers and others.

A second model, advocated by the record labels, would be to eliminate Section 115 and instead allow music publishers and sound recording owners collectively to negotiate an industrywide revenue-sharing arrangement as between them. For the uses falling under this approach, a fixed percentage of licensing fees for use of a recorded song would be allocated to the musical work and the remainder would go to the sound recording owner. Record labels would be permitted to bundle musical work licenses with their sound recording licenses, with third-party licensees to pay the overall license fees to publishers and labels according to the agreed industry percentages. While musical work owners would retain control over the first recordings of their works, such an arrangement would cover not only audio-only uses but would extend to certain audiovisual uses not currently covered by the Section 115 license, such as music videos and lyric display.

Another theme that emerged from the first round of written comments and the public roundtables relates to the Section 112 and 114 statutory licenses for the digital performance of sound recordings.[3] Although there appeared to be substantial agreement that these licenses are largely effective, there was also a general consensus that improvements could be made to the Copyright Royalty Judges' (''CRJs'') statutorily mandated ratesetting procedures. For instance, under 17 U.S.C. 803(b)(6), parties in proceedings before the CRJs must submit written direct statements before any discovery is conducted. A number of commenters believed that the ratesetting process could be significantly streamlined by allowing for discovery before presentation of the parties' direct cases, as in ordinary civil litigation. Stakeholders were also of the view that it would be more efficient to combine what are now two separate direct and rebuttal phases of ratesetting hearings, as contemplated by 17 U.S.C. 803(b)(6)(C), into a single integrated trial—again as is more typical of civil litigation. There was also general agreement that more could be done to encourage settlement of rate disputes, such as adoption of settlements earlier in the process and allowing such settlements to be treated as non-precedential with respect to non-settling participants.

Finally, many commenting parties pointed to the lack of standardized and reliable data related to the identity and ownership of musical works and sound recordings as a significant obstacle to more efficient music licensing mechanisms. Stakeholders observed that digital music files are often distributed to online providers without identifiers such as the International Standard Recording Code (''ISRC'') and/or International Standard Musical Work Code (''ISWC''), and that the lack of these identifiers (or other unique or universal identifiers) makes it difficult for licensees or others to link particular music files with the copyrighted works they embody. In addition to problems identifying the musical works and sound recordings themselves, commenters noted the difficulties of ascertaining ownership information, especially in the case of musical works, which frequently have multiple owners representing varying percentages of particular songs. These issues, in turn, relate to a more general ''transparency'' concern of music creators that usage and payment information—including information about advances and equity provided by licensees to publishers and labels—may not be fully and readily accessible to songwriters, composers and artists.

At this time, the Office is soliciting additional comments on these subjects, as set forth in the specific questions below. Parties may also take this opportunity to respond to the positions taken by others in the first round of comments and/or at the roundtables. Those who plan to submit additional comments should be aware that the Office has studied and will take into consideration the comments already received, so there is no need to restate previously submitted material. While a party choosing to respond to this Notice of Inquiry need not address every subject below, the Office requests that responding parties clearly identify and separately address each subject for which a response is submitted.

Subjects of Inquiry

Data and Transparency

1. Please address possible methods for ensuring the development and dissemination of comprehensive and authoritative public data related to the identity and ownership of musical works and sound recordings, including how best to incentivize private actors to gather, assimilate and share reliable data.

2. What are the most widely embraced identifiers used in connection with musical works, sound recordings, songwriters, composers, and artists? How and by whom are they issued and managed? How might the government incentivize more universal availability and adoption?

3. Please address possible methods for enhancing transparency in the reporting of usage, payment, and distribution data by licensees, record labels, music publishers, and collective licensing entities, including disclosure of non-usage-based forms of compensation (*e.g.,* advances against future royalty payments and equity shares).

Musical Works

4. Please provide your views on the logistics and consequences of potential publisher withdrawals from ASCAP and/or BMI, including how such withdrawals would be governed by the PROs; whether such withdrawals are

[3] Based upon written comments and discussion at the roundtables, it appears that certain language in the First Notice concerning the lack of availability of licenses for pre-1972 recordings under Sections 112 and 114 may have been misinterpreted by some. In a footnote, the First Notice observed that ''a person wishing to digitally perform a pre-1972 sound recording cannot rely on the Section 112 and 114 statutory licenses and must instead obtain a license directly from the owner of the sound recording copyright.'' 78 FR 14739, 14741 n.12. In making this statement, the Office was not opining on the necessity of obtaining such a license under state law, but merely observing that licenses for the digital performance of pre-1972 sound recordings, and for the reproductions to enable such performances, are not available under Section 112 or 114. A licensee seeking such a license would thus need to obtain it directly from the sound recording owner (as the Office understands to be the current practice of some licensees with respect to performances of pre-1972 recordings).

On the other side of the coin, it appears that others have misread the Office's observation in its report on pre-1972 sound recordings that ''[i]n general, state law does not appear to recognize a performance right in sound recordings'' as an official statement that no such protection is (or should be) available under state law. *See U.S. Copyright Office, Federal Copyright Protection for Pre-1972 Sound Recordings* 44 (2011). This, too, is a misinterpretation. While, as a factual matter, a state may not have affirmatively acknowledged a public performance right in pre-1972 recordings as of the Office's 2011 report, the language in the report should not be read to suggest that a state could not properly interpret its law to recognize such a right. As the Office explained, ''common law protection is amorphous, and courts often perceive themselves to have broad discretion.'' *Id.* at 48.

compatible with existing publisher agreements with songwriters and composers; whether the PROs might still play a role in administering licenses issued directly by the publishers, and if so, how; the effect of any such withdrawals on PRO cost structures and commissions; licensees' access to definitive data concerning individual works subject to withdrawal; and related issues.

5. Are there ways in which the current PRO distribution methodologies could or should be improved?

6. In recent years, PROs have announced record-high revenues and distributions. At the same time, many songwriters report significant declines in income. What marketplace developments have led to this result, and what implications does it have for the music licensing system?

7. If the Section 115 license were to be eliminated, how would the transition work? In the absence of a statutory regime, how would digital service providers obtain licenses for the millions of songs they seem to believe are required to meet consumer expectations? What percentage of these works could be directly licensed without undue transaction costs and would some type of collective licensing remain necessary to facilitate licensing of the remainder? If so, would such collective(s) require government oversight? How might uses now outside of Section 115, such as music videos and lyric displays, be accommodated?

Sound Recordings

8. Are there ways in which Section 112 and 114 (or other) CRB ratesetting proceedings could be streamlined or otherwise improved from a procedural standpoint?

International Music Licensing Models

9. International licensing models for the reproduction, distribution, and public performance of musical works differ from the current regimes for licensing musical works in the United States. Are there international music licensing models the Office should look to as it continues to review the U.S. system?

Other Issues

10. Please identify any other pertinent issues that the Copyright Office may wish to consider in evaluating the music licensing landscape.

Dated: July 18, 2014.

Jacqueline C. Charlesworth,

General Counsel and Associate, Register of Copyrights.

[FR Doc. 2014–17354 Filed 7–22–14; 8:45 am]

BILLING CODE 1410–30–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–2014–044]

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

DATES: Requests for copies must be received in writing on or before August 22, 2014. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

ADDRESSES: You may request a copy of any records schedule identified in this notice by contacting Records Management Services (ACNR) using one of the following means:

Mail: NARA (ACNR), 8601 Adelphi Road, College Park, MD 20740–6001.

Email: request.schedule@nara.gov.

Fax: 301–837–3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

FOR FURTHER INFORMATION CONTACT: Margaret Hawkins, Director, Records Management Services (ACNR), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740–6001. Telephone: 301–837–1799. Email: *request.schedule@nara.gov.*

SUPPLEMENTARY INFORMATION: Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1225.12(e).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit

level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

Schedules Pending

1. Department of Defense, Office of the Secretary of Defense (DAA–0330–2014–0013, 1 item, 1 temporary item). Master files of an electronic information system used to provide continuous updates and evaluation of personnel security clearances.

2. Department of Defense, Defense Logistics Agency (DAA–0361–2014–0006, 10 items, 10 temporary items). Records used to facilitate procurement actions, including customer, contract, financial, and transportation data.

3. Department of Defense, Defense Logistics Agency (DAA–0361–2014–0007, 1 item, 1 temporary item). Records certifying that confined spaces are safe for entry.

4. Department of Defense, Office of Inspector General (DAA–0509–2014–0003, 1 item, 1 temporary item). Tracking logs for copies of classified information.

5. Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response (DAA–0468–2014–0001, 3 items, 3 temporary items). Records related to safety training and medical credential verification for medical personnel who respond to public health emergencies.

6. Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response (DAA–0468–2014–0002, 2 items, 2 temporary items). Working files and master files of an electronic information system relating to mortuary services during public health emergencies.

7. Department of Justice, Drug Enforcement Administration (DAA–0170–2014–0004, 1 item, 1 temporary item). Master files of an electronic information system containing registration applications for the manufacture and distribution of controlled substances.

8. Department of Justice, United States Marshals Service (DAA–0527–2013–0013, 7 items, 2 temporary items). Records of the Historian's Office including routine program files and working papers. Proposed for permanent retention are agency historical materials, program files, historical photographs, publications, and source materials.

9. Department of Labor, Employment and Training Administration (N1–369–09–2, 1 item, 1 temporary item). Master files of an electronic information system used to track, manage, and review grant records.

10. Department of Transportation, Federal Highway Administration (N1–406–11–3, 6 items, 4 temporary items). Master files of an electronic information system used to report performance data on the highway system. Proposed for permanent retention are processed data files and spatial data files.

11. Department of Transportation, National Highway Transportation Safety Administration (N1–416–11–6, 3 items, 1 temporary item). Master files of an electronic information system containing vehicle safety equipment and component test data. Proposed for permanent retention are master files of electronic information systems containing vehicle test data and biomechanical test data.

12. Department of Transportation, Office of Inspector General (DAA–0398–2013–0001, 33 items, 25 temporary items). Comprehensive schedule covering various administrative records relating to the office's policy and organization, correspondence, investigations, audits, legal affairs, and publicity. Proposed for permanent retention are reports and transcripts of testimonies to Congress, speeches of the Inspector General, directives, organizational files, investigative case files of significant value, final audit reports, and press releases.

13. Environmental Protection Agency, Agency-wide (DAA–0412–2013–0009, 5 items, 4 temporary items). Records related to the coordination of information and technology resources and systems, including system maintenance activities, information technology infrastructure maintenance, and information systems security functions. Proposed for permanent retention are historically significant information technology management records.

14. Library of Congress, Agency-wide (DAA–0297–2014–0011, 10 items, 9 temporary items). Records relating to outreach activities, including event planning files, marketing files, tour and visitor service files, and exhibition production files. Proposed for permanent retention are records documenting approval and content of exhibits produced by the Library.

15. Library of Congress, Agency-wide (DAA–0297–2014–0013, 2 items, 1 temporary item). Development administrative files. Proposed for permanent retention are development program files documenting official actions of donor groups and other fundraising activities.

16. Office of Personnel Management, Human Resource Solutions (DAA–0478–2014–0008, 2 items, 2 temporary items). Records relating to agency-sponsored scholarship and internship programs.

Dated: July 16, 2014.

Paul M. Wester, Jr.,

Chief Records Officer for the U.S. Government.

[FR Doc. 2014–17310 Filed 7–22–14; 8:45 am]

BILLING CODE 7515–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40–9075–MLA ASLBP No. 10–898–02–MLA–BD01]

Atomic Safety and Licensing Board; Before Administrative Judges: William J. Froehlich, Chairman; Dr. Richard F. Cole; Dr. Mark O. Barnett; In the Matter of Powertech Usa, Inc. (Dewey-Burdock In Situ Uranium Recovery Facility); Notice of Evidentiary Hearing

July 16, 2014.

This proceeding arises from an application submitted by Powertech (USA), Inc. (Powertech) to the U.S. Nuclear Regulatory Commission (NRC) requesting a license to construct and operate a proposed In-Situ Uranium Recovery (ISR) facility in Custer and Fall River Counties, South Dakota.[1] This facility is to be known as the Dewey-Burdock ISR facility. Notice of the Powertech license application (Application) was published in the **Federal Register** on January 5, 2010.[2] That publication provided interested parties notice of the Application and the opportunity to request a hearing. On August 5, 2010, this Licensing Board granted two petitions to intervene and requests for hearing.[3] The Board admitted the Oglala Sioux Tribe and the Consolidated Intervenors[4] as

[1] Powertech (USA) Inc.'s Submission of an Application for a Nuclear Regulatory Commission Uranium Recovery License for its Proposed Dewey-Burdock In Situ Leach Uranium Recovery Facility in the State of South Dakota (Feb. 25, 2009) (ADAMS Accession No. ML091030707).

[2] Notice of Opportunity for Hearing, License Application Request of Powertech (USA) Inc. Dewey-Burdock In Situ Uranium Recovery Facility in Fall River and Custer Counties, SD, and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information (SUNSI) for Contention Preparation, 75 FR 467 (Jan. 5, 2010).

[3] See LBP–10–16, 72 NRC 361 (2010).

[4] Although originally called the Consolidated Petitioners, the Board now refers to Susan Henderson, Dayton Hyde, and Aligning for Responsible Mining (ARM) as the Consolidated Intervenors.

intervenors in this proceeding. The Board also admitted a total of seven contentions proposed by the Oglala Sioux Tribe and the Consolidated Intervenors.[5] On November 15, 2012, the Nuclear Regulatory Commission Staff (NRC Staff) notified the Board of the public availability of its Draft Supplemental Environmental Impact Statement (DSEIS) prepared pursuant to the National Environmental Policy Act (NEPA), 42 U.S.C. 4332, and the agency's implementing regulations, 10 CFR part 51.[6] On January 25, 2013, both the Oglala Sioux Tribe and the Consolidated Intervenors filed additional proposed contentions relating to the DSEIS.[7] On July 22, 2013, the Board admitted three contentions proposed by the Oglala Sioux Tribe in response to the DSEIS.[8] On January 29, 2014, the NRC Staff issued the Final Supplemental Environmental Impact Statement (FSEIS).[9] On April 8, 2014 the NRC Staff issued NRC Source Materials License No. SUA–1600 to Powertech.[10] On June 20, 2014, the Oglala Sioux Tribe voluntarily withdrew two of its admitted contentions.[11]

Pursuant to 10 CFR 2.312, the Atomic Safety and Licensing Board hereby provides notice that it will hold an evidentiary hearing under 10 CFR part 2, Subpart L procedures to receive testimony and exhibits in this proceeding.[12] Parties to this proceeding (including the NRC Staff) have begun to provide evidentiary submissions in support of or in opposition to the merits of the admitted contentions.[13]

I. Matters To Be Considered

Contentions 1A, 1B, 2, 3, 4, 6, and 9 will be at issue in the evidentiary hearing. These contentions generally concern the adequacy of (1) the project's protection of historical and cultural resources, and (2) the agency's FSEIS analysis of the project's impacts on the water and ecosystem of the surrounding area. Appendix A, which follows this order, contains the substance of each contention.

II. Date, Time, and Location of Evidentiary Hearing

The Board will take oral testimony beginning Tuesday, August 19, 2014, at 9:00 a.m., MDT and continue daily through Thursday, August 21, 2014 at 5:00 p.m., MDT.

The evidentiary hearing will take place at the: Hotel Alex Johnson, 523 Sixth Street, Rapid City, South Dakota 57701.

We anticipate addressing the admitted contentions in the following order:

Panel 1: Contentions 1A and 1B;

Panel 2: Contentions 2, 3 and 4;

Panel 3: Contentions 6 and 9.

Members of the public and media are welcome to attend and observe the evidentiary hearing, which will involve technical, scientific and regulatory questions and testimony. Participation in the hearing will be limited to the parties, their lawyers, and witnesses. Please be aware that security measures may be employed at the entrance to the facility, including searches of hand-carried items such as briefcases or backpacks. No signs, banners, posters, or other displays will be permitted in the courtroom.[14]

III. Availability of Documentary Information Regarding the Proceeding

Documents relating to Powertech's application are available on the NRC Web site at *http://www.nrc.gov/info-finder/materials/uranium/licensed-facilities/dewey-burdock.html* (last visited July 16, 2014). These documents are also available for public inspection at the Commission's Public Document Room (PDR), located in One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852 or electronically on the publicly available records component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at *http://www.nrc.gov/reading-rm/adams.html* (last visited July 16, 2014).[15] Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR reference staff by telephone between 8:00 a.m. and 4:00 p.m. Eastern Time, Monday through Friday except federal holidays at (800) 397–4209 or (301) 415–4737 or by sending an email to *pdr.resource@nrc.gov.*

It is so *ordered.*

For the Atomic Safety and Licensing Board. Rockville, Maryland.

Dated: July 16, 2014.

William J. Froehlich,

Chair, Administrative Judge.

APPENDIX A

Contention 1A: Failure to Meet Applicable Legal Requirements Regarding Protection of Historical and Cultural Resources.

Contention 1B: Failure to Involve or Consult All Interested Tribes as Required by Federal Law.

Contention 2: The FSEIS Fails to Include Necessary Information for Adequate Determination of Baseline Ground Water Quality.

Contention 3: The FSEIS Fails to Include Adequate Hydrogeological Information to Demonstrate Ability to Contain Fluid Migration and Assess Potential Impacts to Groundwater.

Contention 4: The FSEIS Fails to Adequately Analyze Ground Water Quantity Impacts.

Contention 6: The FSEIS Fails to Adequately Describe or Analyze Proposed Mitigation Measures.

Contention 9: The FSEIS Fails to Consider Connected Actions.

[FR Doc. 2014–17219 Filed 7–22–14; 8:45 am]

BILLING CODE 7590–01–P

[5] 72 NRC at 443–44.

[6] Letter to Administrative Judges Froehlich, Cole, and Barnett, from Patricia Jehle, Counsel for NRC Staff (Nov. 15, 2012) (ADAMS Accession No. ML12320A623); see Supplement to the Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities, NUREG–1910 (Supp. 4, Nov. 2012) (ADAMS Accession Nos. ML12312A040 and ML12312A040) [hereinafter DSEIS].

[7] See List of Contentions of the Oglala Sioux Tribe Based on the [DSEIS] (Jan. 25, 2013); Consolidated Intervenors' New Contentions Based on DSEIS (Jan. 25, 2013).

[8] See LBP–13–09, 78 NRC 37, 114 (2013).

[9] Supplement to the Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities, Final Report, NUREG–1910 (Supp. 4 Jan. 2014) (ADAMS Accession Nos. ML14024A477 (Chapters 1–5) and ML14024A478 (Chapters 6–11 and Appendices)) [hereinafter FSEIS].

[10] Materials License, NRC Form 374 (Apr. 8, 2014) (ADAMS Accession No. ML14043A392). *See also* ADAMS Accession Package Number ML14043A052, which includes the license transmittal letter, the license, and the Final Safety Evaluation Report. The NRC Staff also issued its Record of Decision for the Dewey-Burdock Uranium In-Situ Recovery (ISR) Project at ADAMS Accession No. ML14066A466. The Final Programmatic Agreement was executed April 7, 2014 and is available in ADAMS Accession Package No. ML14066A344.

[11] *See* Order (Granting Request to Withdraw and Motion to Dismiss Contentions 14A and 14B) (July 15, 2014) (unpublished).

[12] On July 3, 2014, in a separate Notice, the Board informed the parties and the public that, in accordance with 10 CFR 2.315(a), it will entertain oral and written limited appearance statements from members of the public in connection with this proceeding. 79 FR 39,413 (July 3, 2014).

[13] Initial testimony and exhibits were filed on June 20, 2014 and answering testimony and exhibits were filed on July 15, 2014. *See* Order (Providing Case Management Information) (June 2, 2014) (unpublished).

[14] *See* Procedures for Providing Security Support for NRC Public Meetings/Hearings, 66 FR 31,719 (June 12, 2001).

[15] Documents which are determined to contain sensitive or proprietary information may only be available in redacted form. All non-sensitive documents are available in their complete form.

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–361 and 50–362; NRC–2014–0170]

Southern California Edison; San Onofre Nuclear Generating Station, Units 2 and 3

AGENCY: Nuclear Regulatory Commission.

ACTION: Finding of no significant impact; final issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of exemptions in response to a February 13, 2014, request from Southern California Edison Company (the licensee), representing itself and the other owners of the San Onofre Nuclear Generating Station (SONGS) Units 2 and 3. One exemption would permit the licensee to use funds from the SONGS, Units 2 and 3 decommissioning trusts (the Trusts) for irradiated fuel management and site restoration costs. Another exemption would allow the licensee to use withdrawals from the Trusts without prior notification to the NRC. The NRC staff is issuing a final Environmental Assessment (EA) and final finding of No Significant Impact (FONSI) associated with the proposed exemptions.

ADDRESSES: Please refer to Docket ID NRC–2014–0170 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- Federal Rulemaking Web site: Go to *http://www.regulations.gov* and search for Docket ID NRC–2014–0170. Address questions about NRC dockets to Carol Gallagher; telephone: 301–492–3668; email: *Carol.Gallagher@nrc.gov*. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- NRC's Agencywide Documents Access and Management System (ADAMS): You may obtain publicly-available documents online in the ADAMS public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then 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, 301–415–4737, or by email to *pdr.resource@nrc.gov*. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The request for exemption, dated February 13, 2014, is available electronically in ADAMS under Accession No. ML14051A632. The supplement dated March 12, 2014, is available in ADAMS under Accession No. ML14078A028.
- NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Margaret Chernoff, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–2240; email: *Margaret.Chernoff@nrc.gov*.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of exemptions from Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 82(a)(8)(i)(A) and 10 CFR Part 50 Section 75(h)(2) for Facility Operating License Nos. NPF–10 and NPF–15, issued to Southern California Edison (SCE, the licensee), for SONGS, Units 2 and 3, located in San Diego County, California. The licensee requested the exemptions by letter dated February 13, 2014, and supplemented its request by letter dated March 12, 2014. The exemptions would allow the licensee to use funds from the SONGS Units 2 and 3 Trusts for irradiated fuel management and site restoration activities. Consistent with 10 CFR 51.21, the NRC has reviewed the requirements in 10 CFR 51.20(b) and 10 CFR 51.22(c) and determined that an EA is the appropriate form of environmental review. Based on the results of the EA, the NRC is issuing this final FONSI.

II. Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt SCE from meeting the requirements set forth in 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50 75(h)(2). The proposed action would allow SCE to use funds from the Trusts for irradiated fuel management and for site restoration activities not associated with radiological decontamination and exempt SCE from meeting the requirement for prior notification to the NRC.

The proposed action is in accordance with the licensee's application dated February 13, 2014, as supplemented by letter dated March 12, 2014.

The Need for the Proposed Action

By letter dated June 12, 2013 (ADAMS Accession No. ML131640201), SCE informed the NRC of its decision to permanently cease operation of SONGS Units 2 and 3 effective June 7, 2013.

As required by 10 CFR 50.82(a)(8)(i)(A), decommissioning trust funds may be used by the licensee if the withdrawals are for legitimate decommissioning activity expenses, consistent with the definition of decommissioning in 10 CFR 50.2. The definition of ''decommissioning'' in 10 CFR 50.2 does not include activities associated with irradiated fuel management or site restoration. Similarly, the requirements of 10 CFR 50.75(h)(2) restrict the use of decommissioning trust fund disbursements (other than for ordinary and incidental expenses) to decommissioning expenses until final decommissioning is completed. Therefore, exemptions from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(2) are needed to allow SCE to use funds from the Trust for irradiated fuel management and site restoration activities.

The licensee states that the Trusts contain funds for decommissioning comingled with funds intended for irradiated fuel management and other site restoration activities not associated with radiological decontamination. The adequacy of funds in the Trusts to cover the costs of activities associated with radiological decontamination through license termination is supported by the Nuclear Decommissioning Trust Funds Annual Cost and Contribution Cash Flows submitted by SCE in the March 12, 2014, letter. The licensee needs access to funds in the Trusts in excess of those needed for radiological decontamination to support irradiated fuel management and other site restoration activities not associated with radiological decontamination.

The requirements of 10 CFR 50.75(h)(2) further provide that, except for decommissioning withdrawals being made under 10 CFR 50.82(a)(8) or for payment of ordinary and incidental expenses, no disbursement may be made from the Trusts without written notice to the NRC at least 30 working days in advance. Therefore an exemption from 10 CFR 50.75(h)(2) is needed to allow SCE to use funds from the Trusts for irradiated fuel management and site restoration without prior NRC notification.

In summary, by letter dated February 13, 2014, as supplemented by letter dated March 12, 2014, SCE requested exemptions to allow Trust withdrawals, without prior written notification to the NRC, for irradiated fuel management and site restoration activities.

Environmental Impacts of the Proposed Action

The proposed action involves an exemption from requirements that are of a financial or administrative nature which do not have an impact on the environment. The NRC has completed its evaluation of the proposed action and concludes that there is reasonable assurance that adequate funds are available in the Trusts to complete all

activities associated with decommissioning, site restoration, and irradiated fuel management. There is no decrease in safety associated with the Trusts being used to fund activities associated with irradiated fuel management and site restoration activities. In the March 12, 2014, letter, the licensee confirmed its understanding that the limitations on the use of radiological decommissioning funds remain in effect, limiting access to those portions of the funding in the Trusts. 10 CFR 50.82(a)(8)(v) requires licensees to submit a financial assurance status report annually between the time of submitting its decommissioning cost estimate and submitting its final radiation survey and demonstrating that residual radioactivity has been reduced to a level that permits termination of its license. If the remaining balance plus expected rate of return plus any other financial surety mechanism does not cover the estimated costs of completion of decommissioning, additional financial assurance must be provided. These annual reports provide a means for NRC to monitor the adequacy of available funding. Since the exemption would allow SCE to use funds from the Trusts that are in excess of those required for radiological decontamination of the site and the adequacy of funds dedicated for radiological decontamination are not affected by the proposed exemption, there is reasonable assurance that there will be no environmental impact due to lack of adequate funding for decommissioning.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no significant increase in the amount of any effluent released offsite. There is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have any foreseeable impacts to land, air, or water resources, including impacts to biota. In addition, there are also no known socioeconomic or environmental justice impacts associated with such proposed action. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the ''no-action'' alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for SONGS Units 2 and 3, dated May 12, 1981.

Agencies or Persons Consulted

The staff did not enter into consultation with any other Federal Agency or with the State of California regarding the environmental impact of the proposed action. On May 22, 2014, the California state representatives were notified of the EA and FONSI.

III. Finding of No Significant Impact

The licensee has proposed exemptions from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(2) which would allow SCE to use funds from the Trusts for irradiated fuel management and site restoration activities, without prior written notification to the NRC.

The NRC decided not to prepare an Environmental Impact Statement for the proposed action. On the basis of the environmental assessment included in Section II above and incorporated by reference in this finding, the NRC concludes that the proposed action will not have significant effects on the quality of the human environment.

Other than the licensee's letters, dated February 13, 2014, as supplemented by letter dated March 12, 2014, there are no other environmental documents associated with this review. These documents are available for public inspection as indicated above.

Dated at Rockville, Maryland, this 15th day of July, 2014.

For the Nuclear Regulatory Commission.

Douglas A. Broaddus,

Chief, Plant Licensing Branch IV–2 and Decommissioning Transition Branch, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2014–17218 Filed 7–22–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Joint Subcommittees on Reliability and PRA and Fukushima; Notice of Meeting

The ACRS Joint Subcommittees on Reliability and PRA and Fukushima will hold a meeting on August 22, 2014, Room T–2B1, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance with the exception of portions that may be closed to protect information that is proprietary pursuant to 5 U.S.C. 552b(c)(4). The agenda for the subject meeting shall be as follows:

The agenda for the subject meeting shall be as follows:

Friday, August 22, 2014—8:30 a.m. Until 5:00 p.m.

The Joint Subcommittee will review the status of the filtering strategies rulemaking and a human reliability analysis methodology applied to this rulemaking. The Joint Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Joint Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Weidong Wang (Telephone 301–415–6279 or Email: *Weidong.Wang@nrc.gov*) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on November 8, 2013 (78 CFR 67205–67206).

Detailed meeting agendas and meeting transcripts are available on the NRC

Web site at *http://www.nrc.gov/reading-rm/doc-collections/acrs.* Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (Telephone 240–888–9835) to be escorted to the meeting room.

Date: July 16, 2014.

Cayetano Santos,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2014–17379 Filed 7–22–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee on Economic Simplified Boiling Water Reactors (ESBWR); Notice of Meeting

The ACRS Subcommittee on ESBWR will hold a meeting on August 20, 2014, Room T–2B1, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance with the exception of portions that may be closed to protect information that is proprietary pursuant to 5 U.S.C. 552b(c)(4). The agenda for the subject meeting shall be as follows:

Wednesday, August 20, 2014—8:30 a.m. Until 5:00 p.m.

The Subcommittee will review selected chapters of the NRC staff's Safety Evaluation Report regarding the Fermi, Unit 3, combined license application referencing the ESBWR design. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, Detroit Edison, and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Christopher Brown (Telephone 301–415–7111 or Email: *Christopher.Brown@nrc.gov*) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on November 8, 2013 (78 CFR 67205–67206).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at *http://www.nrc.gov/reading-rm/doc-collections/acrs.* Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (240–888–9835) to be escorted to the meeting room.

Date: July 17, 2014.

Cayetano Santos,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2014–17383 Filed 7–22–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee on Metallurgy & Reactor Fuels; Notice of Meeting

The ACRS Subcommittee on Metallurgy & Reactor Fuels will hold a meeting on August 21, 2014, Room T–2B1, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Thursday, August 21, 2014—8:30 a.m. Until 12:00 p.m.

The Subcommittee will discuss degradation of neutron absorbers and draft final Generic Letter 201X–XX, ''Monitoring of Neutron-Absorbing Materials in Spent Fuel Pools.'' The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Christopher Brown (Telephone 301–415–7111 or Email: *Christopher.Brown@nrc.gov*) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on November 8, 2013 (78 FR 67205–67206).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at *http://www.nrc.gov/reading-rm/doc-collections/acrs.* Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to

present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (Telephone 240–888–9835) to be escorted to the meeting room.

Date: July 17, 2014.

Cayetano Santos,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2014–17382 Filed 7–22–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee on Metallurgy & Reactor Fuels; Notice of Meeting

The ACRS Subcommittee on Metallurgy & Reactor Fuels will hold a meeting on August 21, 2014, Room T–2B1, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Thursday, August 21, 2014—1:00 p.m. Until 5:00 p.m.

The Subcommittee will discuss reactor pressure integrity issues. The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Christopher Brown (Telephone 301–415–7111 or Email: *Christopher.Brown@nrc.gov*) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on November 8, 2013 (78 FR 67205–67206).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at *http://www.nrc.gov/reading-rm/doc-collections/acrs.* Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (Telephone 240–888–9835) to be escorted to the meeting room.

Date: July 17, 2014.

Cayetano Santos,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2014–17381 Filed 7–22–14; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards (ACRS) Meeting of the ACRS Subcommittee on Regulatory Policies and Practices; Notice of Meeting

The ACRS Subcommittee on Regulatory Policies and Practices will hold a meeting on August 19, 2014, Room T–2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Tuesday, August 19, 2014—1:00 p.m. Until 5:00 p.m.

The Subcommittee will review and discuss the guidance on the use of qualitative factors per the Commission's SRM SECY–12–0157, ''Consideration of Additional Requirements for Containment Venting Systems for Boiling Water Reactors with Mark I and II Containments.'' The Subcommittee will hear presentations by and hold discussions with the NRC staff and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Michael Snodderly (Telephone 301–415–2241 or Email: *Michael.Snodderly@nrc.gov*) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on November 8, 2013 (78 CFR 67205–67206).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at *http://www.nrc.gov/reading-rm/doc-collections/acrs*. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike,

Rockville, MD. After registering with security, please contact Mr. Theron Brown (Telephone 240–888–9835) to be escorted to the meeting room.

Dated: July 16, 2014.

Cayetano Santos,

Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2014–17380 Filed 7–22–14; 8:45 am]

BILLING CODE 7590–01–P

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review, Request for Comments

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB). Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collection of information to determine (1) the practical utility of the collection; (2) the accuracy of the estimated burden of the collection; (3) ways to enhance the quality, utility, and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to the RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if the RRB and OIRA receive them within 30 days of the publication date.

Title and purpose of information collection: Supplemental Information on Accident and Insurance; OMB 3220–0036.

Under Section 12(o) of the Railroad Unemployment Insurance Act (RUIA), the Railroad Retirement Board (RRB) is entitled to reimbursement of the sickness benefits paid to a railroad employee if the employee receives a sum or damages for the same infirmity for which the benefits are paid. Section 2(f) of the RUIA requires employers to reimburse the RRB for days in which salary, wages, pay for time lost or other remuneration is later determined to be payable. Reimbursements under section 2(f) generally result from the award of pay for time lost or the payment of guaranteed wages. The RUIA prescribes that the amount of benefits paid be deducted and held by the employer in a special fund for reimbursement to the RRB.

The RRB currently utilizes Forms SI–1c, Supplemental Information on Accident and Insurance; SI–5, Report of Payments to Employee Claiming Sickness Benefits Under the RUIA; ID–3s, Request for Lien Information—Report of Settlement; ID–3s-1, Lien Information Under Section 12(o) of the RUIA; ID–3u, Request for Section 2(f) Information; ID–30k, Notice to Request Supplemental Information on Injury or Illness; and ID–30k-1, Notice to Request Supplemental Information on Injury or Illness; to obtain the necessary information from claimants and railroad employers. Completion is required to obtain benefits. One response is requested of each respondent.

Previous Requests for Comments: The RRB has already published the initial 60-day notice (79 FR 27940 on May 15, 2014) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

Information Collection Request (ICR)

Title: Supplemental Information on Accident and Insurance.

OMB Control Number: 3220–0036.

Form(s) submitted: SI–1c, SI–5, ID–3s, ID–3s.1, ID3u, ID–30k, and ID–30k.1.

Type of request: Revision of a currently approved collection.

Affected public: Individuals or Households.

Abstract: The Railroad Unemployment Insurance Act provides for the recovery of sickness benefits paid if an employee receives a settlement for the same injury for which benefits were paid. The collection obtains information that is needed to determine the amount of the RRB's reimbursement from the person or company responsible for such payments.

Changes proposed: The RRB proposes to add Internet versions of Forms ID–3s, and ID–3u.

The burden estimate for the ICR is as follows:

Form No.	Annual responses	Time (minutes)	Burden (hours)
SI–1c	475	5	40
SI–5	7	5	1
ID–3s (Paper & Telephone)	3,000	3	150
ID–3s (Email)	1,000	3	50
ID–3s (Internet)	2,000	3	100
ID–3s.1 (Paper & Telephone)	3,000	3	150
ID–3u (Paper & Telephone)	600	3	30
ID–3u (Email)	100	3	5
ID–3u (Internet)	500	3	25
ID–30k	55	5	5
ID–30k.1	65	5	5
Total	10,802		561

Additional Information or Comments: Copies of the forms and supporting documents can be obtained from Dana Hickman at (312) 751–4981 or *Dana.Hickman@RRB.GOV.*

Comments regarding the information collection should be addressed to Charles Mierzwa, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611–2092 or *Charles.Mierzwa@RRB.GOV* and to the OMB Desk Officer for the RRB, Fax: 202–395–6974, Email address: *OIRA_Submission@omb.eop.gov.*

Charles Mierzwa,

Chief of Information Resources Management.

[FR Doc. 2014–17286 Filed 7–22–14; 8:45 am]

BILLING CODE 7905–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Rule 498; SEC File No. 270–574, OMB Control No. 3235–0648.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''Paperwork Reduction Act''), the Securities and Exchange Commission (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 498 (17 CFR 230.498) under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) (''Securities Act'') permits open-end management investment companies (''funds'') to satisfy their prospectus delivery obligations under the Securities Act by sending or giving key information directly to investors in the form of a summary prospectus (''Summary Prospectus'') and providing the statutory prospectus on a Web site. Upon an investor's request, funds are also required to send the statutory prospectus to the investor. In addition, under Rule 498, a fund that relies on the rule to meet its statutory prospectus delivery obligations must make available, free of charge, the fund's current Summary Prospectus, statutory prospectus, statement of additional information, and most recent annual and semi-annual reports to shareholders at the Web site address specified in the required Summary Prospectus legend.[1] A Summary Prospectus that complies with Rule 498 is deemed to be a prospectus that is authorized under Section 10(b) of the Securities Act and Section 24(g) of the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*).

The purpose of Rule 498 is to enable a fund to provide investors with a Summary Prospectus containing key information necessary to evaluate an investment in the fund. Unlike many other federal information collections, which are primarily for the use and benefit of the collecting agency, this information collection is primarily for the use and benefit of investors. The information filed with the Commission also permits the verification of compliance with securities law requirements and assures the public availability and dissemination of the information.

Based on an analysis of fund filings, the Commission estimates that approximately 9,082 portfolios are using a Summary Prospectus. The Commission estimates that the annual hourly burden per portfolio associated with the compilation of the information required on the cover page or the beginning of the Summary Prospectus is 0.5 hours, and estimates that the annual hourly burden per portfolio to comply with the Web site posting requirement is approximately 1 hour, requiring a total of 1.5 hours per portfolio per year.[2] Thus the total annual hour burden associated with these requirements of the rule is approximately 13,623.[3] The Commission estimates that the annual cost burden is approximately $15,900 per portfolio, for a total annual cost burden of approximately $144,403,800.[4]

Estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms. Under Rule 498, use of the Summary Prospectus is voluntary, but the rule's requirements regarding provision of the statutory prospectus upon investor request are mandatory for funds that elect to send or give a Summary Prospectus in reliance upon Rule 498. The information provided under Rule 498 will not be kept confidential. 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.

Written comments are invited on: (a) Whether the collections of information are necessary for the proper performance of the functions of the Commission, including whether the information has practical utility; (b) the accuracy of the Commission's estimate of the burdens of the collections of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burdens of the collections 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 in writing within 60 days of this publication.

Please direct your written comments to Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.*

Dated: July 17, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17278 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

[1] 17 CFR 270.498(e)(1).

[2] 0.5 hours per portfolio + 1 hour per portfolio = 1.5 hours per portfolio. The Commission believes that funds that have opted to use the Summary Prospectus have already incurred the estimated one-time hour burden to initially comply with Rule 498, and therefore the estimated burden hours to initially comply with Rule 498 and the associated costs are not included in these estimates.

[3] 1.5 hours per portfolio × 9,082 portfolios = 13,623 hours.

[4] $15,900 per portfolio × 9,082 portfolios = $144,403,800.

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Rule 17f–2(d); SEC File No. 270–36, OMB Control No. 3235–0028.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 17f–2(d) [17 CFR 240.17f–2(d)], under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Act''). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 17f–2(d) requires that records created pursuant to the fingerprinting requirements of Section 17(f)(2) of the Act be maintained and preserved by every member of a national securities exchange, broker, dealer, registered transfer agent and registered clearing agency (''covered entities'' or ''respondents''); permits, under certain circumstances, the records required to be maintained and preserved by a member of a national securities exchange, broker, or dealer to be maintained and preserved by a self-regulatory organization that is also the designated examining authority for that member, broker or dealer; and permits the required records to be preserved on microfilm. The general purpose for Rule 17f–2 is to: (i) Identify security risk personnel; (ii) provide criminal record information so that employers can make fully informed employment decisions; and (iii) deter persons with criminal records from seeking employment or association with covered entities. The rule enables the Commission or other examining authority to ascertain whether all required persons are being fingerprinted and whether proper

procedures regarding fingerprinting are being followed. Retention of these records for a period of not less than three years after termination of a covered person's employment or relationship with a covered entity ensures that law enforcement officials will have easy access to fingerprint cards on a timely basis. This in turn acts as an effective deterrent to employee misconduct.

Approximately 5,300 respondents are subject to the recordkeeping requirements of the rule. Each respondent maintains approximately 60 new records per year, each of which takes approximately 2 minutes per record to maintain, for an annual burden of approximately 2 hours (60 records times 2 minutes). The total annual burden for all respondents is approximately 10,600 hours (5,300 respondents times 2 hours). As noted above, all records maintained subject to the rule must be retained for a period of not less than three years after termination of a covered person's employment or relationship with a covered entity. In addition, we estimate the total cost to respondents is approximately $119,000.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comments to: Thomas Bayer, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: July 17, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17279 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:
Rule 34b–1; SEC File No. 270–305, OMB Control No. 3235–0346.

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 (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 34b–1 under the Investment Company Act (17 CFR 270.34b–1) governs sales material that accompanies or follows the delivery of a statutory prospectus (''sales literature''). Rule 34b–1 deems to be materially misleading any investment company (''fund'') sales literature required to be filed with the Securities and Exchange Commission (''Commission'') by Section 24(b) of the Investment Company Act (15 U.S.C. 80a–24(b)) that includes performance data, unless the sales literature also includes the appropriate uniformly computed data and the legend disclosure required in investment company advertisements by rule 482 under the Securities Act of 1933 (17 CFR 230.482). Requiring the inclusion of such standardized performance data in sales literature is designed to prevent misleading performance claims by funds and to enable investors to make meaningful comparisons among funds.

The Commission estimates that on average approximately 130 respondents file 13,685 [1] responses that include the information required by rule 34b–1 each year. The burden resulting from the collection of information requirements of rule 34b–1 is estimated to be 2 hours per response. The total annual burden hours for rule 34b–1 is approximately 27,370 hours per year in the aggregate.[2]

The collection of information under rule 34b–1 is mandatory. The information provided under rule 34b–1 is not kept confidential. The Commission 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.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proposed performance of the functions of the agency, including whether information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

Please direct your written comments to Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, C/O Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.*

Dated: July 17, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17282 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

[1] The estimated number of responses to rule 34b–1 is composed of 13,378 responses filed with FINRA and 307 responses filed with the Commission in 2013.

[2] 13,685 responses × 2 hours per response = 27,370.

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension: Form N–PX, SEC File No. 270–524, OMB Control No. 3235–0582.

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 (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

The title for the collection of information is ''Form N–PX (17 CFR 274.129) under the Investment Company Act of 1940, Annual Report of Proxy Voting Record.'' Rule 30b1–4 (17 CFR 270.30b1–4) under the Investment Company Act of 1940 (15 U.S.C. 80a-1 *et seq.*) requires every registered management investment company, other

than a small business investment company registered on Form N–5 (''Funds''), to file Form N–PX not later than August 31 of each year. Funds use Form N–PX to file annual reports with the Commission containing their complete proxy voting record for the most recent twelve-month period ended June 30.

The Commission estimates that there are approximately 2,500 Funds registered with the Commission, representing approximately 10,000 Fund portfolios, which are required to file Form N–PX.[1] The 10,000 portfolios are comprised of 6,200 portfolios holding equity securities and 3,800 portfolios holding no equity securities. The staff estimates that portfolios holding no equity securities require approximately a 0.17 hour burden per response and those holding equity securities require 7.2 hours per response. The overall estimated annual burden is therefore approximately 45,300 hours ((6,200 responses × 7.2 hours per response for equity holding portfolios) + (3,800 responses × 0.17 hours per response for non-equity holding portfolios)). Based on the estimated wage rate, the total cost to the industry of the hour burden for complying with Form N–PX would be approximately $14.5 million.

The Commission also estimates that portfolios holding equity securities will bear an external cost burden of $1,000 per portfolio to prepare and update Form N–PX. Based on this estimate, the Commission estimates that the total annualized cost burden for Form N–PX is $6.2 million (6,200 responses x $1,000 per response = $6,200,000).

The collection of information under Form N–PX is mandatory. The information provided under the form is not kept confidential. 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.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

Please direct your written comments to Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, C/O Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.*

Dated: July 17, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17280 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

[1] The estimate of 2,500 Funds is based on the number of management investment companies currently registered with the Commission. We estimate, based on data from the Investment Company Institute and other sources, that there are approximately 5,700 Fund portfolios that invest primarily in equity securities, 500 ''hybrid'' or bond portfolios that may hold some equity securities, 3,200 bond Funds that hold no equity securities, and 600 money market Funds, for a total of 10,000 portfolios required to file Form N–PX.

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Rule 30b2–1; SEC File No. 270–213, OMB Control No. 3235–0220.

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 (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit the existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 30b2–1 (17 CFR 270.30b2–1) under the Investment Company Act of 1940 (15 U.S.C. 80a-1 *et seq.*) (the ''Investment Company Act'') requires a registered investment company (''fund'') to (1) file a report with the Commission on Form N–CSR (17 CFR 249.331 and 274.128) not later than 10 days after the transmission of any report required to be transmitted to shareholders under rule 30e–1 under the Investment Company Act, and (2) file with the Commission a copy of every periodic or interim report or similar communication containing financial statements that is transmitted by or on behalf of such fund to any class of such fund's security holders and that is not required to be filed with the Commission under (1) above, not later than 10 days after the transmission to security holders. The purpose of the collection of information required by rule 30b2–1 is to meet the disclosure requirements of the Investment Company Act and certification requirements of the Sarbanes-Oxley Act of 2002 (Pub. L. 107–204, 116 Stat. 745 (2002)), and to provide investors with information necessary to evaluate an interest in the fund.

The Commission estimates that there are 2,430 funds, with a total of 11,080 portfolios, that are governed by the rule. For purposes of this analysis, the burden associated with the requirements of rule 30b2–1 has been included in the collection of information requirements of rule 30e–1 and Form N–CSR, rather than the rule. The Commission has, however, requested a one hour burden for administrative purposes.

The collection of information under rule 30b2–1 is mandatory. The information provided under rule 30b2–1 is not kept confidential. 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.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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 in writing within 60 days of this publication.

Please direct your written comments to Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, C/O Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.*

Dated: July 17, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17281 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 31160; 812–14249]

Stellus Capital Investment Corporation, *et al.;* Notice of Application

July 17, 2014.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the ''Act'') for an exemption from sections 18(a) and 61(a) of the Act.

Applicants: Stellus Capital Investment Corporation (the ''Company''), Stellus Capital Management, LLC (the ''Investment Adviser''), Stellus Capital SBIC GP, LLC (the ''General Partner''), and Stellus Capital SBIC LP (''Stellus SBIC'').

SUMMARY: *Summary of the Application:* The Company requests an order to permit it to adhere to a modified asset coverage requirement.

DATES: *Filing Dates:* The application was filed December 12, 2013, and amended on April 2, 2014 and July 9, 2014.

Hearing or Notification of Hearing: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on August 11, 2014 and should be accompanied by proof of service on the Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090. Applicants: Robert T. Ladd, Stellus Capital Investment Corporation, 4400 Post Oak Parkway, Suite 2200, Houston, Texas 77027.

FOR FURTHER INFORMATION CONTACT: Aaron T. Gilbride, Attorney-Adviser, at (202) 551–6906, or Melissa R. Harke, Branch Chief, at (202) 551–6722 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Applicants' Representations

1. The Company, a Maryland corporation, is an externally managed, non-diversified, closed-end management investment company that has elected to be regulated as a business development company (''BDC'') under the Act.[1] The Company's investment objective is to maximize total return to its stockholders in the form of current income and capital appreciation by primarily investing in private middle-market companies (typically with $5 million to $50 million of earnings before interest, taxes, depreciation and amortization) through first lien, second lien, unitranche and mezzanine debt financing and corresponding equity investments. The Investment Adviser, a Delaware limited liability company, is the investment adviser to the Company. The Investment Adviser is registered under the Investment Advisers Act of 1940.

2. Stellus SBIC, a Delaware limited partnership, is a small business investment company (''SBIC'') licensed by the Small Business Administration (''SBA'') under the Small Business Investment Act of 1958 (''SBIA''). Stellus SBIC is excluded from the definition of investment company by section 3(c)(7) of the Act. The Company currently owns a 99 percent limited partnership interest in Stellus SBIC. The General Partner, a Delaware limited liability company, is the general partner of Stellus SBIC. The General Partner owns 1 percent of Stellus SBIC in the form of a general partnership interest.

Applicants' Legal Analysis

1. The Company requests an exemption pursuant to section 6(c) of the Act from the provisions of sections 18(a) and 61(a) of the Act to permit it to adhere to a modified asset coverage requirement with respect to any direct or indirect wholly-owned subsidiary of the Company that is licensed by the SBA to operate under the SBIA as a SBIC and relies on section 3(c)(7) for an exemption from the definition of ''investment company'' under the 1940 Act (each, a ''SBIC Subsidiary'').[2] Applicants state that companies operating under the SBIA, such as the SBIC Subsidiary, will be subject to the SBA's substantial regulation of permissible leverage in their capital structure.

2. Section 18(a) of the Act prohibits a registered closed-end investment company from issuing any class of senior security or selling any such security of which it is the issuer unless the company complies with the asset coverage requirements set forth in that section. Section 61(a) of the Act makes section 18 applicable to BDCs, with certain modifications. Section 18(k) exempts an investment company operating as an SBIC from the asset coverage requirements for senior securities representing indebtedness that are contained in section 18(a)(1)(A) and (B).

3. Applicants state that the Company may be required to comply with the asset coverage requirements of section 18(a) (as modified by section 61(a)) on a consolidated basis because the Company may be deemed to be an indirect issuer of any class of senior security issued by Stellus SBIC or another SBIC Subsidiary. Applicants state that applying section 18(a) (as modified by section 61(a)) on a consolidated basis generally would require that the Company treat as its own all assets and any liabilities held directly either by itself, by Stellus SBIC, or by another SBIC Subsidiary. Accordingly, the Company requests an order under section 6(c) of the Act exempting the Company from the provisions of section 18(a) (as modified by section 61(a)), such that senior securities issued by each SBIC Subsidiary that would be excluded from the SBIC Subsidiary's asset coverage ratio by section 18(k) if it were itself a BDC would also be excluded from the Company's consolidated asset coverage ratio.

4. Section 6(c) of the Act, in relevant part, permits the Commission to exempt any transaction or class of transactions from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicants state that the requested relief satisfies the section 6(c) standard. Applicants contend that, because the SBIC

[1] Section 2(a)(48) defines a BDC to be any closed-end investment company that operates for the purpose of making investments in securities described in section 55(a)(1) through 55(a)(3) of the Act and makes available significant managerial assistance with respect to the issuers of such securities.

[2] All existing entities that currently intend to rely on the order are named as applicants. Any other existing or future entity that may rely on the order in the future will comply with the terms and condition of the order.

Subsidiary would be entitled to rely on section 18(k) if it were a BDC itself, there is no policy reason to deny the benefit of that exemption to the Company.

Applicants' Condition

Applicants agree that any order granting the requested relief will be subject to the following condition:

The Company shall not issue or sell any senior security, and the Company shall not cause or permit Stellus SBIC or any other SBIC Subsidiary to issue or sell any senior security of which the Company, Stellus SBIC or any other SBIC Subsidiary is the issuer except to the extent permitted by section 18 (as modified for BDCs by section 61) of the Act; provided that, immediately after the issuance or sale by any of the Company, Stellus SBIC or any other SBIC Subsidiary of any such senior security, the Company, individually and on a consolidated basis, shall have the asset coverage required by section 18(a) of the Act (as modified by section 61(a)). In determining whether the Company has the asset coverage on a consolidated basis required by section 18(a) of the Act (as modified by section 61(a)), any senior securities representing indebtedness of an SBIC Subsidiary if that SBIC Subsidiary has issued indebtedness that is held or guaranteed by the SBA shall not be considered senior securities and, for purposes of the definition of ''asset coverage'' in section 18(h), shall be treated as indebtedness not represented by senior securities.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17267 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 31161; 812–14253]

FundVantage Trust, *et al.*; Notice of Application

July 17, 2014.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of an application for an order under section 12(d)(1)(J) of the Investment Company Act of 1940 (the ''Act'') for exemption from sections 12(d)(1)(A) and (B) of the Act, and under sections 6(c) and 17(b) of the Act for an exemption from section 17(a) of the Act.

SUMMARY:

Summary of the Application: The order would permit certain open-end management investment companies registered under the Act to acquire shares of certain open-end management investment companies registered under the Act that are outside of the same group of investment companies as the acquiring investment companies.

Applicants: FundVantage Trust (the ''Trust''), Gotham Asset Management, LLC (the ''Adviser''), and Foreside Funds Distributor, LLC (the ''Distributor'').

DATES: *Filing Dates:* The application was filed on December 16, 2013, and amended on April 25, 2014.

Hearing or Notification of Hearing: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on August 11, 2014, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090; Applicants, Attn: John M. Ford, Esq., Pepper Hamilton LLP, 3000 Two Logan Square, Philadelphia, PA 19103.

FOR FURTHER INFORMATION CONTACT: Michael S. Didiuk, Senior Counsel, at (202) 551–6839, or Holly Hunter-Ceci, Branch Chief, at (202) 551–6869 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm,* or by calling (202) 551–8090.

Applicants' Representations

1. The Trust is organized as a Delaware statutory trust and is registered as an open-end management investment company under the Act. The Trust is comprised of separate series (each a ''Fund'' and collectively, the ''Funds''). The Adviser is registered as an investment adviser under the Investment Advisers Act of 1940 (''Advisers Act'') and serves as investment adviser for three of the Funds. The Distributor is registered as a broker-dealer under the Securities Exchange Act of 1934 (the ''Exchange Act'') and serves as the Funds' principal underwriter and distributor. Both the Adviser and the Distributor are Delaware limited liability companies.

2. Applicants request an order to permit (a) registered open-end management investment companies (the ''Investing Funds'') that are not part of the same ''group of investment companies,'' within the meaning of section 12(d)(1)(G)(ii) of the Act, as the Trust, to acquire shares of the Funds in excess of the limits in section 12(d)(1)(A) of the Act, and (b) the Funds, any principal underwriter for a Fund, and any broker or dealer registered under the Exchange Act (''Broker'') to sell shares of the Funds to the Investing Funds in excess of the limits of section 12(d)(1)(B) of the Act.[1] Applicants also request an order under sections 6(c) and 17(b) of the Act to exempt applicants from section 17(a) to the extent necessary to permit a Fund to sell its shares to and redeem its shares from an Investing Fund.[2]

3. Each Investing Fund will be advised by an ''investment adviser,'' within the meaning of section 2(a)(20)(A) of the Act, and such adviser will be registered as an investment adviser under the Advisers Act (each, an ''Investing Fund Adviser''). Some Investing Funds may also be advised by investment adviser(s) that meets the definition of section 2(a)(20)(B) of the Act (each, an ''Investing Fund Subadviser'').

Applicants' Legal Analysis

A. Section 12(d)(1)

1. Section 12(d)(1)(A) of the Act, in relevant part, prohibits a registered

[1] All entities that currently intend to rely on the requested order are named as applicants. Any other entity that relies on the order in the future will comply with the terms and conditions of the application. Certain of the Funds created in the future may be registered under the Act as open-end management investment companies and may have received exemptive relief to permit their shares to be listed and traded on a national securities exchange at negotiated prices (''ETFs'').

[2] Applicants request that the relief apply to: (1) each registered open-end management investment company or series thereof that currently or subsequently is part of the same ''group of investment companies,'' within the meaning of section 12(d)(1)(G)(ii) of the Act, as the Trust and is advised by the Adviser (included in the term ''Funds''); (2) each Investing Fund that enters into a Participation Agreement (as defined below) with a Fund to purchase shares of the Fund; and (3) any principal underwriter to a Fund or Broker selling shares of a Fund.

investment company from acquiring shares of an investment company if the securities represent more than 3% of the total outstanding voting stock of the acquired company, more than 5% of the total assets of the acquiring company, or, together with the securities of any other investment companies, more than 10% of the total assets of the acquiring company. Section 12(d)(1)(B) of the Act prohibits a registered open-end investment company, its principal underwriter, and any Broker from knowingly selling the investment company's shares to another investment company if the sale will cause the acquiring company to own more than 3% of the acquired company's total outstanding voting stock, or if the sale will cause more than 10% of the acquired company's total outstanding voting stock to be owned by investment companies generally.

2. Section 12(d)(1)(J) of the Act provides that the Commission may exempt any person, security, or transaction, or any class or classes of persons, securities or transactions, from any provision of section 12(d)(1) if the exemption is consistent with the public interest and the protection of investors. Applicants seek an exemption under section 12(d)(1)(J) of the Act to permit Investing Funds to acquire shares of the Funds in excess of the limits in section 12(d)(1)(A), and a Fund, any principal underwriter for a Fund and any Broker to sell shares of a Fund to an Investing Fund in excess of the limits in section 12(d)(1)(B) of the Act.

3. Applicants state that the proposed arrangement will not give rise to the policy concerns underlying sections 12(d)(1)(A) and (B), which include concerns about undue influence by a fund of funds over underlying funds, excessive layering of fees, and overly complex fund structures. Accordingly, applicants believe that the requested exemption is consistent with the public interest and the protection of investors.

4. Applicants believe that the proposed arrangement will not result in the exercise of undue influence by an Investing Fund or an Investing Fund Affiliate over the Funds.[3] To limit the control that an Investing Fund may have over a Fund, applicants propose a condition prohibiting the Investing Fund's Advisory Group from controlling (individually or in the aggregate) a Fund within the meaning of section 2(a)(9) of the Act.[4] The same prohibition would apply to any Investing Fund's Subadvisory Group.[5] Applicants propose other conditions to limit the potential for undue influence over the Funds, including that no Investing Fund or Investing Fund Affiliate (except to the extent it is acting in its capacity as an investment adviser to a Fund) will cause a Fund to purchase a security in an offering of securities during the existence of any underwriting or selling syndicate of which a principal underwriter is an Underwriting Affiliate (''Affiliated Underwriting'').[6]

5. To ensure that the Investing Funds comply with the terms and conditions of the requested relief, prior to an Investing Fund's investment in the shares of a Fund in excess of the limit in section 12(d)(1)(A) of the Act, the Investing Fund and the Fund will execute an agreement stating, without limitation, that their Boards (as defined below) and their investment advisers understand the terms and conditions of the order and agree to fulfill their responsibilities under the order (''Participation Agreement'').[7] Applicants note that each of the Funds (other than an ETF whose shares are purchased by an Investing Fund in the secondary market) will retain its right at all times to reject any investment by an Investing Fund.[8]

6. Applicants state that they do not believe that the proposed arrangement will involve excessive layering of fees. The Board of each Investing Fund, including a majority of the directors or trustees who are not ''interested persons'' (within the meaning of section 2(a)(19) of the Act) (''Independent Trustees''), will find that the advisory fees charged under investment advisory contract(s) are based on services provided that will be in addition to, rather than duplicative of, the services provided under the advisory contract(s) of any Fund in which the Investing Fund may invest. In addition, the Investing Fund Adviser will waive fees otherwise payable to it by an Investing Fund in an amount at least equal to any compensation (including fees received pursuant to any plan adopted by a Fund under rule 12b–1 under the Act) received from a Fund by the Investing Fund Adviser, or an affiliated person of the Investing Fund Adviser, other than any advisory fees paid to the Investing Fund Adviser or its affiliated person by the Fund, in connection with the investment by the Investing Fund in the Fund. Any sales charges and/or service fees charged with respect to shares of an Investing Fund will not exceed the limits applicable to a fund of funds as set forth in Rule 2830 of the Conduct Rules of the NASD (''NASD Conduct Rule 2830'').[9]

7. Applicants submit that the proposed arrangement will not create an overly complex fund structure. Applicants note that no Fund will acquire securities of any investment company or company relying on section 3(c)(1) or 3(c)(7) of the Act in excess of the limits contained in section 12(d)(1)(A) of the Act, except in certain circumstances identified in condition 12 below.

B. Section 17(a)

1. Section 17(a) of the Act generally prohibits sales or purchases of securities between a registered investment company and any affiliated person of the company. Section 2(a)(3) of the Act defines an ''affiliated person'' of another person to include (a) any person directly or indirectly owning, controlling, or holding with power to vote, 5% or more of the outstanding voting securities of the other person; (b) any person 5% or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power

[3] An ''Investing Fund Affiliate'' is the Investing Fund Adviser, any Investing Fund Subadviser, promoter or principal underwriter of an Investing Fund, as well as any person controlling, controlled by, or under common control with any of those entities. A ''Fund Affiliate'' is an investment adviser, sponsor, promoter, or principal underwriter of a Fund, as well as any person controlling, controlled by, or under common control with any of those entities.

[4] An ''Investing Fund's Advisory Group'' is the Investing Fund Adviser, any person controlling, controlled by or under common control with the Investing Fund Adviser, and any investment company or issuer that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act that is advised or sponsored by the Investing Fund Adviser or any person controlling, controlled by or under common control with the Investing Fund Adviser.

[5] An ''Investing Fund's Subadvisory Group'' is an Investing Fund Subadviser, any person controlling, controlled by or under common control with the Investing Fund Subadviser, and any investment company or issuer that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act (or portion of such investment company or issuer) advised or sponsored by the Investing Fund Subadviser or any person controlling, controlled by or under common control with the Investing Fund Subadviser.

[6] An ''Underwriting Affiliate'' is a principal underwriter in any underwriting or selling syndicate that is an officer, director, trustee, advisory board member, Investing Fund Adviser, Investing Fund Subadviser, or employee of the Investing Fund, or a person of which any such officer, director, trustee, advisory board member, Investing Fund Adviser, Investing Fund Subadviser, or employee is an affiliated person. An Underwriting Affiliate does not include any person whose relationship to the Fund is covered by section 10(f) of the Act.

[7] The board of directors or trustees, as applicable, of a specified entity is referred to herein as a ''Board.''

[8] A Fund, including an ETF, would retain its right to reject any initial investment by an Investing Fund in excess of the limit in section 12(d)(1)(A)(i) of the Act by declining to execute the Participation Agreement with the Investing Fund.

[9] Any references to NASD Conduct Rule 2830 include any successor or replacement FINRA rule to NASD Conduct Rule 2830.

to vote by the other person; and (c) any person directly or indirectly controlling, controlled by, or under common control with the other person.

2. Applicants state that an Investing Fund and a Fund might be deemed to be affiliated persons of one another if the Investing Fund acquires 5% or more of a Fund's outstanding voting securities. Accordingly, section 17(a) could prevent a Fund from selling shares to and redeeming shares from an Investing Fund.

3. Section 17(b) of the Act authorizes the Commission to grant an order permitting a transaction otherwise prohibited by section 17(a) if it finds that (a) the terms of the proposed transaction are fair and reasonable and do not involve overreaching on the part of any person concerned; (b) the proposed transaction is consistent with the policies of each registered investment company involved; and (c) the proposed transaction is consistent with the general purposes of the Act. Section 6(c) of the Act permits the Commission to exempt any persons or transactions from any provision of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

4. Applicants submit that the proposed transactions satisfy the standards for relief under sections 17(b) and 6(c) of the Act.[10] Applicants state that the terms of the transactions are reasonable and fair and do not involve overreaching. Applicants state that the terms upon which a Fund will sell its shares to or purchase its shares from an Investing Fund will be based on the net asset value of the Fund.[11] Applicants state that the proposed transactions will be consistent with the policies of each Investing Fund and each Fund and with the general purposes of the Act.

Applicants' Conditions

Applicants agree that the relief to permit Investing Funds to invest in Funds shall be subject to the following conditions:

1. The members of an Investing Fund's Advisory Group will not control (individually or in the aggregate) a Fund within the meaning of section 2(a)(9) of the Act. The members of an Investing Fund's Subadvisory Group will not control (individually or in the aggregate) a Fund within the meaning of section 2(a)(9) of the Act. If, as a result of a decrease in the outstanding voting securities of a Fund, the Investing Fund's Advisory Group or the Investing Fund's Subadvisory Group, each in the aggregate, becomes a holder of more than 25 percent of the outstanding voting securities of a Fund, it will vote its shares of the Fund in the same proportion as the vote of all other holders of the Fund's shares. This condition does not apply to the Investing Fund's Subadvisory Group with respect to a Fund for which the Investing Fund Subadviser or a person controlling, controlled by, or under common control with the Investing Fund Subadviser acts as the investment adviser within the meaning of section 2(a)(20)(A) of the Act.

2. No Investing Fund or Investing Fund Affiliate will cause any existing or potential investment by the Investing Fund in shares of a Fund to influence the terms of any services or transactions between the Investing Fund or an Investing Fund Affiliate and the Fund or a Fund Affiliate.

3. The Board of an Investing Fund, including a majority of the Independent Trustees, will adopt procedures reasonably designed to ensure that the Investing Fund Adviser and any Investing Fund Subadviser(s) are conducting the investment program of the Investing Fund without taking into account any consideration received by the Investing Fund or an Investing Fund Affiliate from a Fund or a Fund Affiliate in connection with any services or transactions.

4. Once an investment by an Investing Fund in the securities of a Fund exceeds the limit in section 12(d)(1)(A)(i) of the Act, the Board of the Fund, including a majority of the Independent Trustees, will determine that any consideration paid by the Fund to the Investing Fund or an Investing Fund Affiliate in connection with any services or transactions: (a) Is fair and reasonable in relation to the nature and quality of the services and benefits received by the Fund; (b) is within the range of consideration that the Fund would be required to pay to another unaffiliated entity in connection with the same services or transactions; and (c) does not involve overreaching on the part of any person concerned. This condition does not apply with respect to any services or transactions between a Fund and its investment adviser(s) or any person controlling, controlled by, or under common control with such investment adviser(s).

5. No Investing Fund or Investing Fund Affiliate (except to the extent it is acting in its capacity as an investment adviser to a Fund) will cause a Fund to purchase a security in any Affiliated Underwriting.

6. The Board of a Fund, including a majority of the Independent Trustees, will adopt procedures reasonably designed to monitor any purchases of securities by the Fund in an Affiliated Underwriting once an investment by an Investing Fund in the securities of the Fund exceeds the limit of section 12(d)(1)(A)(i) of the Act, including any purchases made directly from an Underwriting Affiliate. The Board of the Fund will review these purchases periodically, but no less frequently than annually, to determine whether the purchases were influenced by the investment by the Investing Fund in shares of the Fund. The Board will consider, among other things, (a) whether the purchases were consistent with the investment objectives and policies of the Fund; (b) how the performance of securities purchased in an Affiliated Underwriting compares to the performance of comparable securities purchased during a comparable period of time in underwritings other than Affiliated Underwritings or to a benchmark such as a comparable market index; and (c) whether the amount of securities purchased by the Fund in Affiliated Underwritings and the amount purchased directly from an Underwriting Affiliate have changed significantly from prior years. The Board will take any appropriate actions based on its review, including, if appropriate, the institution of procedures designed to ensure that purchases of securities in Affiliated Underwritings are in the best interest of shareholders.

7. Each Fund will maintain and preserve permanently in an easily accessible place a written copy of the procedures described in the preceding condition, and any modifications to such procedures, and will maintain and preserve for a period of not less than six years from the end of the fiscal year in

[10] Applicants acknowledge that receipt of any compensation by (a) an affiliated person of an Investing Fund, or an affiliated person of such person, for the purchase by an Investing Fund of shares of a Fund or (b) an affiliated person of a Fund, or an affiliated person of such person, for the sale by the Fund of its shares to an Investing Fund may be prohibited by section 17(e)(1) of the Act. The Participation Agreement also will include this acknowledgement.

[11] Applicants note that an Investing Fund generally would purchase and sell shares of a Fund that operates as an ETF through secondary market transactions rather than through principal transactions with the Fund. The requested relief is intended to cover, however, transactions directly between Funds and Investing Funds. Applicants are not seeking relief from section 17(a) for, and the requested relief will not apply to, transactions where an ETF could be deemed an affiliated person, or an affiliated person of an affiliated person of an Investing Fund because an investment adviser to the ETF is also an investment adviser to the Investing Fund.

which any purchase in an Affiliated Underwriting occurred, the first two years in an easily accessible place, a written record of each purchase of securities in Affiliated Underwritings once an investment by an Investing Fund in the securities of a Fund exceeds the limit in section 12(d)(1)(A)(i) of the Act, setting forth the: (a) party from whom the securities were acquired, (b) identity of the underwriting syndicate's members, (c) terms of the purchase, and (d) information or materials upon which the Board's determinations were made.

8. Before investing in shares of a Fund in excess of the limits in section 12(d)(1)(A) of the Act, each Investing Fund and Fund will execute a Participation Agreement stating, without limitation, that their Boards and their investment advisers understand the terms and conditions of the order and agree to fulfill their responsibilities under the order. At the time of its investment in shares of a Fund in excess of the limit in section 12(d)(1)(A)(i), an Investing Fund will notify the Fund of the investment. At such time, the Investing Fund will also transmit to the Fund a list of the names of each Investing Fund Affiliate and Underwriting Affiliate. The Investing Fund will notify the Fund of any changes to the list of the names as soon as reasonably practicable after a change occurs. The Fund and the Investing Fund will maintain and preserve a copy of the order, the Participation Agreement, and the list with any updated information for the duration of the investment and for a period of not less than six years thereafter, the first two years in an easily accessible place.

9. Prior to approving any advisory contract under section 15 of the Act, the Board of each Investing Fund, including a majority of the Independent Trustees, will find that the advisory fees charged under such advisory contracts are based on services provided that will be in addition to, rather than duplicative of, services provided under the advisory contract(s) of any Fund in which the Investing Fund may invest. Such finding and the basis upon which the finding was made will be recorded fully in the minute books of the appropriate Investing Fund.

10. The Investing Fund Adviser will waive fees otherwise payable to it by the Investing Fund in an amount at least equal to any compensation (including fees received pursuant to a plan adopted by a Fund under Rule 12b–1 under the Act) received from a Fund by the Investing Fund Adviser, or an affiliated person of the Investing Fund Adviser, other than any advisory fees paid to the Investing Fund Adviser or its affiliated person by the Fund, in connection with the investment by the Investing Fund in the Fund. Any Investing Fund Subadviser will waive fees otherwise payable to the Investing Fund Subadviser, directly or indirectly, by the Investing Fund in an amount at least equal to any compensation received from a Fund by the Investing Fund Subadviser, or an affiliated person of the Investing Fund Subadviser, other than any advisory fees paid to the Investing Fund Subadviser or its affiliated person by the Fund, in connection with the investment by the Investing Fund in the Fund made at the direction of the Investing Fund Subadviser. In the event that the Investing Fund Subadviser waives fees, the benefit of the waiver will be passed through to the Investing Fund.

11. Any sales charges and/or service fees charged with respect to shares of an Investing Fund will not exceed the limits applicable to a fund of funds as set forth in NASD Conduct Rule 2830.

12. No Fund will acquire securities of any investment company or company relying on section 3(c)(1) or 3(c)(7) of the Act in excess of the limits contained in section 12(d)(1)(A) of the Act, except to the extent permitted by exemptive relief from the Commission permitting the Fund to purchase shares of other investment companies for short-term cash management purposes.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Kevin O'Neill,

Deputy Secretary.

[FR Doc. 2014–17270 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72638; File No. SR–FINRA–2014–033]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating To Serving Electronically Written Decisions on Members Seeking Exemptive Relief Under NASD Rule 1070

July 17, 2014.

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 July 9, 2014, Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by FINRA. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

FINRA is proposing to amend FINRA Rule 9620 (Decision) to permit FINRA staff to serve by an electronic method written decisions on members seeking exemptive relief from FINRA's qualification examination requirements under NASD Rule 1070.

Below is the text of the proposed rule change. Proposed new language is in italics.

* * * * *

9000. CODE OF PROCEDURE

* * * * *

9600. PROCEDURES FOR EXEMPTIONS

* * * * *

9620. Decision

After considering an application, FINRA staff shall issue a written decision setting forth its findings and conclusions. The decision shall be served on the Applicant pursuant to Rules 9132 and 9134*, except with respect to written decisions for exemptive relief under NASD Rule 1070 (Qualification Examinations and Waiver of Requirements), which shall be served on the Applicant electronically.* After the decision is served on the Applicant, the application and decision may be publicly available.

* * * * *

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

In its filing with the Commission, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

FINRA is proposing to amend FINRA Rule 9620 (Decision) permit [sic] FINRA staff to serve by an electronic method written decisions on members seeking exemptive relief from FINRA's qualification examination requirements.

The NASD Rule 1000 Series specifies, among other things, registration and qualification requirements for registered representatives and principals associated with firms. NASD Rule 1070(d) authorizes FINRA, pursuant to the FINRA Rule 9600 Series, in exceptional cases and where good cause is shown, to waive qualification examinations (as specified in the NASD Rule 1000 Series) and accept other standards as evidence of an applicant's qualification for registration. Under the FINRA Rule 9600 Series, an initial application for relief under any FINRA rule for which exemptive relief may be granted, including qualification examination waivers under NASD Rule 1070 (Qualification Examinations and Waiver of Requirements), is filed with the appropriate department or staff.

All applications for qualification examination waivers under NASD Rule 1070 are filed by a member. As of January 16, 2009, members have been required to submit all applications for qualification examination waivers to FINRA's Department of Member Regulation (''Department'') through the Firm Gateway, a comprehensive web-based tool that provides members with consolidated access to FINRA regulatory and filing applications.[3] Each member has a Firm Gateway account and an account administrator who can apply for a qualification examination waiver electronically or can give entitlement privileges to other firm personnel to file the application electronically. In connection with each qualification examination waiver application, the member contemporaneously provides, among other things, an email address for a contact person at the firm. Once submitted, the Department examines the merits of the application, determines what action to take, and issues a decision to the applicant that grants or denies the application. Currently, the Department serves the decision on the applicant by U.S. mail in accordance with FINRA Rules 9132 (Service of Orders, Notices, and Decisions by Adjudicator) and 9134 (Methods of, Procedures for Service).

FINRA proposes that the Department use the examination-waiver email address provided by the applicant in Firm Gateway to serve electronically a written decision on the FINRA member seeking exemptive relief from a FINRA qualification examination. Serving written decisions electronically on applicants would allow the Department to issue decisions and allow the applicants to receive the decision more expeditiously. It also would reduce FINRA's costs because of inefficiencies and expenses associated with printing and mailing hard copies of written decisions and scanning hard copies of written decisions for electronic storage. In the event that the Department is unable to serve electronically a decision on a particular applicant because the email address provided by the applicant is no longer valid, the Department would serve the decision on the applicant by U.S. mail in accordance with FINRA Rules 9132 and 9134.

FINRA has filed the proposed rule change for immediate effectiveness. The implementation date of the proposed rule change will be August 18, 2014. FINRA will announce the implementation date of the proposed rule change no later than 60 days following Commission notice of the filing of the proposed rule change for immediate effectiveness.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,[4] which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. FINRA believes the proposed rule change will promote efficiency because it will enable members seeking relief under NASD Rule 1070 to receive more expeditiously a written decision regarding an associated person's request to waive a qualification examination. It is in the public interest, and consistent with the Act's purpose, that decisions concerning an associated person's qualifications for registration are timely resolved.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change would not change for any member the process of submitting electronically a qualification examination waiver application through Firm Gateway. The proposed rule change only would change the method of serving the decision on applicants seeking a qualification examination waiver. FINRA believes the proposed rule change would promote efficiency because qualification examination waiver applicants would receive decisions more expeditiously. FINRA further believes that members would not be adversely affected because, in the unlikely circumstance that the Department is unable to serve electronically a decision on the applicant because the email address provided by the applicant is no longer valid, the Department would serve the decision on the applicant in accordance with FINRA Rules 9132 and 9134.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days 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[5] and Rule 19b–4(f)(6) thereunder.[6]

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.

[3] *See Regulatory Notice* 08–67 (November 2008).

[4] 15 U.S.C. 78*o*–3(b)(6).

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 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. FINRA has satisfied this requirement.

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 (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–FINRA–2014–033 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–FINRA–2014–033. 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 Web site (*http://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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of FINRA. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–FINRA–2014–033 and should be submitted on or before August 13, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17266 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72636; File No. SR–BATS–2014–026]

Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing of Proposed Rule Change To List and Trade Shares of Certain Funds of the Alpha Architect ETF Trust

July 17, 2014.

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 July 3, 2014, BATS Exchange, Inc. (''Exchange'' or ''BATS'') 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 Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is proposing to list and trade shares of certain funds (the ''Fund'' when discussed individually or, collectively, the ''Funds'') of the Alpha Architect ETF Trust (the ''Trust'') under BATS Rule 14.11(i) (''Managed Fund Shares''). The shares of each Fund and the shares of the Funds collectively, as applicable, are referred to herein as the ''Shares.''

The text of the proposed rule addition is available at the Exchange's Web site at *http://www.batstrading.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the 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 parts 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 list and trade the Shares under BATS Rule 14.11(i), which governs the listing and trading of Managed Fund Shares on the Exchange.[3] The Funds will be actively managed funds. The Exchange proposes to list and trade Shares of the following Funds: (i) ValueShares U.S. Quantitative Value ETF; (ii) ValueShares International Quantitative Value ETF; (iii) MomentumShares U.S. Quantitative Momentum ETF; and (iv) MomentumShares International Quantitative Momentum ETF. The Shares will be offered by the Trust, which was established as a Delaware statutory trust on October 11, 2013. The Trust is registered with the Commission as an open-end investment company and has filed a registration statement on behalf of the Funds on Form N–1A (''Registration Statement'') with the Commission.[4]

Description of the Shares and the Funds

Empowered Funds, LLC is the investment adviser (''Adviser'') to the Funds.[5] U.S. Bancorp Fund Services, LLC is the administrator and transfer agent (''Administrator,'' and ''Transfer Agent,'' respectively) for the Trust. U.S. Bank National Association is the Custodian (''Custodian'') for the Trust. Quasar Distributors, LLC (''Distributor'') serves as the distributor for the Trust.

BATS Rule 14.11(i)(7) provides that, if the investment adviser to the investment company issuing Managed Fund Shares is affiliated with a broker-dealer, such investment adviser shall erect a ''fire wall'' between the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Commission approved BATS Rule 14.11(i) in Securities Exchange Act Release No. 65225 (August 30, 2011), 76 FR 55148 (September 6, 2011) (SR–BATS–2011–018).

[4] *See* Registration Statement on Form N–1A for the Trust, dated April 25, 2014 (File Nos. 333–195493 and 811–22961). The descriptions of the Fund and the Shares contained herein are based, in part, on information in the Registration Statement. The Commission has issued an order granting certain exemptive relief to the Company under the Investment Company Act of 1940 (15 U.S.C. 80a–1) (''1940 Act'') (the ''Exemptive Order''). *See* Investment Company Act Release No. 31018 (April 16, 2014) (File No. 812–14245).

[5] The Adviser is an indirect subsidiary of Empirical Finance, LLC d/b/a Empiritrage, LLC.

investment adviser and the broker-dealer with respect to access to information concerning the composition and/or changes to such investment company portfolio.[6] In addition, Rule 14.11(i)(7) further requires that personnel who make decisions on the investment company's portfolio composition must be subject to procedures designed to prevent the use and dissemination of material nonpublic information regarding the applicable investment company portfolio. Rule 14.11(i)(7) is similar to BATS Rule 14.11(b)(5)(A)(i), however, Rule 14.11(i)(7) in connection with the establishment of a ''fire wall'' between the investment adviser and the broker-dealer reflects the applicable open-end fund's portfolio, not an underlying benchmark index, as is the case with index-based funds. The Adviser is not a registered broker-dealer and is not affiliated with any broker-dealers. In the event that (a) the Adviser becomes registered as a broker-dealer or newly affiliated with a broker-dealer, or (b) any new adviser or sub-adviser is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel or such broker-dealer affiliate, as applicable, regarding access to information concerning the composition and/or changes to the portfolio, and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio.

ValueShares U.S. Quantitative Value ETF

According to the Registration Statement, the Fund will seek to provide long-term capital appreciation. The Fund will invest, under normal circumstances,[7] at least 80% of its net assets, plus any borrowings for investment purposes, in securities of U.S. companies. To achieve its objective, the Fund will invest, under normal circumstances, primarily in U.S. equity securities that the Adviser believes, based on quantitative analysis, are undervalued at the time of purchase and have the potential for capital appreciation. A security is undervalued when it trades at a price below the price at which the Adviser believes it would trade if the market reflected all factors relating to the issuer's worth. In choosing investments that are undervalued, the Adviser focuses on companies that it believes show indications of quality and financial strength but have security prices that are low relative to current operating earnings and/or are currently viewed unfavorably by equity research analysts.

The Fund will invest primarily in the common stock of U.S. companies. The Fund may invest in securities of companies in any industry and of any market capitalization. Although the Fund generally expects to invest in companies with larger market capitalizations, the Fund may invest in small- and mid-capitalization companies. The Fund is an actively managed exchanged-traded fund (''ETF'') and thus does not seek to replicate the performance of a specific index. Rather, the Adviser has discretion on a daily basis to actively manage the Fund's portfolio in accordance with the Fund's investment objective.

The Adviser utilizes a quantitative model to identify which securities the Fund might purchase and sell as well as opportune times for purchases and sales. While the Fund will invest in approximately fifty U.S. equity securities as determined by its quantitative value factors, the quantity of holdings in the Fund will be based on a number of factors, including the asset size of the Fund and the number of companies that satisfy the Adviser's quantitative measurements at any one time. The Fund's portfolio will be rebalanced to the Adviser's internal target allocations, developed pursuant to the Adviser's strategy described above, at least semi-annually.

In the absence of normal circumstances, the Fund may temporarily depart from its normal investment process, provided that such departure is, in the opinion of the Adviser, consistent with the Fund's investment objective and in the best interest of the Fund. For example, the Fund may invest up to 100% of its assets in a temporary defensive manner by holding all or a substantial portion of its assets in cash, cash equivalents, or other quality short-term investment in response to adverse market, economic, or political or other conditions. Such temporary defensive investments generally may include short-term U.S. government securities, commercial paper, bank obligations, repurchase agreements, money market fund shares, and other money market instruments.

The Fund will be classified as a ''non-diversified'' investment company under the 1940 Act. A non-diversified fund is a fund that is not limited by the 1940 Act with regard to the percentage of its assets that may be invested in the securities of a single issuer.[8] The Fund will not, however, concentrate its investments in a particular industry or group of industries, as that term is used in the 1940 Act.[9] Securities of the U.S. government (including its agencies and instrumentalities), tax-free securities of state or municipal governments and their political subdivisions (and repurchase agreements collateralized by government securities) and securities of other investment companies, whether registered or excluded from registration under Section 3(c) of the 1940 Act, are not considered to be issued by members of any industry.

The Fund intends to qualify each year as a regulated investment company (a ''RIC'') under Subchapter M of the Internal Revenue Code of 1986, as amended.[10] The Fund will invest its assets, and otherwise conduct its operations, in a manner that is intended to satisfy the qualifying income, diversification and distribution requirements necessary to establish and

[6] An investment adviser to an open-end fund is required to be registered under the Investment Advisers Act of 1940 (the ''Advisers Act''). As a result, the Adviser and its related personnel are subject to the provisions of Rule 204A–1 under the Advisers Act relating to codes of ethics. This Rule requires investment advisers to adopt a code of ethics that reflects the fiduciary nature of the relationship to clients as well as compliance with other applicable securities laws. Accordingly, procedures designed to prevent the communication and misuse of non-public information by an investment adviser must be consistent with Rule 204A–1 under the Advisers Act. In addition, Rule 206(4)–7 under the Advisers Act makes it unlawful for an investment adviser to provide investment advice to clients unless such investment adviser has (i) adopted and implemented written policies and procedures reasonably designed to prevent violation, by the investment adviser and its supervised persons, of the Advisers Act and the Commission rules adopted thereunder; (ii) implemented, at a minimum, an annual review regarding the adequacy of the policies and procedures established pursuant to subparagraph (i) above and the effectiveness of their implementation; and (iii) designated an individual (who is a supervised person) responsible for administering the policies and procedures adopted under subparagraph (i) above.

[7] The term ''under normal circumstances'' includes, but is not limited to, the absence of adverse market, economic, political, or other conditions, including extreme volatility or trading halts in the financial markets generally; operational issues causing dissemination of inaccurate market information; or force majeure type events such as systems failure, natural or man-made disaster, act of God, armed conflict, act of terrorism, riot, or labor disruption, or any similar intervening circumstance.

[8] The diversification standard is set forth in Section 5(b)(1) of the 1940 Act.

[9] *See* Form N–1A, Item 9. The Commission has taken the position that a fund is concentrated if it invests in more than 25% of the value of its total assets in any one industry. *See, e.g.,* Investment Company Act Release No. 9011 (October 30, 1975), 40 FR 54241 (November 21, 1975).

[10] 26 U.S.C. 851.

maintain RIC qualification under Subchapter M.

Other Portfolio Holdings

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid securities (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser [11] under the 1940 Act.[12] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid securities. Illiquid securities include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.

The Fund may make secured loans of its portfolio securities; however, securities loans will not be made if, as a result, the aggregate amount of all outstanding securities loans by the Fund exceeds 33⅓% of its total assets (including the market value of collateral received). To the extent the Fund engages in securities lending, securities loans will be made to broker-dealers that the Adviser believes to be of relatively high credit standing pursuant to agreements requiring that the loans continuously be collateralized by cash, liquid securities, or shares of other investment companies with a value at least equal to the market value of the loaned securities.

The Fund may invest in preferred stocks. Preferred stocks include convertible and non-convertible preferred and preference stocks that are senior to common stock. Preferred stocks are equity securities that are senior to common stock with respect to the right to receive dividends and a fixed share of the proceeds resulting from the issuer's liquidation. Some preferred stocks also entitle their holders to receive additional liquidation proceeds on the same basis as holders of the issuer's common stock, and thus represent an ownership interest in the issuer.

The Fund may enter into repurchase agreements with banks and broker-dealers. A repurchase agreement is an agreement under which securities are acquired by the Fund from a securities dealer or bank subject to resale at an agreed upon price on a later date. The acquiring Fund bears a risk of loss in the event that the other party to a repurchase agreement defaults on its obligations and the Fund is delayed or prevented from exercising its rights to dispose of the collateral securities.

The Fund may invest in debt securities, including obligations of the U.S. government, its agencies and instrumentalities, corporate debt securities, master-demand notes, bank certificates of deposit, time deposits, bankers' acceptances, commercial paper and other notes, inflation-indexed securities, and other debt securities. The Fund may invest in debt securities that are investment grade.

The Fund may invest in the securities of other investment companies (including money market funds and ETFs) to the extent permitted under the 1940 Act, Commission rules thereunder and exemptions thereto. Under the 1940 Act, the Fund's investment in investment companies is limited to, subject to certain exceptions: (i) 3% of the total outstanding voting stock of any one investment company, (ii) 5% of the Fund's total assets with respect to any one investment company and (iii) 10% of the Fund's total assets of investment companies in the aggregate. The Fund may also invest in private investment funds, vehicles or structures.

The Fund will not invest in options, futures or swaps. The Fund's investments will be consistent with its respective investment objective and will not be used to enhance leverage.

ValueShares International Quantitative Value ETF

According to the Registration Statement, the Fund will seek to provide long-term capital appreciation. To achieve its objective, the Fund will invest, under normal circumstances, primarily in equity securities of international companies that the Adviser believes, based on quantitative analysis, are undervalued at the time of purchase and have the potential for capital appreciation. A security is undervalued when it trades at a price below the price at which the Adviser believes it would trade if the market reflected all factors relating to the issuer's worth. In choosing investments that are undervalued, the Adviser focuses on companies that it believes show indications of quality and financial strength but have security prices that are low relative to current operating earnings and/or are currently viewed unfavorably by equity research analysts.

The Fund will invest primarily in the common stock of international companies and depositary receipts. The Fund may invest in securities of companies in any industry and of any market capitalization. The Fund may invest in foreign securities by purchasing depositary receipts, including American Depositary Receipts (''ADRs''), Global Depositary Receipts (''GDRs''), and European Depositary Receipts (''EDRs'') or other securities convertible into securities of issuers based in foreign countries (collectively, ''Depositary Receipts'').[13] Although the Fund generally expects to invest in companies with larger market capitalizations, the Fund may invest in small- and mid-capitalization companies. With respect to its investments in exchange-listed common stocks and Depositary Receipts of non-U.S. issuers, the Fund will invest at least 90% of its assets invested in such

[11] In reaching liquidity decisions, the Adviser may consider factors including: the frequency of trades and quotes for the security; the number of dealers wishing to purchase or sell the security and the number of other potential purchasers; dealer undertakings to make a market in the security; the nature of the security and the nature of the marketplace trades (*e.g.,* the time needed to dispose of the security, the method of soliciting offers, and the mechanics of transfer); any legal or contractual restrictions on the ability to transfer the security or asset; significant developments involving the issuer or counterparty specifically (*e.g.,* default, bankruptcy, etc.) or the securities markets generally; and settlement practices, registration procedures, limitations on currency conversion or repatriation, and transfer limitations (for foreign securities or other assets).

[12] The Commission has stated that long-standing Commission guidelines have required open-end funds to hold no more than 15% of their net assets in illiquid securities and other illiquid assets. *See* Investment Company Act Release No. 28193 (March 11, 2008), 73 FR 14618 (March 18, 2008), footnote 34. *See also,* Investment Company Act Release No. 5847 (October 21, 1969), 35 FR 19989 (December 31, 1970) (Statement Regarding ''Restricted Securities''); Investment Company Act Release No. 18612 (March 12, 1992), 57 FR 9828 (March 20, 1992) (Revisions of Guidelines to Form N–1A). A fund's portfolio security is illiquid if it cannot be disposed of in the ordinary course of business within seven days at approximately the value ascribed to it by the fund. *See* Investment Company Act Release No. 14983 (March 12, 1986), 51 FR 9773 (March 21, 1986) (adopting amendments to Rule 2a–7 under the 1940 Act); Investment Company Act Release No. 17452 (April 23, 1990), 55 FR 17933 (April 30, 1990) (adopting Rule 144A under the Securities Act of 1933).

[13] Depositary Receipts are receipts, typically issued by a bank or trust issuer, which evidence ownership of underlying securities issued by a non-U.S. issuer. For ADRs, the depository is typically a U.S. financial institution and the underlying securities are issued by a non-U.S. issuer. For other forms of Depositary Receipts, the depository may be a non-U.S. or a U.S. entity, and the underlying securities may be issued by a non-U.S. or a U.S. issuer. Depositary Receipts are not necessarily denominated in the same currency as their underlying securities. Generally, ADRs, issued in registered form, are designed for use in the U.S. securities markets, and EDRs, issued in bearer form, are designed for use in European securities markets. GDRs are tradable both in the United States and in Europe and are designed for use throughout the world.

securities in exchange-listed common stocks and Depositary Receipts that trade in markets that are members of the Intermarket Surveillance Group (''ISG'') or are parties to a comprehensive surveillance sharing agreement with the Exchange.[14]

The Fund is an actively managed ETF and thus does not seek to replicate the performance of a specific index. Rather, the Adviser has discretion on a daily basis to actively manage the Fund's portfolio in accordance with the Fund's investment objective.

The Adviser utilizes a quantitative model to identify which securities the Fund might purchase and sell as well as opportune times for purchases and sales. While the Fund will invest in approximately fifty international equity securities as determined by its quantitative value factors, the quantity of holdings in the Fund will be based on a number of factors, including the asset size of the Fund and the number of companies that satisfy the Adviser's quantitative measurements at any one time. The Fund's portfolio will be rebalanced to the Adviser's internal target allocations, developed pursuant to the Adviser's strategy described above, at least annually.

In the absence of normal circumstances, the Fund may temporarily depart from its normal investment process, provided that such departure is, in the opinion of Adviser, consistent with the Fund's investment objective and in the best interest of the Fund. For example, the Fund may invest up to 100% of its assets in a temporary defensive manner by holding all or a substantial portion of its assets in cash, cash equivalents, or other quality short-term investment in response to adverse market, economic, or political or other conditions. Such temporary defensive investments generally may include short-term U.S. government securities, commercial paper, bank obligations, repurchase agreements, money market fund shares, and other money market instruments.

The Fund will be classified as a ''non-diversified'' investment company under the 1940 Act. A non-diversified fund is a fund that is not limited by the 1940 Act with regard to the percentage of its assets that may be invested in the securities of a single issuer.[15] The Fund will not, however, concentrate its investments in a particular industry or group of industries, as that term is used in the 1940 Act.[16] Securities of the U.S. government (including its agencies and instrumentalities), tax-free securities of state or municipal governments and their political subdivisions (and repurchase agreements collateralized by government securities) and securities of other investment companies, whether registered or excluded from registration under Section 3(c) of the 1940 Act, are not considered to be issued by members of any industry.

The Fund intends to qualify each year as RIC under Subchapter M of the Internal Revenue Code of 1986, as amended.[17] The Fund will invest its assets, and otherwise conduct its operations, in a manner that is intended to satisfy the qualifying income, diversification and distribution requirements necessary to establish and maintain RIC qualification under Subchapter M.

Other Portfolio Holdings

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid securities (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser[18] under the 1940 Act.[19] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid securities. Illiquid securities include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.

The Fund may make secured loans of its portfolio securities; however, securities loans will not be made if, as a result, the aggregate amount of all outstanding securities loans by the Fund exceeds 33⅓% of its total assets (including the market value of collateral received). To the extent the Fund engages in securities lending, securities loans will be made to broker-dealers that the Adviser believes to be of relatively high credit standing pursuant to agreements requiring that the loans continuously be collateralized by cash, liquid securities, or shares of other investment companies with a value at least equal to the market value of the loaned securities.

The Fund may invest in preferred stocks. Preferred stocks include convertible and nonconvertible preferred and preference stocks that are senior to common stock. Preferred stocks are equity securities that are senior to common stock with respect to the right to receive dividends and a fixed share of the proceeds resulting from the issuer's liquidation. Some preferred stocks also entitle their holders to receive additional liquidation proceeds on the same basis as holders of the issuer's common stock, and thus represent an ownership interest in the issuer.

The Fund may enter into repurchase agreements with banks and broker-dealers. A repurchase agreement is an agreement under which securities are acquired by the Fund from a securities dealer or bank subject to resale at an agreed upon price on a later date. The acquiring Fund bears a risk of loss in the event that the other party to a repurchase agreement defaults on its obligations and the Fund is delayed or prevented from exercising its rights to dispose of the collateral securities.

The Fund may invest in debt securities, including obligations of the U.S. government, its agencies and instrumentalities, corporate debt securities, master-demand notes, bank certificates of deposit, time deposits, bankers' acceptances, commercial paper and other notes, inflation-indexed securities, and other debt securities. The Fund may invest in debt securities that are investment grade.

The Fund may invest in the securities of other investment companies (including money market funds and ETFs) to the extent permitted under the 1940 Act, Commission rules thereunder and exemptions thereto. Under the 1940 Act, the Fund's investment in investment companies is limited to, subject to certain exceptions: (i) 3% of the total outstanding voting stock of any one investment company, (ii) 5% of the Fund's total assets with respect to any one investment company and (iii) 10% of the Fund's total assets of investment companies in the aggregate. The Fund may also invest in private investment funds, vehicles or structures.

The Fund will not invest in options, futures or swaps. The Fund's investments will be consistent with its respective investment objective and will not be used to enhance leverage.

[14] For a list of the current members and affiliate members of ISG, *see www.isgportal.com.* The Exchange notes that not all components of the Disclosed Portfolio for the Funds may trade on markets that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

[15] The diversification standard is set forth in Section 5(b)(1) of the 1940 Act.

[16] *See* supra note 9.

[17] *See* supra note 10.

[18] *See* supra note 11.

[19] *See* supra note 12.

MomentumShares U.S. Quantitative Momentum ETF

According to the Registration Statement, the Fund (together with the ValueShares U.S. Quantitative Value ETF, the ''U.S. Funds'') will seek to provide long-term capital appreciation. The Fund will invest, under normal circumstances, at least 80% of its net assets, plus any borrowings for investment purposes, in securities of U.S. companies. To achieve its objective, the Fund will invest, under normal circumstances, primarily in U.S. equity securities that the Adviser believes, based on quantitative analysis, have positive momentum. The Adviser considers a security to have positive momentum primarily if it has a total return performance, expressed as the magnitude of profitability for the security in percentage terms, over a certain period (*e.g.,* the prior twelve months) that ranks it at or near the top of its relevant universe (*i.e.,* U.S. equity securities that meet the Fund's trading volume and market liquidity criteria) at the time of purchase. In assessing positive momentum, the Adviser may also consider additional factors, such as the security's return over intermediate periods (*e.g.,* the most recent quarter) or other time periods, as well as the characteristics of the security's return path (such as comparisons of the security's more recent individual monthly returns against less recent individual monthly returns). The criteria the Adviser uses for determining positive momentum may change from time to time.

The Fund will invest primarily in the common stock of U.S. companies. The Fund may invest in securities of companies in any industry and of any market capitalization. Although the Fund generally expects to invest in companies with larger market capitalizations, the Fund may invest in small- and mid-capitalization companies.

The Adviser utilizes a quantitative model to identify which securities the Fund might purchase and sell as well as opportune times for purchases and sales. While the Fund will invest in approximately fifty U.S. equity securities as determined by its quantitative value factors, the quantity of holdings in the Fund will be based on a number of factors, including the asset size of the Fund and the number of companies that satisfy the Adviser's quantitative measurements at any one time. The Fund's portfolio will be rebalanced to the Adviser's internal target allocations, developed pursuant to the Adviser's strategy described above, at least semi-annually.

The Fund is an actively managed ETF and thus does not seek to replicate the performance of a specific index. Rather, the Adviser has discretion on a daily basis to actively manage the Fund's portfolio in accordance with the Fund's investment objective.

In the absence of normal circumstances, the Fund may temporarily depart from its normal investment process, provided that such departure is, in the opinion of the Adviser, consistent with the Fund's investment objective and in the best interest of the Fund. For example, the Fund may invest up to 100% of its assets in a temporary defensive manner by holding all or a substantial portion of its assets in cash, cash equivalents, or other quality short-term investment in response to adverse market, economic, or political or other conditions. Such temporary defensive investments generally may include short-term U.S. government securities, commercial paper, bank obligations, repurchase agreements, money market fund shares, and other money market instruments.

The Fund will be classified as a ''non-diversified'' investment company under the 1940 Act. A non-diversified fund is a fund that is not limited by the 1940 Act with regard to the percentage of its assets that may be invested in the securities of a single issuer.[20] The Fund will not, however, concentrate its investments in a particular industry or group of industries, as that term is used in the 1940 Act.[21] Securities of the U.S. government (including its agencies and instrumentalities), tax-free securities of state or municipal governments and their political subdivisions (and repurchase agreements collateralized by government securities) and securities of other investment companies, whether registered or excluded from registration under Section 3(c) of the 1940 Act, are not considered to be issued by members of any industry.

The Fund intends to qualify each year as a RIC under Subchapter M of the Internal Revenue Code of 1986, as amended.[22] The Fund will invest its assets, and otherwise conduct its operations, in a manner that is intended to satisfy the qualifying income, diversification and distribution requirements necessary to establish and maintain RIC qualification under Subchapter M.

Other Portfolio Holdings

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid securities (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser[23] under the 1940 Act.[24] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of the Fund's net assets are held in illiquid securities. Illiquid securities include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.

The Fund may make secured loans of its portfolio securities; however, securities loans will not be made if, as a result, the aggregate amount of all outstanding securities loans by the Fund exceeds 33⅓% of its total assets (including the market value of collateral received). To the extent the Fund engages in securities lending, securities loans will be made to broker-dealers that the Adviser believes to be of relatively high credit standing pursuant to agreements requiring that the loans continuously be collateralized by cash, liquid securities, or shares of other investment companies with a value at least equal to the market value of the loaned securities.

The Fund may invest in preferred stocks. Preferred stocks include convertible and non-convertible preferred and preference stocks that are senior to common stock. Preferred stocks are equity securities that are senior to common stock with respect to the right to receive dividends and a fixed share of the proceeds resulting from the issuer's liquidation. Some preferred stocks also entitle their holders to receive additional liquidation proceeds on the same basis as holders of the issuer's common stock, and thus represent an ownership interest in the issuer.

The Fund may enter into repurchase agreements with banks and broker-dealers. A repurchase agreement is an agreement under which securities are acquired by the Fund from a securities dealer or bank subject to resale at an agreed upon price on a later date. The acquiring Fund bears a risk of loss in the

[20] The diversification standard is set forth in Section 5(b)(1) of the 1940 Act.

[21] *See* supra note 9.

[22] *See* supra note 10.

[23] *See* supra note 11.

[24] *See* supra note 12.

event that the other party to a repurchase agreement defaults on its obligations and the Fund is delayed or prevented from exercising its rights to dispose of the collateral securities.

The Fund may invest in debt securities, including obligations of the U.S. government, its agencies and instrumentalities, corporate debt securities, master-demand notes, bank certificates of deposit, time deposits, bankers' acceptances, commercial paper and other notes, inflation-indexed securities, and other debt securities. The Fund may invest in debt securities that are investment grade.

The Fund may invest in the securities of other investment companies (including money market funds and ETFs) to the extent permitted under the 1940 Act, Commission rules thereunder and exemptions thereto. Under the 1940 Act, the Fund's investment in investment companies is limited to, subject to certain exceptions: (i) 3% of the total outstanding voting stock of any one investment company, (ii) 5% of the Fund's total assets with respect to any one investment company and (iii) 10% of the Fund's total assets of investment companies in the aggregate. The Fund may also invest in private investment funds, vehicles or structures.

The Fund will not invest in options, futures or swaps. The Fund's investments will be consistent with its respective investment objective and will not be used to enhance leverage.

MomentumShares International Quantitative Momentum ETF

According to the Registration Statement, the Fund (together with the ValueShares International Quantitative Value ETF, the ''International Funds'') will seek to provide long-term capital appreciation. To achieve its objective, the Fund will invest, under normal circumstances, primarily in equity securities of international companies that the Adviser believes, based on quantitative analysis, have positive momentum. The Adviser considers a security to have positive momentum primarily if it has a total return performance, expressed as the magnitude of profitability for the security in percentage terms, over a certain period (*e.g.,* the prior twelve months) that ranks it at or near the top of its relevant universe (*i.e.,* international equity securities that meet the Fund's trading volume and market liquidity criteria) at the time of purchase. In assessing positive momentum, the Adviser may also consider additional factors, such as the security's return over intermediate periods (*e.g.,* the most recent quarter) or other time periods, as well as the characteristics of the security's return path (such as comparisons of the security's more recent individual monthly returns against less recent individual monthly returns). The criteria the Adviser uses for determining positive momentum may change from time to time.

The Fund will invest primarily in the common stock of international companies and depositary receipts. The Fund may invest in securities of companies in any industry and of any market capitalization. The Fund may invest in foreign securities by purchasing depositary receipts, including ADRs, GDRs, and EDRs or other securities convertible into securities of issuers based in foreign countries. Although the Fund generally expects to invest in companies with larger market capitalizations, the Fund may invest in small- and mid-capitalization companies. With respect to its investments in exchange-listed common stocks and Depositary Receipts of non-U.S. issuers, the Fund will invest at least 90% of its assets invested in such securities in exchange-listed common stocks and Depositary Receipts that trade in markets that are members of the ISG or are parties to a comprehensive surveillance sharing agreement with the Exchange.

The Fund is an actively managed ETF and thus does not seek to replicate the performance of a specific index. Rather, the Adviser has discretion on a daily basis to actively manage the Fund's portfolio in accordance with the Fund's investment objective.

The Adviser utilizes a quantitative model to identify which securities the Fund might purchase and sell as well as opportune times for purchases and sales. While the Fund will invest in approximately fifty international equity securities as determined by its quantitative value factors, the quantity of holdings in the Fund will be based on a number of factors, including the asset size of the Fund and the number of companies that satisfy the Adviser's quantitative measurements at any one time. The Fund's portfolio will be rebalanced to the Adviser's internal target allocations, developed pursuant to the Adviser's strategy described above, at least annually.

In the absence of normal circumstances, the Fund may temporarily depart from its normal investment process, provided that such departure is, in the opinion of the Adviser, consistent with the Fund's investment objective and in the best interest of the Fund. For example, the Fund may invest up to 100% of its assets in a temporary defensive manner by holding all or a substantial portion of its assets in cash, cash equivalents, or other quality short-term investment in response to adverse market, economic, or political or other conditions. Such temporary defensive investments generally may include short-term U.S. government securities, commercial paper, bank obligations, repurchase agreements, money market fund shares, and other money market instruments.

The Fund will be classified as a ''non-diversified'' investment company under the 1940 Act. A non-diversified fund is a fund that is not limited by the 1940 Act with regard to the percentage of its assets that may be invested in the securities of a single issuer.[25] The Fund will not, however, concentrate its investments in a particular industry or group of industries, as that term is used in the 1940 Act.[26] Securities of the U.S. government (including its agencies and instrumentalities), tax-free securities of state or municipal governments and their political subdivisions (and repurchase agreements collateralized by government securities) and securities of other investment companies, whether registered or excluded from registration under Section 3(c) of the 1940 Act, are not considered to be issued by members of any industry.

The Fund intends to qualify each year as a RIC under Subchapter M of the Internal Revenue Code of 1986, as amended.[27] The Fund will invest its assets, and otherwise conduct its operations, in a manner that is intended to satisfy the qualifying income, diversification and distribution requirements necessary to establish and maintain RIC qualification under Subchapter M.

Other Portfolio Holdings

The Fund may hold up to an aggregate amount of 15% of its net assets in illiquid securities (calculated at the time of investment), including Rule 144A securities deemed illiquid by the Adviser[28] under the 1940 Act.[29] The Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15%

[25] The diversification standard is set forth in Section 5(b)(1) of the 1940 Act.

[26] *See* supra note 9.

[27] *See* supra note 10.

[28] *See* supra note 11.

[29] *See* supra note 12.

of the Fund's net assets are held in illiquid securities. Illiquid securities include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.

The Fund may make secured loans of its portfolio securities; however, securities loans will not be made if, as a result, the aggregate amount of all outstanding securities loans by the Fund exceeds 33⅓% of its total assets (including the market value of collateral received). To the extent the Fund engages in securities lending, securities loans will be made to broker-dealers that the Adviser believes to be of relatively high credit standing pursuant to agreements requiring that the loans continuously be collateralized by cash, liquid securities, or shares of other investment companies with a value at least equal to the market value of the loaned securities.

The Fund may invest in preferred stocks. Preferred stocks include convertible and non-convertible preferred and preference stocks that are senior to common stock. Preferred stocks are equity securities that are senior to common stock with respect to the right to receive dividends and a fixed share of the proceeds resulting from the issuer's liquidation. Some preferred stocks also entitle their holders to receive additional liquidation proceeds on the same basis as holders of the issuer's common stock, and thus represent an ownership interest in the issuer.

The Fund may enter into repurchase agreements with banks and broker-dealers. A repurchase agreement is an agreement under which securities are acquired by the Fund from a securities dealer or bank subject to resale at an agreed upon price on a later date. The acquiring Fund bears a risk of loss in the event that the other party to a repurchase agreement defaults on its obligations and the Fund is delayed or prevented from exercising its rights to dispose of the collateral securities.

The Fund may invest in debt securities, including obligations of the U.S. government, its agencies and instrumentalities, corporate debt securities, master-demand notes, bank certificates of deposit, time deposits, bankers' acceptances, commercial paper and other notes, inflation-indexed securities, and other debt securities. The Fund may invest in debt securities that are investment grade.

The Fund may invest in the securities of other investment companies (including money market funds and ETFs) to the extent permitted under the 1940 Act, Commission rules thereunder and exemptions thereto. Under the 1940 Act, the Fund's investment in investment companies is limited to, subject to certain exceptions: (i) 3% of the total outstanding voting stock of any one investment company, (ii) 5% of the Fund's total assets with respect to any one investment company and (iii) 10% of the Fund's total assets of investment companies in the aggregate. The Fund may also invest in private investment funds, vehicles or structures.

The Fund will not invest in options, futures or swaps. The Fund's investments will be consistent with its respective investment objective and will not be used to enhance leverage.

Net Asset Value

According to the Registration Statement, the net asset value (''NAV'') of each Fund will be calculated each business day as of the close of regular trading on the New York Stock Exchange (''NYSE''), generally 4:00 p.m. Eastern Time (the ''NAV Calculation Time''), on each day that the NYSE is open for trading, based on prices at the NAV Calculation Time. NAV per Share is calculated by dividing the Fund's net assets by the number of Fund Shares outstanding. Each Fund's net assets are valued primarily on the basis of market quotations.

Each Fund calculates its NAV per Share by taking the current market value of its total assets, subtracting any liabilities, and dividing that amount by the total number of Shares owned by shareholders. When calculating the NAV of a Fund's Shares, expenses are accrued and applied daily and equity securities held by the Fund are valued at their market value when reliable market quotations are readily available. Equity securities are valued primarily on the basis of market quotations reported on stock exchanges and other securities markets around the world. If an equity security is listed on a national exchange, the security is valued at the closing price or, if the closing price is not readily available, the mean of the closing bid and ask prices. Both market quotations and indicative bids are obtained from outside pricing services approved and monitored pursuant to a policy approved by the Board of Trustees of the Trust (the ''Board'').

If a market price is not readily available or is deemed not to reflect market value, a Fund will determine the price of the security held by the Fund based on a determination of the security's fair value pursuant to policies and procedures approved by the Board. In addition, a Fund may use fair valuation to price securities that trade on a foreign exchange, if any, when a significant event has occurred after the foreign exchange closes but before the time at which the Fund's NAV is calculated. Foreign exchanges typically close before the time at which Fund Share prices are calculated, and may be closed altogether on some days when a Fund is open. Such significant events affecting a foreign security, in the event a Fund holds foreign securities, may include, but are not limited to: Corporate actions, earnings announcements, litigation or other events impacting a single issuer; governmental action that affects securities in one sector or country; natural disasters or armed conflicts affecting a country or region; or significant domestic or foreign market fluctuations. If a Fund holds foreign securities, it would use various criteria, including an evaluation of U.S. market moves after the close of foreign markets, in determining whether a foreign security's market price is readily available and reflective of market value and, if not, the fair value of the security.

To the extent a Fund has holdings of foreign or other securities that may trade infrequently, fair valuation may be used more frequently than for other funds. Fair valuation may have the effect of reducing stale pricing arbitrage opportunities presented by the pricing of Fund Shares. However, when a Fund uses fair valuation to price securities, it may value those securities higher or lower than another fund would have priced the security. Also, the use of fair valuation may cause the Shares' NAV performance to diverge from the Shares' market price and from the performance of various benchmarks used to compare a Fund's performance because benchmarks generally do not use fair valuation techniques. Because of the judgment involved in fair valuation decisions, there can be no assurance that the value ascribed to a particular security is accurate.

Repurchase agreements are generally valued at par. Other short-term instruments will generally be valued at the last available bid price received from independent pricing services. In determining the value of a fixed income investment, pricing services may use certain information with respect to transactions in such investments, quotations from dealers, pricing matrixes, market transactions in comparable investments, various relationships observed in the market between investments, and calculated yield measures. In certain circumstances, short-term instruments may be valued on the basis of amortized cost.

For more information regarding the valuation of Fund investments in calculating the Fund's NAV, see the Registration Statement.

The Shares

According to the Registration Statement, the Fund will issue and redeem Shares on a continuous basis at NAV in aggregations of 50,000 Shares (''Creation Units''). The consideration for a Creation Unit of a Fund will be the ''Fund Deposit,'' which will consist of the basket of securities to be deposited to purchase Creation Units of the Fund (the ''In-Kind Creation Basket''). The Fund Deposit will consist of the In-Kind Creation Basket and an amount of cash consisting of a ''Balancing Amount'' (as described below) and a transaction fee calculated in connection with creations (together with the Balancing Amount, the ''Cash Component''), or a Cash Component that includes an all cash payment (''Cash Value'').

In addition to the In-Kind Creation Basket, a purchaser will typically pay to the Fund a ''Balancing Amount'' reflecting the difference, if any, between the NAV of a Creation Unit and the market value of the securities in the In-Kind Creation Basket. If the NAV per Creation Unit exceeds the market value of the securities in the In-Kind Creation Basket, the purchaser will pay the Balancing Amount to the Fund. By contrast, if the NAV per Creation Unit is less than the market value of the securities in the In-Kind Creation Basket, the Fund will pay the Balancing Amount to the purchaser. The Balancing Amount ensures that the consideration paid by an investor for a Creation Unit is exactly equal to the value of the Creation Unit.

A portfolio composition file, to be sent via the National Securities Clearing Corporation (''NSCC''), will be made available on each business day, prior to the opening of business on the Exchange (currently 9:30 a.m., Eastern time), a list of the names and the required number of shares of each security in the In-Kind Creation Basket to be included in the current Fund Deposit for the Fund (based on information about the Fund's portfolio at the end of the previous business day). In addition, on each business day, the estimated Cash Component or Cash Value, effective through and including the previous business day, will be made available through NSCC.

The In-Kind Creation Basket is applicable for purchases of Creation Units of the Fund until such time as the next-announced In-Kind Creation Basket is made available. The Fund reserves the right to accept a nonconforming (*i.e.,* custom) Fund Deposit. In addition, the composition of the In-Kind Creation Basket may change as, among other things, corporate actions and investment decisions by the Adviser are implemented for the Fund's portfolio.

All purchase orders must be placed by or through an ''Authorized Participant.'' An Authorized Participant must be either a broker-dealer or other participant in the Continuous Net Settlement System (''Clearing Process'') of the NSCC or a participant in The Depository Trust Company (''DTC'') with access to the DTC system, and must execute an agreement with the Distributor that governs transactions in the Fund's Creation Units. In-kind portions of purchase orders will be processed through the Clearing Process when it is available.

Fund Shares may be redeemed only in Creation Units at their NAV next determined after receipt of a redemption request in proper form by the Fund through the Distributor and only on a business day. The redemption proceeds for a Creation Unit will consist of the basket of securities a shareholder will receive upon redemption of a Creation unit (the ''In-Kind Redemption Basket'') and an amount of cash consisting of a Balancing Amount and a transaction fee (the ''Cash Redemption Amount''), or, in certain circumstances, the Cash Value, in all instances equal to the value of a Creation Unit. In addition, investors may incur brokerage and other costs in connection with assembling a Creation Unit.

The redemption proceeds for a Creation Unit generally consist of the In-Kind Redemption Basket and a Cash Redemption Amount (''Fund Redemption''), which consists of a Balancing Amount and a Transaction Fee. In lieu of the In- Kind Redemption Basket and Balancing Amount, Creation Units may be redeemed consisting solely of cash in an amount equal to the NAV of a Creation Unit (the ''Cash Value''). In such instances, information about the Cash Value of a Creation Unit also will be published. The Fund reserves the right to accept a nonconforming (*i.e.,* custom) Fund Redemption.[30]

The right of redemption may be suspended or the date of payment postponed: (i) for any period during which the NYSE is closed (other than customary weekend and holiday closings); (ii) for any period during which trading on the NYSE is suspended or restricted; (iii) for any period during which an emergency exists as a result of which disposal of the Shares or determination of the Fund's NAV is not reasonably practicable; or (iv) in such other circumstances as permitted by the Commission.

For an order involving a Creation Unit to be effectuated at the Fund's NAV on a particular day, it must be received by the Distributor by or before the deadline for such order (''Order Cut-Off Time''). The Order Cut-Off Time for creation and redemption orders for the Fund is generally expected to be 4:00 p.m. Eastern time for In-Kind Creation and Redemption Baskets, and earlier in the day for Cash Value transactions. On days when the Exchange or the bond markets close earlier than normal, the Fund may require orders to create or to redeem Creation Units be placed earlier in the day. In-Kind Creation and Redemption Baskets are expected to be accepted until the close of regular trading on the Exchange on each business day, which is usually 4:00 p.m. Eastern time. A standard redemption transaction fee will be imposed to offset transfer and other transaction costs that may be incurred by the Fund.

Additional information regarding the Shares and the Funds, including investment strategies, risks, creation and redemption procedures, fees and expenses, portfolio holdings disclosure

[30] As stated in the Exemptive Application, the Fund may, in certain circumstances, allow cash creations or partial cash creations but not redemptions (or vice versa) if: (a) There is a Balancing Amount; (b) the Fund announces before the open of trading that all purchases, all redemptions or all purchases and redemptions on that day will be made entirely in cash; (c) upon receiving a purchase or redemption order from an Authorized Participant the Fund determines to require the purchase or redemption to be made entirely in cash because, among other things, it would benefit the Fund and its investors; (d) the Fund requires all Authorized Participants purchasing or redeeming Shares on that day to deposit or receive (as applicable) cash in lieu of some or all of the In-Kind Creation Basket or In-Kind Redemption Basket, respectively, solely because (i) certain instruments therein are not eligible for transfer through either the NSCC Process or DTC Process (as described in the Exemptive Application) or (ii) such instruments are not eligible for trading due to local (foreign) trading or transfer restrictions or the like; or (e) the Fund permits an Authorized Participant to deposit or receive (as applicable) cash in lieu of some or all of the In-Kind Creation Basket or In-Kind Redemption Basket, respectively, solely because (i) certain instruments therein are, in the case of the purchase of a Creation Unit, not available in sufficient quantity, (ii) such instruments are not eligible for trading by an Authorized Participant or the investor on whose behalf the Authorized Participant is acting, or (iii) an investor would be subject to unfavorable income tax treatment based on receipt of redemption proceeds in kind. According to the Registration Statement, an additional variable charge for cash or partial cash creations, and cash or partial cash redemptions, may also be imposed to compensate the Fund for the costs associated with buying the applicable securities.

policies, distributions, taxes and reports to be distributed to beneficial owners of the Shares can be found in the Registration Statement, on the Web site for the ValueShares U.S. Quantitative Value ETF and ValueShares International Quantitative Value ETF at www.valueshares.com or on the Web site for the MomentumShares U.S. Quantitative Momentum ETF and MomentumShares International Quantitative Momentum ETF at www.momentumshares.com, as applicable.

Availability of Information

The Funds' Web sites, which will be publicly available prior to the public offering of Shares, will include a form of the prospectus for each applicable Fund that may be downloaded. The Web sites will include additional quantitative information updated on a daily basis, including, for each applicable Fund: (1) the prior business day's NAV and the market closing price or mid-point of the bid/ask spread at the time of calculation of such NAV (the ''Bid/Ask Price''),[31] and a calculation of the premium or discount of the market closing price or Bid/Ask Price against the NAV; and (2) a table showing the number of days the Market Price (as defined by the Commission in Form N–1A) [32] of the Fund Shares was greater than the Fund's NAV and the number of days it was less than the Fund's NAV (*i.e.,* premium or discount) for the most recently completed calendar year, and the most recently completed calendar quarters since that year (or of the life of the Fund, if shorter). Daily trading volume information will be available in the financial section of newspapers, through subscription services such as Bloomberg, Thomson Reuters, and International Data Corporation, which can be accessed by authorized participants and other investors, as well as through other electronic services, including major public Web sites. On each business day, before commencement of trading in Shares during Regular Trading Hours on the Exchange, the Fund will disclose on its Web site the identities and quantities of the portfolio of securities and other assets (the ''Disclosed Portfolio'') held by the Fund that will form the basis for the Fund's calculation of NAV at the end of the business day.[33] The Disclosed Portfolio will include, as applicable, the names, quantity, percentage weighting and market value of securities and other assets held by the Fund and the characteristics of such assets. The Web site and information will be publicly available at no charge.

In addition, for each Fund, an estimated value, defined in BATS Rule 14.11(i)(3)(C) as the ''Intraday Indicative Value,'' that reflects an estimated intraday value of the Fund's portfolio, will be disseminated. Moreover, the Intraday Indicative Value will be based upon the current value for the components of the Disclosed Portfolio and will be updated and widely disseminated by one or more major market data vendors at least every 15 seconds during the Exchange's Regular Trading Hours.[34] In addition, the quotations of certain of each Fund's holdings may not be updated during U.S. trading hours if such holdings do not trade in the United States or if updated prices cannot be ascertained.

The dissemination of the Intraday Indicative Value, together with the Disclosed Portfolio, will allow investors to determine the value of the underlying portfolio of each Fund on a daily basis and provide a close estimate of that value throughout the trading day.

Intraday, executable price quotations on U.S. and non-U.S. securities as well as other assets are available from major broker-dealer firms and for exchange-traded assets, including exchange-listed common stock, Depositary Receipts, and investment companies, such intraday information is available directly from the applicable listing exchange. All such intraday price information is available through subscription services, such as Bloomberg, Thomson Reuters and International Data Corporation, which can be accessed by authorized participants and other investors.

Information regarding market price and volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. The previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last sale information for the Shares will be available on the facilities of the CTA.

Initial and Continued Listing

The Shares will be subject to BATS Rule 14.11(i), which sets forth the initial and continued listing criteria applicable to Managed Fund Shares. The Exchange represents that, for initial and/or continued listing, each Fund must be in compliance with Rule 10A–3 under the Act.[35] A minimum of 100,000 Shares will be outstanding at the commencement of trading on the Exchange. The Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares of a Fund. The Exchange will halt trading in the Shares under the conditions specified in BATS Rule 11.18. Trading may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) the extent to which trading is not occurring in the securities and/or the financial instruments composing the Disclosed Portfolio of a Fund; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. Trading in the Shares also will be subject to Rule 14.11(i)(4)(B)(iv), which sets forth circumstances under which Shares of a Fund may be halted.

Trading Rules

The Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. BATS will allow trading in the Shares from 8:00 a.m. until 5:00 p.m. Eastern Time. The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in BATS Rule 11.11(a), the minimum

[31] The Bid/Ask Price of the Fund will be determined using the highest bid and the lowest offer on the Exchange as of the time of calculation of the Fund's NAV. The records relating to Bid/Ask Prices will be retained by the Fund or its service providers.

[32] The Commission has defined ''Market Price'' in Form N–1A as the ''last reported sale price at which Exchange-Traded Fund shares trade on the principal U.S. market on which the Fund's Shares are traded during a regular trading session or, if it more accurately reflects the current market value of the Fund's Shares at the time the Fund uses to calculate its net asset value, a price within the range of the highest bid and lowest offer on the principal U.S. market on which the Fund's Shares are traded during a regular trading session.''

[33] Under accounting procedures to be followed by each Fund, trades made on the prior business day (''T'') will be booked and reflected in NAV on the current business day (''T+1''). Accordingly, each Fund will be able to disclose at the beginning of the business day the portfolio that will form the basis for the NAV calculation at the end of the business day.

[34] Currently, it is the Exchange's understanding that several major market data vendors display and/or make widely available Intraday Indicative Values published via the Consolidated Tape Association (''CTA'') or other data feeds.

[35] *See* 17 CFR 240.10A–3.

price variation for quoting and entry of orders in Managed Fund Shares traded on the Exchange is $0.01, with the exception of securities that are priced less than $1.00, for which the minimum price variation for order entry is $0.0001.

Surveillance

The Exchange believes that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Managed Fund Shares. The Exchange may obtain information regarding trading in the Shares and the underlying shares in equity securities via the ISG, from other exchanges that are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement. Additionally, not more than 10% of the net assets of each Fund, in the aggregate, will be invested in (1) unlisted or unsponsored Depositary Receipts; (2) Depositary Receipts not listed on an exchange that is a member of ISG or a party to a comprehensive surveillance sharing agreement with the Exchange; or (3) unlisted common stocks or common stocks not listed on an exchange that is a member of the ISG or a party to a comprehensive surveillance sharing agreement with the Exchange. The Exchange prohibits the distribution of material non-public information by its employees.

Information Circular

Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (1) The procedures for purchases and redemptions of Shares in Creation Units (and that Shares are not individually redeemable); (2) BATS Rule 3.7, which imposes suitability obligations on Exchange members with respect to recommending transactions in the Shares to customers; (3) how information regarding the Intraday Indicative Value is disseminated; (4) the risks involved in trading the Shares during the Pre-Opening [36] and After Hours Trading Sessions [37] when an updated Intraday Indicative Value will not be calculated or publicly disseminated; (5) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (6) trading information.

In addition, the Information Circular will advise members, prior to the commencement of trading, of the prospectus delivery requirements applicable to the Fund. Members purchasing Shares from a Fund for resale to investors will deliver a prospectus to such investors. The Information Circular will also discuss any exemptive, no-action, and interpretive relief granted by the Commission from any rules under the Act.

In addition, the Information Circular will reference that the Fund is subject to various fees and expenses described in the Registration Statement. The Information Circular will also disclose the trading hours of the Shares of a Fund and the applicable NAV Calculation Time for those Shares. The Information Circular will disclose that information about the Shares of a Fund will be publicly available on the Fund's Web site. In addition, the Information Circular will reference that the Trust is subject to various fees and expenses described in the Fund's Registration Statement.

2. Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act [38] in general and Section 6(b)(5) of the Act [39] in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares will be listed and traded on the Exchange pursuant to the initial and continued listing criteria in BATS Rule 14.11(i). The Exchange believes that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. If the investment adviser to the investment company issuing Managed Fund Shares is affiliated with a broker-dealer, such investment adviser to the investment adviser shall erect a ''fire wall'' between the investment adviser and the broker-dealer with respect to access to information concerning the composition and/or changes to such investment company portfolio. The Adviser is not a registered broker-dealer and is not affiliated with any broker-dealers. The Exchange may obtain information regarding trading in the Shares and the underlying shares in exchange-listed common stocks, Depositary Receipts, and investment companies via the ISG, from other exchanges that are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement, to the extent that the securities are listed on such exchanges, as further discussed below.[40]

According to the Registration Statement, the U.S. Funds expect that they will have at least 80% of their assets invested in securities of U.S. companies. Similarly, the International Funds expect that they will have at least 90% of their assets invested in securities listed on exchanges that are members or affiliates of the ISG. The Funds will not concentrate their investments in a particular industry or group of industries, as that term is defined in the 1940 Act.[41] The Funds' investments will be consistent with their respective investment objective and will not be used to enhance leverage. Each Fund also may invest its net assets in money market instruments at the discretion of the Adviser. The U.S. Funds will not invest in non-U.S. equity securities.

Additionally, each Fund may hold up to an aggregate amount of 15% of its net assets in illiquid securities (calculated at the time of investment), including Rule 144A securities. Each Fund will monitor its portfolio liquidity on an ongoing basis to determine whether, in light of current circumstances, an adequate level of liquidity is being maintained, and will consider taking appropriate steps in order to maintain adequate liquidity if, through a change in values, net assets, or other circumstances, more than 15% of that Fund's net assets are held in illiquid securities. Illiquid securities include

[36] The Pre-Opening Session is from 8 a.m. to 9:30 a.m. Eastern Time.

[37] The After Hours Trading Session is from 4 p.m. to 5 p.m. Eastern Time.

[38] 15 U.S.C. 78f.

[39] 15 U.S.C. 78f(b)(5).

[40] *See* supra note 14.

[41] *See* supra note 9.

securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets as determined in accordance with Commission staff guidance.

The proposed rule change is designed to promote just and equitable principles of trade and to protect investors and the public interest in that the Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily and that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time. In addition, a large amount of information is publicly available regarding the Funds and the Shares, thereby promoting market transparency. Moreover, the Intraday Indicative Value will be disseminated by one or more major market data vendors at least every 15 seconds during Regular Trading Hours. On each business day, before commencement of trading in Shares during Regular Trading Hours, the Funds will disclose on its Web site the Disclosed Portfolio that will form the basis for each Fund's calculation of NAV at the end of the business day. Pricing information will be available on each Fund's Web site including: (1) The prior business day's NAV and the market closing price or the Bid/Ask Price,[42] and a calculation of the premium or discount of the market closing price or Bid/Ask Price against the NAV; and (2) a table showing the number of days the Market Price (as defined by the Commission in Form N–1A)[43] of the Fund Shares was greater than the Fund's NAV and the number of days it was less than the Fund's NAV (*i.e.,* premium or discount) for the most recently completed calendar year, and the most recently completed calendar quarters since that year (or of the life of the Fund, if shorter). Additionally, information regarding market price and trading of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services, and quotation and last sale information for the Shares will be available on the facilities of the CTA. The Web site for a Fund will include a form of the prospectus for the Fund and additional data relating to NAV and other applicable quantitative information. Trading in Shares of a Fund will be halted under the conditions specified in BATS Rule 11.18. Trading may also be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. Finally, trading in the Shares will be subject to BATS Rule 14.11(i)(4)(B)(iv), which sets forth circumstances under which Shares of the Funds may be halted. In addition, as noted above, investors will have ready access to information regarding each Fund's holdings, the Intraday Indicative Value, the Disclosed Portfolio, and quotation and last sale information for the Shares.

Intraday, executable price quotations on the assets held by the Funds are available from major broker-dealer firms and for exchange-traded assets, including exchange-listed common stock, Depositary Receipts, and investment companies, such intraday information is available directly from the applicable listing exchange. Such intraday price information is available through subscription services, such as Bloomberg, Thomson Reuters and International Data Corporation, which can be accessed by authorized participants and other investors.

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest in that it will facilitate the listing and trading of additional types of actively-managed exchange-traded products that will enhance competition among market participants, to the benefit of investors and the marketplace. As noted above, the Exchange has in place surveillance procedures relating to trading in the Shares and may obtain information via ISG from other exchanges that are members of ISG or with which the Exchange has entered into a comprehensive surveillance sharing agreement. In addition, as noted above, investors will have ready access to information regarding each Fund's holdings, the Intraday Indicative Value, the Disclosed Portfolio, and quotation and last sale information for the Shares.

For the above reasons, the Exchange believes that the proposed rule change is consistent with the requirements of Section 6(b)(5) of 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 purpose of the Act. The Exchange notes that the proposed rule change will facilitate the listing and trading of additional actively-managed exchange-traded products that will enhance competition among market participants, to the benefit of investors and the marketplace.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has 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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date 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 will: (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 proposal is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File No. SR–BATS–2014–026 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 No. SR–BATS–2014–026. 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 Web site (*http://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 changes 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

[42] *See* supra note 31.

[43] *See* supra note 32.

available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR–BATS–2014–026 and should be submitted on or before August 13, 2014.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[44]

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014–17265 Filed 7–22–14; 8:45 am]

BILLING CODE 8011–01–P

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes extensions and revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202–395–6974, Email address: *OIRA_Submission@omb.eop.gov.*

(SSA) Social Security Administration, OLCA, Attn: Reports Clearance Director, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410–966–2830, Email address: *OR.Reports.Clearance@ssa.gov.*

I. The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than September 22, 2014. Individuals can obtain copies of the collection instruments by writing to the above email address.

1. Application for Search of Census Records for Proof of Age—20 CFR 404.716—0960–0097. When preferred evidence of age is not available, or the available evidence is not convincing, SSA may ask the U.S. Department of Commerce, Bureau of the Census, to search its records to establish a claimant's date of birth. SSA collects information from claimants using Form SSA–1535–U3 to provide the Census Bureau with sufficient identification information to allow an accurate search of census records. Additionally, the Census Bureau uses a completed, signed SSA–1535–U3 to bill SSA for the search. The respondents are applicants for Social Security benefits who need to establish their date of birth as a factor of entitlement.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–1535–U3	18,030	1	12	3,606

2. Public Information Campaign—0960–0544. Periodically, SSA sends various public information materials, including public service announcements, news releases, and educational tapes, to public broadcasting systems so they can inform the public about various programs and activities SSA conducts. SSA frequently sends follow-up business reply cards for these public information materials to obtain suggestions for improving them. The respondents are broadcast television sources.

Type of Request: Extension of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total burden (hours)
Television	1,000	2	1	33

3. Medicare Subsidy Quality Review Forms—20 CFR 418(b)(5)—0960–0707. The Medicare Modernization Act (MMA) of 2003 mandated the creation of the Medicare Part D prescription drug coverage program and provides certain subsidies for eligible Medicare beneficiaries to help pay for the cost of prescription drugs. As part of its stewardship duties of the Medicare Part D subsidy program, SSA must conduct periodic quality review checks of the information Medicare beneficiaries report on their subsidy applications (Form SSA–1020). SSA uses the Medicare Quality Review program to conduct these checks. The respondents are applicants for the Medicare Part D subsidy whom SSA chose to undergo a quality review.

Type of Request: Revision of an OMB-approved information collection.

[44] 17 CFR 200.30–3(a)(12).

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes	Estimated total annual burden (hours)
SSA–9301 (Medicare Subsidy Quality Review Case Analysis Questionnaire)	3,500	1	30	1,750
SSA–9302 (Notice of Quality Review Acknowledgement Form for those with Phones)	3,500	1	15	875
SSA–9303 (Notice of Quality Review Acknowledgement Form for those without Phones)	350	1	15	88
SSA–9308 (Request for Information)	7,000	1	15	1,750
SSA–9310 (Request for Documents)	3,500	1	5	292
SSA–9311 (Notice of Appointment—Denial—Reviewer Will Call)	450	1	15	113
SSA–9312 (Notice of Appointment—Denial—Please Call Reviewer)	50	1	15	13
SSA–9313 (Notice of Quality Review Acknowledgement Form for those with Phones)	2,500	1	15	625
SSA–9314 (Notice of Quality Review Acknowledgement Form for those without Phones)	500	1	15	125
SSA–8510 (Authorization to the Social Security Administration to Obtain Personal Information)	3,500	1	5	292
Totals	24,850	–	–	5,923

4. Application to Collect a Fee for Payee Service—20 CFR 416.640.640(a), 416.1103(f)—0960–0719. Sections 205(j)(4)(A) and (B) and 1631(a)(2) of the Social Security Act (Act) allow SSA to authorize certain organizational representative payees to collect a fee for providing payee services. Before organizations may collect this fee, they complete and submit Form SSA–445. SSA uses the information to determine whether to authorize or deny permission to collect fees for payee services. The respondents are private sector businesses or State and local government offices applying to become fee-for-service organizational representative payees.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of responses	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
Private sector business	90	1	10	15
State/local government offices	10	1	10	2
Totals	100	.....	.....	17

5. Redetermination of Eligibility for Help with Medicare Prescription Drug Plan Costs—0960–0723. As per the requirements of the MMA of 2003, SSA conducts low-income subsidy eligibility redeterminations for Medicare beneficiaries who currently receive the Medicare Part D subsidy and who meet certain criteria. Respondents complete Form SSA–1026–REDE under the following circumstances: (1) When individuals became entitled to the Medicare Part D subsidy during the past 12 months; (2) if they were eligible for the Part D subsidy for more than 12 months; or (3) if they reported a change in income, resources, or household size. Part D beneficiaries complete the SSA–1026–SCE when they need to report a potentially subsidy-changing event, including the following: (1) Marriage, (2) spousal separation, (3) divorce, (4) annulment of a marriage, (5) spousal death, or (6) moving back in with one's spouse following a separation. The respondents are current recipients of the Medicare Part D low-income subsidy who will undergo an eligibility redetermination for one of the reasons mentioned above.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–1026–OCR–MS–SCE	9,176	1	18	2,753
SSA–1026–OCR–SM–REDE	161,766	1	18	48,530
Total	170,942	.....	.....	51,283

6. Electronic Records Express (Third Parties)—20 CFR 404.1700–404.1715—0960–0767. Electronic Records Express (ERE) is an online system which enables medical providers and various third party representatives to download and submit disability claimant information electronically to SSA as part of the disability application process. To ensure only authorized people access ERE, SSA requires third parties to complete a unique registration process if they wish to use this system. This information collection request (ICR) includes the third-party registration process; the burden for submitting evidence to SSA is part of other, various ICRs. The respondents are third party

representatives of disability applicants or recipients who want to use ERE to electronically access clients' disability files online and submit information to SSA.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Number of responses	Average burden per response (minutes)	Estimated total annual burden (hours)
ERE	12,000	281	(3,372,000)	1	56,200

7. Screen Pop—20 CFR 401.45—0960–0790. Section 205(a) of the Act requires SSA to verify the identity of individuals who request a record or information pertaining to themselves, and to establish procedures for disclosing personal information. SSA established Screen Pop, an automated telephone process, to increase speed of verification for such individuals. Accessing Screen Pop, callers enter their Social Security number (SSN) using their telephone keypad or speech technology prior to speaking with a National 800 Number Network (N8NN) agent. The automated Screen Pop application collects the SSN and routes it to the ''Start New Call'' Customer Help and Information (CHIP) screen. Functionality for the Screen Pop application ends once the SSN connects to the CHIP screen and the SSN routes to the agent's screen. When the call connects to the N8NN agent, the agent can use the SSN to access the caller's record as needed. The respondents for this collection are individuals who contact SSA's N8NN to speak with an agent.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of responses	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
Screen Pop	55,600,000	1	1	926,667

II. SSA submitted the information collections below to OMB for clearance. Your comments regarding the information collections would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than August 22, 2014. Individuals can obtain copies of the OMB clearance packages by writing to *OR.Reports.Clearance@ssa.gov.*

1. Statement Regarding Date of Birth and Citizenship—20 CFR 404.716—0960–0016. Section 205(a) of the Act gives the Commissioner of SSA the authority to make rules and regulations, and to establish procedures for collecting evidence from individuals applying for Social Security benefits. When individuals apply for Social Security benefits and cannot provide preferred methods of proving age or citizenship, SSA uses Form SSA–702 to establish these facts. Specifically, SSA uses the SSA–702 to establish age as a factor of entitlement to Social Security benefits or U.S. citizenship as a payment factor. Respondents are individuals with knowledge about the date of birth or citizenship of applicants filing for one or more Social Security benefits who need to establish age or citizenship.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–7157	1,200	1	10	200

2. Application for Benefits under a U.S. International Social Security Agreement—20 CFR 404.1925—0960–0448. Section 233(a) of the Act authorizes the President of the United States to broker international Social Security agreements (Totalization Agreements) between the United States and foreign countries. SSA collects information using Form SSA–2490–BK to determine entitlement to Social Security benefits from the United States, or from a country that enters into a totalization agreement with the United States. The respondents are individuals applying for Old Age, Survivors, and Disability Insurance benefits from the United States or from a Totalization Agreement country.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–2490–BK (Modernized Claims System)	14,175	1	30	7,088
SSA–2490–BK (paper)	2,025	1	30	1,013
Totals	16,200	.....	.....	8,101

3. Teacher Questionnaire and Request for Administrative Information—20 CFR 416.1103(f)—0960–0646. When determining the effects of a child's impairment for children applying for Title II childhood disability benefits, SSA obtains information about the child's functioning from teachers, parents, and others who observe the child on a daily basis. SSA obtains results of formal testing, teacher reports, therapy progress notes, individualized education programs, and other records of a child's educational aptitude and achievement using Forms SSA–5665–BK and SSA–5666. The respondents are parents, teachers, and other education personnel.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–5665–BK (electronic)	368,098	1	40	245,399
SSA–5665 (paper form)	2,562	1	40	1,708
SSA–5666 (electronic)	137,590	1	30	68,795
SSA–5666 (paper form)	1,843	1	30	922
Totals	510,093			316,824

4. Medicare Part D Subsidies Regulations—20 CFR 418.3625, 418.3645, 418.3665(a), and 418.3670—0960–0702. The MMA of 2003 established the Medicare Part D program for voluntary prescription drug coverage of premium, deductible, and co-payment costs for certain low-income individuals. The MMA also mandated the provision of subsidies for those individuals who qualify for the program and who meet eligibility criteria for help with premium, deductible, or co-payment costs. This law requires SSA to make eligibility determinations and to provide a process for appealing SSA's determinations. Regulation sections 418.3625(c), 418.3645, 418.3665(a), and 418.3670 contain public reporting requirements pertaining to administrative review hearings. Respondents are applicants for the Medicare Part D subsidies who request an administrative review hearing.

Type of Request: Extension of an existing OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
418.3625(c)	150	1	5	13
418.3645	10	1	20	3
418.3665(a)	300	1	5	25
418.3670	0	1	10	0
Total	460			41

5. Help America Vote Act—0960–0706. House Rule 3295, the Help America Vote Act of 2002, mandates that States verify the identities of newly registered voters. When newly registered voters do not have driver's licenses or State-issued ID cards, they must supply the last four digits of their Social Security number to their local State election agencies for verification. The election agencies forward this information to their State Motor Vehicle Administration (MVA), who inputs the data into the American Association of MVAs, a central consolidation system that routes the voter data to SSA's Help America Vote Verification (HAVV) system. Once SSA's HAVV system has confirmed the identity of the voter, the information will return along the same route in reverse until it reaches the State election agency. The official respondents for this collection are the State MVAs.

Note: This is a correction notice: SSA published the incorrect burden information for this collection at 79 FR 37828 on 07/02/14. We are correcting this error here.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
HAVV	4,878,239	1	2	162,608

Dated: July 18, 2014.

Faye Lipsky,

Reports Clearance Director, Social Security Administration.

[FR Doc. 2014–17275 Filed 7–22–14; 8:45 am]

BILLING CODE 4191–02–P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA–2014–0038]

Finding Regarding Foreign Social Insurance or Pension System—Slovenia

AGENCY: Social Security Administration.

ACTION: Notice of Finding Regarding Foreign Social Insurance or Pension System—Slovenia.

Finding: Section 202(t)(1) of the Social Security Act (42 U.S.C. 402(t)(1)) prohibits payment of monthly benefits to any individual who is not a United States citizen or national for any month after he or she has been outside the United States for 6 consecutive months. This prohibition does not apply to such an individual where one of the exceptions described in section 202(t)(2) through 202(t)(5) of the Social Security Act (42 U.S.C. 402(t)(2) through 402(t)(5)) affects his or her case.

Section 202(t)(2) of the Social Security Act provides that, subject to certain residency requirements of Section 202(t)(11), the prohibition against payment shall not apply to any individual who is a citizen of a country which the Commissioner of Social Security finds has in effect a social insurance or pension system which is of general application in such country and which:

(a) Pays periodic benefits, or the actuarial equivalent thereof, on account of old age, retirement, or death; and

(b) permits individuals who are United States citizens but not citizens of that country and who qualify for such benefits to receive those benefits, or the actuarial equivalent thereof, while outside the foreign country regardless of the duration of the absence.

The Commissioner of Social Security has delegated the authority to make such a finding to the Associate Commissioner of the Office of International Programs. Under that authority, the Associate Commissioner of the Office of International Programs approved a finding that Slovenia, beginning April 1, 1992, has a social insurance system of general application which:

(a) Pays periodic benefits, or the actuarial equivalent thereof, on account of old age, retirement, or death; and

(b) permits United States citizens who are not citizens of Slovenia to receive such benefits, or their actuarial equivalent, at the full rate without qualification or restriction while outside Slovenia.

Accordingly, notice is given that it has been determined and found that Slovenia has in effect, beginning April 1, 1992, a social insurance system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

This determination is our first finding under section 202(t) of the Social Security Act for Slovenia. On April 1, 1992, the United States recognized Slovenia as an independent nation. Before that time, it was considered to be part of former Yugoslavia which, on March 25, 1959, had been determined to have a system that met section 202(t)(2) of the Social Security Act. The system remained in force in Slovenia until the Law on Pension and Disability Insurance went into effect on April 1, 1992. Thus, prior to that date Slovenian citizens were afforded the social insurance exception to the alien nonpayment provision based on the Yugoslavian system which was then in effect.

FOR FURTHER INFORMATION CONTACT: Donna L. Powers, 3700 Robert Ball Building, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–3558.

(Catalog of Federal Domestic Assistance: Program Nos. 96.001 Social Security—Disability Insurance; 96.00S Social Security—Retirement Insurance; 96–004 Social Security—Survivors Insurance).

Dated: July 16, 2014.

Vance Teel,

Associate Commissioner Office of International Programs.

[FR Doc. 2014–17283 Filed 7–22–14; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice: 8806]

Culturally Significant Objects Imported for Exhibition Determinations: ''Henri Matisse: The Cut-Outs''

SUMMARY: Notice is hereby given of the following determinations: 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, and Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257 of April 15, 2003), I hereby determine that the objects to be included in the exhibition ''Henri Matisse: The Cut-Outs,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Museum of Modern Art, New York, New York, from on or about October 12, 2014, until on or about February 8, 2015, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the imported objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6469). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: July 16, 2014.

Kelly Keiderling,

Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2014–17333 Filed 7–22–14; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Connected Vehicle Reference Implementation Architecture Workshop; Notice of Public Meeting

AGENCY: ITS Joint Program Office, Office of the Assistant Secretary for Research and Technology, U.S. Department of Transportation.

ACTION: Notice.

The U.S. Department of Transportation (USDOT) Intelligent Transportation System Joint Program Office (ITS JPO) will host a free Connected Vehicle Reference Implementation Architecture (CVRIA) public workshop meeting to present and seek input on the emerging results of its Connected Vehicle interfaces and standards analysis. The public meeting will take place August 20, 2014, 8:30 a.m.–5:00 p.m. PDT and August 21, 2014, 8:30 a.m.–4:00 p.m. PDT at the Holiday Inn Golden Gateway Hotel, 1500 Van Ness Ave, San Francisco, California 94109.

To register for the CVRIA Workshop, please visit *www.itsa.org/cvriaregistration.*

The results of an initial USDOT led analysis will be presented and feedback will be sought during this public workshop. The agenda will focus discussion on:

- Which interfaces have been identified as candidates for standardization;
- The process used for the identification and prioritization of these interfaces and associated information exchanges; and
- Results from the analysis which:
  - Identify how standards that exist today may satisfy interface and exchange needs or may require some level of modification; and
  - Identify standards gaps that exist.

It is expected that results from this analysis will inform USDOT decision making regarding future support of specific standards activities. The project is sponsored and led by the USDOT's ITS JPO as part of the ITS Architecture and Standards Program and Systems Engineering and Test Bed Program efforts.

Updates will be available on the ITS Program Web site at: *http://www.its.dot.gov/* under Press Room: Public Meetings and Events, and on the ITS Standards Web site at: *http://www.standards.its.dot.gov/DevelopmentActivities/CVReference.*

SUPPLEMENTARY INFORMATION: As the results of the CVRIA, interface analysis, and standardization efforts are expected to affect a wide variety of public and private organizations, it is important that the analyses incorporate, as appropriate, the needs and requirements of the CV community. This workshop is an appropriate opportunity for external stakeholders to engage in the standards discussion.

For further information, please contact Carlos Alban, Transportation Program Specialist, Intelligent Transportation Society of America, 1100 New Jersey Ave. SE., Suite 850, Washington, DC 20003, 202–721–4223, *calban@itsa.org.*

Issued in Washington, DC, on the 17th day of July 2014.

John Augustine,

Managing Director, ITS Joint Program Office.

[FR Doc. 2014–17289 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE–2014–46]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number and must be received on or before August 12, 2014.

ADDRESSES: You may send comments identified by Docket Number FAA–2014–0400 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202–493–2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Docket: To read background documents or comments received, go to *http://www.regulations.gov* at any time or to the Docket Management Facility in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jake Troutman, (202) 267–9521, 800 Independence Avenue SW., Washington, DC, 20951.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on July 17, 2014.

Brenda D. Courtney,

Acting Director, Office of Rulemaking.

Petition for Exemption

Docket No.: FAA–2014–0400

Petitioner: AeroCine, LLC

Section of 14 CFR: parts 21 subpart H, 45.23(b), 61.113(a) and (b), 91.7(a), 91.9(b)(2), 91.103(b), 91.109, 91.119, 91.121, 91.151(a), 91.203(a) and (b), 91.405(a), 91.407(a)(1), 91.409(a)(2), 91.417(a) and (b).

Description of Relief Sought: AeroCine is seeking to commercially operate its fleet of small unmanned vehicles and lightweight unmanned aircraft vehicles in motion picture or television operations, to conduct its own research and to develop economic platforms for law enforcement and first responders.

[FR Doc. 2014–17369 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Revised Notice of Intent

AGENCIES: The Federal Highway Administration (FHWA), DOT.

ACTION: Revised Notice of Intent

SUMMARY: FHWA is issuing this revised notice of intent to advise the public of modifications to the environmental review process for the US 219 Project in Garrett County, Maryland, and Somerset County, Pennsylvania. These modifications include a change in the lead Federal agency from the FHWA Pennsylvania Division Office to the FHWA DelMar Division Office and the intent of FHWA to utilize the environmental review provisions afforded under Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) and under Section 1319 of the Moving Ahead for the Progress in the 21st Century Act (MAP–21). This notice revises the NOI

that was published in the **Federal Register** on October 17, 2003.

FOR FURTHER INFORMATION CONTACT: Nick Blendy, Environmental Protection Specialist, Federal Highway Administration, DelMar Division, (410) 962–4440, or email *nick.blendy@dot.gov;* Carmeletta Harris, MDSHA Project Manager 410–545–8522, or email: *charris@sha.state.md.us;* or Gregory Illig, P.E., PennDOT Senior Project Manager, 814–696–7170, or email: *gillig@pa.gov.*

SUPPLEMENTARY INFORMATION: On October 17, 2003, FHWA, in cooperation with MDSHA and PennDOT, issued an NOI to prepare an Environmental Impact Statement (EIS) for a proposed transportation project along Section 019 of U.S. 219. This section extends from the southern terminus of the Meyersdale Bypass in Somerset County, Pennsylvania to I–68 in Garrett County, Maryland. The US 219 project limits remain the same as previously proposed in 2003 and the total length of the project remains approximately 8 miles, with about 2.5 miles in Maryland and 5.5 miles in Pennsylvania.

The agencies will continue to work together to complete the environmental review process and move the project forward within a reasonable and feasible timeframe. This will accomplish the goals of Section 1528 of MAP–21, which addresses the Appalachian Development Highway System (ADHS) and timely completion of the designated ADHS in 13 States that comprise the Appalachian region. The EIS will utilize and update data and information developed since the 2003 NOI was published, including the project purpose and need and alternatives, which were developed as a result of agency coordination and public input. The US 219 project is currently funded for project planning only and is intended to advance the project to a draft EIS and final EIS including consideration of new alternatives based on public and agency comments. The US 219 Project Public Involvement Program and coordination with Federal, state, and local agencies that began in 2003 will continue. To ensure that a full range of alternatives or issues related to this proposed action are addressed and all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning the proposed actions for the project should be directed to FHWA, MDSHA, or PennDOT at the contact information provided above.

Gregory Murrill,

DelMar Division, Administrator, Maryland, Baltimore, Maryland.

[FR Doc. 2014–17375 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–22–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2014 0109]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel Jennie; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before August 22, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0109. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel Jennie is:

Intended Commercial Use of Vessel: ''Passenger day and extended trips under sail''

Geographic Region: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas

The complete application is given in DOT docket MARAD–2014–0109 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

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 signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: July 15, 2014.

Christine Gurland,

Acting Secretary, Maritime Administration.

[FR Doc. 2014–17253 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD 2014 0108]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel Gemini Girl; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation,

as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before August 22, 2014.

ADDRESSES: Comments should refer to docket number MARAD–2014–0108. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Linda Williams, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–0903, Email *Linda.Williams@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel Gemini Girl is:

Intended Commercial Use of Vessel: ''Passengers for hire''

Geographic Region: ''California, Oregon, Washington State, and Alaska (excluding waters in Southeastern Alaska and waters north of a line between Gore Point to Cape Suckling [including the North Gulf Coast and Prince William Sound]).''

The complete application is given in DOT docket MARAD–2014–0108 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR Part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR Part 388.

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 signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78).

By Order of the Maritime Administrator.

Dated: July 15, 2014.

Christine Gurland,

Acting Secretary, Maritime Administration.

[FR Doc. 2014–17251 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket ID PHMSA–RSPA–2004–19854]

Notice of Public Webinar on Implementation of Gas Pipeline Distribution Integrity Management Programs

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of Public Webinar.

SUMMARY: Gas distribution pipeline operators were required to have prepared and implemented distribution integrity management programs (DIMP) by August 2, 2011. Federal and state regulators have been inspecting those programs and their implementation since that date. This webinar will be an opportunity for the regulators to share their experience with implementation topics with the public and the regulated community. The webinar will also include discussion of analyses of the 2013 submissions of data concerning mechanical fitting failures in gas distribution pipelines.

DATES: The webinar will be held on September 4, 2014, from 11:00 a.m. to 12:30 p.m. EDT.

FOR FURTHER INFORMATION CONTACT: Chris McLaren by email at *Chris.Mclaren@dot.gov* or by phone at 281–216–4455.

ADDRESSES: Members of the public may attend this free webinar. To help assure that adequate space is provided, all attendees are required to register for the webinar at *http://opsweb.phmsa.dot.gov/webinars.* Upon registration, LiveMeeting information will be distributed. Due to the limited capacity, we encourage and request that parties at the same location share a LiveMeeting link for the video portion of the webinar and share a standard phone line for the teleconferenced voice portion of the webinar. Refer to the DIMP Web site for additional information on distribution integrity management: *http://primis.phmsa.dot.gov/dimp/index.htm.*

Copies of the presentations provided in the webinar will be available on the DIMP Web site within 30 days following the webinar.

Comments: Members of the public may also submit written comments, either before, during, or after the webinar. Comments should reference Docket ID PHMSA–RSPA–2004–19854. Comments and questions can be submitted during the webinar through LiveMeeting. Instructions describing how to submit questions will be given at the beginning of the webinar. Comments may be submitted before or after the webinar in the following ways:

- *DIMP Web site: http://primis.phmsa.dot.gov/dimp/comment.htm.* This site allows the public to enter questions and comments about DIMP before or after the webinar. Instructions for submitting comments are provided on that Web site.
- *E-Gov Web site: http://www.regulations.gov.* This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the instructions for submitting comments.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management System, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590.
- *Hand Delivery:* Dot Docket Management System, Room W12–140, on the ground floor of the West Building, 1200 New Jersey Avenue SE., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: Identify the Docket ID at the beginning of your comments. If you submit your comments by mail, submit two copies. If you wish to receive confirmation that PHMSA has received your comments, include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov.* **Note:** Comments will be posted without changes or edits to *http://www.regulations.gov* including

any personal information provided. Please see the Privacy Act statement immediately following for additional information.

Privacy Act Statement: Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000 (65 FR 19477).

Information on Services for Individuals with Disabilities: For information on facilities or services for individuals with disabilities, or to request special assistance during the webinar, please contact Chris McLaren at 281–216–4455 by August 4, 2014.

SUPPLEMENTARY INFORMATION: The DIMP final rule was published December 4, 2009, (74 FR 63906) and became effective on August 2, 2011. DIMP supplemented the existing requirements applicable to gas distribution pipeline systems by adding performance-based requirements for risk management. It requires pipeline operators to analyze their pipeline systems, identify threats and risks that may be unique to their systems and take appropriate actions to address those threats and risks. DIMP is designed to improve the safety performance of gas distribution pipelines by ensuring that distribution pipeline operators use available data and prioritize their risk mitigation activities.

A DIMP Implementation Team (Team) was created as a collaboration of state and Federal regulators to support improvements in the integrity of the Nation's gas distribution pipeline systems through development of inspection methods and guidance for the evaluation of an operator's distribution integrity management program. Regulation of gas distribution pipeline systems and oversight of DIMP implementation is largely the responsibility of PHMSA's state partners. The Team recognized the challenges posed by the individual characteristics of each state's oversight program and operating conditions as well as the challenges that distribution system operators would face in building an integrity management culture. Due to the high level, risk-based, performance-oriented nature of the regulations contained in §§ 192.1001 and 192.1015, the Team recognized that operators could benefit from guidance in implementing their programs. The team sponsored two webinars to provide operators with information and to direct operators to resource material prior to the August 2, 2011, effective date of the rule by which time operators were required to have developed and implemented their DIMP plans. These webinars were conducted on May 10, 2011, and June 8, 2011.

Following the August 2, 2011, deadline by which distribution pipeline operators must have developed and implemented their DIMP plans, the team sponsored a webinar on January 25, 2012, and a public meeting on June 27, 2012. The material presented at these events summarized early inspection experiences, including the types of concerns identified by regulators and operators and where the initial inspection experience indicates that operators should devote additional attention to assure compliance.

States are implementing the DIMP rule in accordance with the applicable certification under 49 U.S.C. 60105 or agreement under section 60106. State inspectors will participate in this webinar, but not all states may participate. Since regulatory structures differ among states and some states have established more stringent requirements, operators should contact the state authority regulating their distribution pipeline system for more information.

The DIMP rule also required distribution pipeline operators to report failures of mechanical fittings that result in hazardous leaks. Such failures have been the cause of a number of serious accidents on distribution pipelines. Collection of this data is intended to facilitate better understanding of the causes of fitting failures and actions that can/should be taken to prevent future failures. Operators have the option of submitting reports as failures occur or of submitting all reports for a calendar year by March 15 of the following year. The new reporting requirement became effective on April 4, 2011. Operators have submitted reports to PHMSA for failures occurring in 2011, and by the time of this webinar, operators will have submitted reports to PHMSA for failures occurring in 2013. These reports will be analyzed prior to the webinar and PHMSA will discuss the results of these analyses. Stakeholders should note that lessons from mechanical fitting failure reporting may be preliminary at this time. With only three years' worth of data, any trends or analyses will be based on a limited set of data. The analyses will provide some information that will be shared with stakeholders.

Preliminary Webinar Agenda

September 4, 2014 DIMP Implementation Webinar Agenda

- Welcome, Introductions, and Overview
- A new DIMP Inspection Form for Field Observations and Records Review
- Regulator's Inspection Findings from DIMP inspections Conducted to Date
- Mechanical Fitting Failure Reporting Data and Analyses
- Operator Discussion on Successes and Lessons Learned from Implementing DIMP
- Plastic Pipe Ad Hoc Committee (NAPSR and PHMSA Team) Activities
- Question & Answer Session
- Session Concludes

Issued in Washington, DC on July 17, 2014.

Alan K. Mayberry,

Deputy Associate Administrator for Policy and Programs.

[FR Doc. 2014–17250 Filed 7–22–14; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF THE TREASURY

United States Mint

Pricing for the 2014 National Baseball Hall of Fame Young Collectors Set

AGENCY: United States Mint, Department of the Treasury.

ACTION: Notice.

SUMMARY: The United States Mint is announcing a price of $24.95 for the 2014 National Baseball Hall of Fame Young Collectors Set.

FOR FURTHER INFORMATION CONTACT: J. Marc Landry, Acting Associate Director for Sales and Marketing; United States Mint; 801 9th Street NW., Washington, DC 20220; or call 202–354–7500.

Authority: 31 U.S.C. 5111, 5112 & 9701

Dated: July 18, 2014.

Richard A. Peterson,

Deputy Director, United States Mint.

[FR Doc. 2014–17329 Filed 7–22–14; 8:45 am]

BILLING CODE 4810–37–P

FEDERAL REGISTER

Vol. 79 Wednesday,

No. 141 July 23, 2014

Part II

Office of Personnel Management

SES Positions That Were Career Reserved During CY 2013; Notice

OFFICE OF PERSONNEL MANAGEMENT

SES Positions That Were Career Reserved During CY 2013

AGENCY: U.S. Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: As required by section 3132(b)(4) of title 5, United States Code, this gives notice of all positions in the Senior Executive Service (SES) that were career reserved during calendar year 2013.

FOR FURTHER INFORMATION CONTACT: Eloise Jefferson, Senior Executive Resources Services, Senior Executive Services and Performance Management, Employee Services, 202–606–2246.

SUPPLEMENTARY INFORMATION: Below is a list of titles of SES positions that were career reserved at any time during calendar year 2013, regardless of whether those positions were still career reserved as of December 31, 2013. Section 3132(b)(4) of title 5, United States Code, requires that the head of each agency publish such lists by March 1 of the following year. The Office of Personnel Management is publishing a consolidated list for all agencies.

Agency	Organization	Title
ADMINISTRATIVE CONFERENCE OF THE UNITED STATES.	Administrative Conference of the United States.	General Counsel.
		Executive Director.
ADVISORY COUNCIL ON HISTORIC PRESERVATION.	Office of the Executive Director	Executive Director.
DEPARTMENT OF AGRICULTURE	Office of Communications	Deputy Director, Creative Development.
	Office of the Chief Information Officer.	Deputy Chief Information Officer, Operations.
		Associate Chief Information Officer
	Office of the Chief Financial Officer.	Deputy Chief Financial Officer.
		Associate Chief Financial Officer for Financial Policy and Planning.
		Associate Chief Financial Officer, Financial Systems Planning and Management.
	National Finance Center	Director, Information Resources Management Division.
		Director, Financial Services Division.
		Deputy Director, National Finance Center.
	Office of the General Counsel	Assistant General Counsel.
		Associate General Counsel, General Law and Research Division.
	Office of the Chief Economist	Director Global Change Program Office.
		Chairperson.
		Director, Office of Energy Policy and New Uses.
		Director, Office of Risk Assessment and Cost-Benefit Analysis.
	Office of Human Resources Management.	Provost, United States Department of Agriculture Virtual University.
	Office of Advocacy and Outreach	Director, Office of Advocacy and Outreach.
	Office of Operations	Director Office of Operations.
	Procurement and Property Management.	Director, Procurement and Property Management.
		Associate Director, Procurement and Property Management.
	Rural Business Service	Deputy Administrator, Business Programs.
	Rural Housing Service	Deputy Administrator, Multi-Family Housing.
		Director, Human Resources.
		Budget Officer.
		Deputy Administrator, Centralized Servicing Center.
		Chief Financial Officer.
		Administrator, Operations and Management.
		Deputy Administrator for Operations and Management.
	Agricultural Marketing Service	Deputy Administrator, Fruit and Vegetable Programs.
		Deputy Administrator, Dairy Programs.
		Deputy Administrator, Information Technology Services.
		Associate Administrator.
		Deputy Administrator, Science and Technology Programs.
		Deputy Administrator, Poultry Programs.
		Deputy Administrator, Transportation and Marketing Programs.
		Deputy Administrator, Cotton and Tobacco Programs.
		Deputy Administrator for National Organic Programs.
		Deputy Administrator, Livestock and Seed Programs.
		Deputy Administrator, Compliance and Analysis.
	Animal and Plant Health Inspection Service.	Assistant Deputy Administrator, Emergency and Domestic Programs.
		Associate Deputy Administrator for Animal Care.
		Associate Deputy Administrator for Marketing and Regulatory Programs—Business Services.
		Deputy Administrator for Marketing and Regulatory Programs—Business Services.
		Director, Eastern Region, Wildlife Services.
		Director, Western Region, Wildlife Services.
		Associate Deputy Administrator, Veterinary Services, Emergency Programs.
		Deputy Administrator, Biotechnology Regulatory Programs.

Agency	Organization	Title
		Director, Center for Veterinary Biologics.
		Associate Deputy Administrator, Wildlife Services.
		Deputy Administrator, Animal Care.
		Chief Information Officer.
		Chief Financial Officer.
		Chief Advisor (Government, Academia and Industry Partnership).
		Deputy Administrator, Wildlife Services.
		Human Resources Officer.
		Director, National Wildlife Research Center.
		Director, Investigative and Enforcement Services.
		Director, Information Technology Division.
		Director, Center for Plant Health Science and Technology.
		Associate Deputy Administrator, Emerging and International Programs.
		Deputy Administrator, Legislative and Public Affairs.
		Deputy Administrator for International Services.
	Veterinary Services	Director, Center for Epidemiology and Animal Health.
		Associate Deputy Administrator, National Animal Health Policy Programs.
		Director, Western Region, Veterinary Services.
		Director, Eastern Region, Veterinary Services.
	Plant Protection and Quarantine Service.	Director, Western Region, Plant Protection and Quarantine.
		Director, Plant Health Programs, Plant Protection and Quarantine.
		Director, Eastern Region, Plant Protection and Quarantine.
	Food Safety and Inspection Service.	International Affairs Liaison Officer.
		Deputy Assistant Administrator, Office of Policy and Program Development.
		Executive Associate for Regulatory Operations, Office of Field Operations.
		Deputy Assistant Administrator, Office of Program Evaluation Enforcement and Review.
		Assistant Administrator, Office of Policy and Program Development.
		Deputy Administrator.
		Chief Information Officer.
		Chief Financial Officer.
		Assistant Administrator, Office of Field Operations.
		Deputy Administrator.
		Deputy Assistant Administrator, Office of Data Integration and Food Program.
		Assistant Administrator, Office of Data Integration and Food Protection.
		Assistant Administrator, Office of Management.
		Assistant Administrator, Office of Public Affairs, Education and Outreach.
		Executive Associate for Public Health.
		Executive Associate for Regulatory Operations, Office of Field Operations.
		Deputy Assistant Administrator, Office of Management.
		United States Manager for Codex.
		Assistant Administrator, Office of Program Evaluation Enforcement and Review.
		Deputy Assistant Administrator, Office of Public Health Science.
		Deputy Assistant Administrator, Office of Field Operations.
		Assistant Administrator.
		Assistant Administrator, Office of International Affairs.
		Executive Associate for Laboratory Services, Office of Public Health Science.
		Executive Associate for Regulatory Operations, Office of Field Operations.
		Deputy Assistant Administrator, Office of International Affairs.
		Executive Associate for Regulatory Operations, Office of Field Operations.
		Assistant Administrator, Office of Catfish Inspection Programs.
	Food and Nutrition Service	Associate Administrator for Management and Finance.
		Program Manager (Deputy Administrator for Management).
		Financial Manager.
		Program Manager (Associate Administrator for Regional Operations and Support).
		Director, Office of Research, Nutrition and Analysis.
	Foreign Agricultural Service	Associate Administrator (Chief Operating Officer).
		Deputy Administrator, Office of Scientific and Technical Affairs.
		Deputy Administrator, Office of Global Analysis.

Agency	Organization	Title
	Farm Service Agency	Deputy Administrator for Farm Loan Programs.
		Director, Conservation Environment Programs Division.
		Assistant Deputy Administrator Farm Programs.
		Director, Human Resources Division.
		Director, Office of Budget and Finance.
	Risk Management Agency	Deputy Administrator for Research and Development.
		Deputy Administrator for Insurance Services Division.
	Office of the Under Secretary for Research, Education, and Economics.	Director's Office of the United States Department of Agriculture, Chief Scientist.
	Agricultural Research Service	Associate Deputy Administrator for Administrative and Financial Management.
		Deputy Administrator for Administrative and Financial Management.
		Deputy Administrator, Nutrition, Food Safety and Quality.
		Director, Office of International Research Programs.
		Deputy Administrator, Animal Production and Protection.
		Associate Administrator, Research Operations and Management.
		Chief Information Officer.
		Assistant Administrator for Technology Transfer.
		Director, National Animal Disease Center.
		Director, Office of Pest Management Policy.
		Chief Financial Officer.
	National Program Staff Office	Deputy Administrator.
		Associate Administrator, National Programs.
		Deputy Administrator for Natural Resources and Sustainable Agriculture Systems.
	Beltsville Area Office	Associate Director Beltsville Area.
		Director, United States National Arboretum.
		Director, Beltsville Agricultural Research Center.
		Associate Director, Beltsville Agricultural Research Center.
		Director Beltsville Area Office.
	North Atlantic Area Office	Associate Director, North Atlantic Area.
		Director, North Atlantic Area.
		Director, Eastern Regional Research Center.
	South Atlantic Area Office	Director, South Atlantic Area.
		Associate Director South Atlantic Area.
	Midwest Area Office	Director, National Center for Agriculture Utilization.
		Associate Director, Midwest Area.
		Director, Midwest Area.
	Mid-South Area Office	Associate Director, Mid-South Area.
		Director, Mid-South Area.
		Director, Southern Regional Research Center.
	Southern Plains Area Office	Associate Director, Southern Plains Area.
		Director Southern Plains Area.
	Northern Plains Area Office	Associate Director, Northern Plains Area Office.
		Director, Northern Plains Area.
		Director, United States Meat Animal Research Center.
	Pacific West Area Office	Associate Director, Pacific West Area Office.
		Director, Western Human Nutrition Research Center.
		Director, Pacific West Area Office.
		Director, Western Regional Research Center.
	National Institute of Food and Agriculture.	Assistant Director, Office of Information Technology.
		Assistant Director, Institute of Food Safety and Nutrition.
		Assistant Director, Office of Grants and Financial Management.
		Assistant Director, Institute of Bioenergy, Climate, and Environment.
	Economic Research Service	Associate Administrator, Economic Research Service.
		Director, Food Economics Division.
		Director, Resource and Rural Economics Division.
		Director, Information Services Division.
		Director, Market and Trade Economics Division.
		Administrator, Economic Research Service.
	National Agricultural Statistics Service.	Director, Information Technology Division.
		Director, Statistics Division.
		Director, Census and Survey Division.
		Director, Eastern Field Operations.
		Director, Research and Development Division.
		Director, Western Field Operations.
		Director, National Operations Center.
		Chairperson of the United States Agricultural Statistics Board.
		Administrator, National Agricultural Statistics Service.
		Associate Administrator.
		Director, Methodology Division.

Agency	Organization	Title
	Natural Resources Conservation Service.	Chief Financial Officer.
		Director, Easement Programs Division.
		Special Assistant to Chief.
		Director, Resource Assessment Division.
		Deputy Chief for Programs.
		Director, Financial Assistance Programs Division.
		Special Assistant to the Chief.
		Regional Conservationist (Northeast).
		Director, Ecological Sciences Division.
		Director, Conservation Engineering Division.
		Director, Soil Survey Division.
		Associate Deputy Chief for Management.
		Director, Resource Economics, Analysis and Policy Division.
		Director, Conservation Planning and Technical Assistance Division.
		Director, Resource Inventory Division.
		Deputy Chief for Strategic Planning and Accountability.
		Special Assistant to Chief.
	Forest Service	Deputy Chief, Business Operations.
		Chief Financial Officer.
		Director, Fire and Aviation Staff.
		Director, Acquisition Management.
		Associate Deputy Chief, Research and Development (2).
		Director, Law Enforcement and Investigations.
		Associate Deputy Chief for Business Operations.
	Research	Director, Science Policy, Planning, and Information Staff.
		Director, Forest Management Sciences.
		Director, Environmental Sciences.
		Director, Resource Use Sciences.
	National Forest System	Director, Rangeland Management.
		Director, Ecosystem Management Coordination.
		Director, Water, Fish, Wasteland, Air and Rare Plants.
		Director, Lands Management Staff.
		Director, Forest Management Staff.
		Director, Minerals and Geology Management Staff.
		Director, Engineering.
	State and Private Forestry	Director, Forest Health Protection.
		Director Cooperative Forestry.
		Senior Advisor to the Deputy Chief, State and Private Forestry.
	Field Units	Director, Southern Research Station (Asheville).
		Northeast Area Director, State and Private Forestry.
		Station Director, North Eastern Forest Experiment Station (Newtown Square).
		Director, Pacific Northwest Research Station.
		Director, Pacific Southwest Forest and Range Experiment Station (Vallejo).
		Director, Rocky Mountain Forest and Range Experiment Station (Fort Collins).
		Director, Forest Products Laboratory (Madison).
	International Forest System	Director International Institute of Tropical Forest (Rio Piedras).
DEPARTMENT OF AGRICULTURE OFFICE OF THE INSPECTOR GENERAL.	Department of Agriculture Office of the Inspector General.	Counsel to the Inspector General.
		Deputy Inspector General.
	Assistant Inspector General for Management.	Assistant Inspector General for Management.
	Assistant Inspector General for Audit.	Assistant Inspector General for Audit.
		Deputy Assistant Inspector General for Audit (3).
	Assistant Inspector General for Investigations.	Deputy Assistant Inspector General for Investigations.
		Assistant Inspector General for Investigations.
AMERICAN BATTLE MONUMENTS COMMISSION.	Executive Director	Deputy Secretary.
	Director, European Region	Director, European Region.
ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (UNITED STATES ACCESS BOARD).	Architectural and Transportation Barriers Compliance Board (United States Access Board).	Executive Director.
		Director Office of Technical and Information Services.
BROADCASTING BOARD OF GOVERNORS.	International Broadcasting Bureau	Associate Director for Management.
		Deputy for Engineering Resource Control.
		Deputy for Network Operations.

Agency	Organization	Title
CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD.	Office of the Chief Operating Officer.	Chief Operating Officer.
DEPARTMENT OF COMMERCE ...	Department of Commerce	Deputy Chief Financial Officer/Deputy Chief Administrative Officer.
		Deputy Assistant Inspector General for Auditing.
		Director, Governmental Affairs.
		General Counsel.
	Office of the Chief Information Officer.	Director of Cyber Security and Chief Information Security Officer.
		Special Assistant for Program Management.
		Deputy Chief Information Officer and Chief Technology Officer.
	Office of the General Counsel	Chief, Ethics Division.
		Assistant General Counsel for Finance and Litigation.
	Office of the Chief Financial Officer and Assistant Secretary for Administration.	Deputy for Acquisition Program Management.
		Executive Director, Business United States of America.
		Deputy for Procurement Performance Excellence.
		Director for Facilities and Environmental Quality.
		Deputy Director, Office of Budget.
		Deputy Chief Information Officer for Management and Business Operations.
		Deputy Assistant Secretary for Resource Management.
		Director of the Office of Budget.
		Director, Office of Acquisition Management.
		Director, Human Resources Operations Center.
		Deputy Director for Administrative Services and Building Management.
	Office of the Deputy Assistant Secretary for Administration.	Director, Office of Security.
		Deputy for Procurement Management, Policy and Performance Excellence.
		Deputy Director for Sustainability and Facilities Asset Management.
		Director, Human Capital Strategy and Diversity.
		Deputy Director for Acquisition Management.
	Office of Human Resources Management.	Deputy Director for Human Resources Management and Deputy Chief Human Capital Officer.
		Director for Human Resources Management and Chief Human Capital Officer.
		Deputy Director for Human Resources Management.
		Director for Human Resources Management.
	Office of the Deputy Chief Financial Officer for Financial Management.	Director for Financial Management and Deputy Chief Financial Officer.
		Director for Financial Management.
		Director, Financial Reporting and Internal Controls.
	Office of Budget	Director, Office of Budget.
	Office of Security	Deputy Director, Office of Security.
	Office of the Inspector General	Deputy Assistant Inspector General for Economic and Statistical Program Assessment.
		Assistant Inspector General for Administration.
		Assistant Inspector General for Systems Evaluation.
	Office of Counsel to the Inspector General.	Counsel to the Inspector General.
	Office of Inspections and Program Evaluation.	Assistant Inspector General for Inspections and Program Evaluation.
	Office of Audits	Assistant Inspector General for Auditing.
	Office of Investigations	Assistant Inspector General for Investigations.
	Economics and Statistics Administration.	Chief Financial Officer and Director for Administration.
	Bureau of the Census	Chief, Center for Economic Studies and Chief Economist.
		Assistant Director for American Community Survey and Decennial Census.
		Chief, Field Division.
		Chief, Human Resources Division.
		Senior Advisor for Service Delivery.
		Chief, Decennial Research and Planning Office.
		Associate Director for 2020 Census.
		Chief, Center for Administrative Records Research and Applications.
		Assistant Director for Research and Methodology.
		Associate Director for Research and Methodology.
		Chief Technology Officer.
		Senior Advisor for Project Management.
		Associate Director for Administration and Chief Financial Officer.
		Chief, Budget Division.

Agency	Organization	Title
		Associate Director for Performance Improvement.
		Associate Director for Information Technology and Chief Information Officer.
	Office of the Director	Associate Director for Field Operations.
		Chief Decennial Systems and Contracts Management Office.
	Administrative and Customer Services Division.	Chief Administrative and Customer Services Division.
	Associate Director for Finance and Administration.	Chief, Acquisition Division.
		Chief, Finance Division.
	Data Preparation Division	Chief National Processing Center.
	Associate Director for Economic Programs.	Assistant Director for Economic Programs.
		Associate Director for Economic Programs.
	Economic Planning and Coordination Division.	Chief, Economic Planning and Coordination Division.
	Economic Statistical Methods and Programming Division.	Chief, Economic Programming Division.
	Agriculture and Financial Statistics Division.	Chief Company Statistics Division.
	Services Division	Chief Service Sector Statistics Division.
	Foreign Trade Division	Chief, Foreign Trade Division.
	Governments Division	Chief, Governments Division.
	Manufacturing and Construction Division.	Chief, Manufacturing and Construction Division.
	Associate Director for Decennial Census.	Chief, American Community Survey Office.
		Associate Director for Decennial Census.
	Decennial Management Division	Chief Decennial Management Division.
	Geography Division	Chief, Geography Division.
	Decennial Statistical Studies Division.	Chief, Decennial Statistical Studies Division.
	Associate Director for Demographic Programs.	Associate Director for Demographic Programs.
		Chief, Population Division.
		Assistant Director for Demographic Programs.
		Chief Demographic Surveys Division.
	Housing and Household Economic Statistics Division.	Chief, Social, Economic, and Housing Statistics Division.
	Demographic Statistical Methods Division.	Chief, Demographic Statistical Methods Division.
	Statistical Research Division	Chief Statistical Research Division.
	Bureau of Economic Analysis	Associate Director for Industry Accounts.
		Chief, Balance of Payments Division.
		Chief Administrative Officer.
		Chief Information Officer.
		Chief Direct Investment Division.
	Office of the Director	Director, Bureau of Economic Analysis.
		Deputy Director, Bureau of Economic Analysis.
		Chief Economist.
		Chief Statistician.
	Associate Director for Regional Economics.	Associate Director for Regional Economics.
	Associate Director for International Economics.	Associate Director for International Economics.
	Associate Director for National Income, Expenditure and Wealth Accounts.	Chief National Income and Wealth Division.
		Associate Director for National Income, Expenditure and Wealth Accounts.
	Bureau of Industry and Security	Chief Financial Officer and Director of Administration.
		Deputy Chief Financial Officer
		Director, Office of Enforcement Analysis
	Office of the Assistant Secretary for Export Enforcement.	Deputy Director, Office of Export Enforcement.
		Director, Office of Export Enforcement.
		Deputy Assistant Secretary for Export Enforcement.
	Office of the Assistant Secretary for Economic Development.	Chief Financial Officer/Chief Administrative Officer (Chief Financial Officer/Chief Administrative Officer).
	Office of the Deputy Assistant Secretary.	Chief Financial Officer and Chief Administrative Officer.
	International Trade Administration	Executive Director for Antidumping and Countervailing Duty Operations.
		Senior Director, China/Non-Market Economy Compliance Unit.

Agency	Organization	Title
	Office of the Under Secretary	Chief Financial and Administrative Officer.
	Office of the Deputy Under Secretary.	Deputy Chief Financial and Administrative Officer.
	Assistant Secretary for Market Access and Compliance.	Director Trade Compliance Center.
	Market Access and Compliance	Director, Office of China Economic Area.
		Director, Office of Multilateral Affairs.
	Deputy Assistant Secretary for Trade Agreements and Compliance.	Associate Director for Management.
	National Oceanic and Atmospheric Administration.	Deputy Director, Office of Satellite and Product Operations.
		Chief Information Officer and Director for High Performance Computing and Communications.
		Director, Space Weather Prediction Center.
		Chief Financial Officer/Chief Administrator Officer.
		Deputy Director, Acquisition and Grants Office.
		Director, Office of Education.
		Director, Ocean Prediction Center.
		Deputy Assistant Administrator for Systems.
		Director, Integrated Ocean Observing System.
		Chief Administrative Officer.
		Director, Office of Ocean Exploration and Research.
		Deputy Director, Office of Marine and Aviation Operations.
		Director, Program Risk Management.
		Chief Information Officer for National Environmental Satellite, Data, and Information Services.
		Chief, Resource and Operations Management.
		Director, Acquisition and Grants Office.
		Deputy Director for Workforce Management.
		Director, Joint Polar Satellite Systems.
		Deputy Chief Information Officer.
		Deputy Chief Administrative Officer.
		Chief Financial Officer.
	National Oceanic and Atmospheric Administration Coastal Ocean Program Office.	Director, Budget Office.
	Office of Finance and Administration.	Director, Real Property, Facilities and Logistics Office.
		Director, Finance Office/Comptroller.
		Director for Workforce Management.
	National Ocean Service	Associate Assistant Administrator for Management and Chief Financial Officer/Chief Administrative Officer.
		Director, Office of National Geodetic Survey.
		Director, Center for Operational Oceanographic Products and Services.
	National Oceanic and Atmospheric Administration Coastal Services Center.	Director, National Centers for Coastal Ocean Science.
	Hazardous Materials Response and Assessment Division.	Director, Office of Response and Restoration.
	Office of the Assistant Administrator for Weather Services.	Director, Strategic Planning and Policy Office.
	Office of the Chief Information Officer.	Chief Information Officer for Weather Service.
	Office—Federal Coordinator—Meteorology.	Director, Office of the Federal Coordinator for Meteorology.
	Office of Hydrologic Development	Director, Office of Hydrologic Development.
	Hydrology Laboratory	Chief, Hydrology Laboratory.
	Office of Science and Technology	Director, Office of Science and Technology.
		Chief, Programs and Plans Division.
	Meteorological Development Laboratory.	Director, Meteorological Development Laboratory.
	Systems Engineering Center	Director, Systems Engineering Center.
	Office of Operational Systems	Director, Office of Operational Systems.
	Telecommunications Operations Center.	Chief, Telecommunications Operations Center.
	Maintenance, Logistics, and Acquisition Division.	Chief, Operations Division.
	Radar Operations Center	Director, Radar Operations Center.
	National Data Buoy Center	Director, National Data Buoy Center.
	Office of Climate, Water, and Weather Services.	Chief, Meteorological Services Division.
		Director, Office of Climate, Water, and Weather Services.

Agency	Organization	Title
	Eastern Region	Director Eastern Region National Weather Service.
	Southern Region	Director, Southern Region.
	Central Region	Director Central Region.
	Western Region	Director, Western Region.
	Alaska Region	Director, Alaska Region, Anchorage.
	National Centers for Environmental Prediction.	Director, Aviation Weather Center.
		Director, National Centers for Environmental Prediction.
		Director, Environmental Modeling Center.
		Director National Severe Storms Laboratory.
	National Centers for Environmental Prediction Central Operations.	Director, Central Operations.
	Hydro meteorological Prediction Center.	Chief, Meteorological Operations Division.
	Climate Prediction Center	Director, Climate Prediction Center.
	Storm Prediction Center	Director, Storm Prediction Center.
	Tropical Prediction Center	Director, National Hurricane Center.
	Office of Assistant Administrator for Fisheries.	Director, Office of Management and Budget.
	National Marine Fisheries Service	Director, International Affairs.
		Science and Research Director Southwest Region.
		Director, Office of Habitat Conservation.
		Director Office of Sustainable Fisheries.
		Science and Research Director, Pacific Island Region.
		Deputy Assistant Administrator for Regulatory Programs.
	Office of Fisheries Conservation and Management.	Director, Office of Enforcement.
		Director, Scientific Programs and Chief Science Advisor.
	Office of Protected Resources	Director Office of Science and Technology.
	Northeast Fisheries Science Center.	Science and Research Director Northeast Region.
	Southeast Fisheries Science Center.	Science and Research Director, Southeast Region.
	Northwest Fisheries Science Center.	Science and Research Director, Northwest Region.
	Alaska Fisheries Science Center	Science and Research Director.
	Office of Assistant Administrator Satellite, Data Information Service.	System Program Director for Goes-R Program.
		Chief Financial Officer/Chief Administrative Officer.
		Director Satellite Ground Services.
		Senior Scientist for Environmental Satellite, Data and Information Services (National Environmental Satellite, Data and Information Services).
	National Climatic Data Center	Director, National Climatic Data Center.
	National Oceanographic Data Center.	Director, National Oceanographic Data Center.
	National Geophysical Data Center	Director, National Geophysical Data Center.
	Office of Systems Development	Director, Office of Systems Development.
		Director, Systems Engineering Program.
	Office of Assistant Administrator, Ocean and Atmospheric Research.	Director, Climate Program Office.
		Director, Earth System Research Laboratory and Principal Science Advisor.
		Chief Financial Officer/Chief Administrative Officer.
		Deputy Assistant Administrator, Laboratories and Cooperative Institutes and Director, Air Resources Laboratory.
	National Sea Grant College Program.	Director, National Sea Grant College Program.
	Agronomy Laboratory	Director, Chemical Science Division.
	Atlantic Ocean and Meteorology Laboratory.	Director, Atlantic Oceanographic and Meteorological.
	Geophysical Fluid Dynamics Laboratory.	Director, Office of Geophysical Fluid Dynamics Laboratory.
	Great Lake Environmental Research Laboratory.	Director, Office of Great Lakes Environmental Research Laboratory.
	Pacific Marine Environmental Research Laboratory.	Director, Office of Pacific Marine Environmental Laboratory.
	Environmental Technology Laboratory.	Director, Physical Science Division.
	Forecast Systems Laboratory	Director, Global Systems Division.

Agency	Organization	Title
	Climate Monitoring and Diagnostics Laboratory.	Director, Global Monitoring Division.
	National Telecommunications and Information Administration.	Chief Financial Officer and Director of Administration.
	Office of the Assistant Secretary for Communications and Information.	Chief Information Officer and Deputy Director of Administration.
	First Responder Network Authority	Chief Administrative Officer, First Responder Network Authority.
		Chief Information Officer, First Responder Network Authority.
		Chief Financial Officer, First Responder Network Authority.
		Chief Technical Officer, First Responder Network Authority.
	Office of International Affairs	Associate Administrator, Office of International Affairs.
	Institute for Telecommunication Sciences.	Deputy Director for Systems and Networks.
		Associate Administrator for Telecommunications Sciences.
	Patent and Trademark Office	Director, Program Administration Organization.
		Director, Information Management Services.
		Director of Infrastructure, Engineering, and Operations.
		Regional Group Director.
		Deputy General Counsel for Enrollment and Discipline.
		Director, Office of Procurement.
		Deputy Solicitor and Assistant General Counsel for Intellectual Property Law.
		Deputy Associate Commissioner for Patent Information Management.
		Associate Commissioner for Patent Examination Policy.
		Director, Office of Equal Employment Opportunity and Diversity.
		Deputy Commissioner for Trademark Operations.
		Administrator for Policy and External Affairs.
		Director of Trademark Information Resources.
		Associate Commissioner for Patent Resources and Planning.
	Administrator for External Affairs ..	Director, Intellectual Property Policy and Enforcement.
		Associate Director, Education and Training.
		Deputy Director for Intellectual Property Policy and Enforcement.
	Office of the General Counsel	Deputy General Counsel for Intellectual Property Law and Solicitor.
	Board of Patent Appeals and Interferences.	Vice Chief Administrative Patent Judge.
		Chief Administrative Patent Judge.
		Chief Administrative Patent Judge.
	Trademark Trial and Appeal Board	Chairman, Trademark Trial and Appeal Board.
	Office of the Chief Financial Officer.	Deputy Chief Financial Officer.
		Chief Financial Officer.
	Office of the Chief Administrative Officer.	Director, Human Capital Management.
	Office of the Chief Information Officer.	Chief Technology Officer.
	Office of the Commissioner for Patents.	Administrator, Search and Information Resources Administration.
		Director, Office of Patent Training.
		Deputy Commissioner for Patent Operations.
		Deputy Director for the Office of Patent Training.
	Examining Group Directors	Group Director (26).
	Office of the Commissioner for Trademarks.	Group Director, Trademark Law Offices.
		Group Director, Trademark Law Offices.
		Deputy Commissioner for Trademark Examination Policy.
		Deputy Commissioner for Trademark Operations.
	National Institute of Standards and Technology.	Deputy Director, Center for Nano scale Science and Technology.
		Director, Center for Nano scale Science and Technology.
		Deputy Director, National Institute of Standards and Technology Center for Neutron Research.
		Chief of Staff for National Institute for Standards and Technology.
		Director, National Institute of Standards and Technology Center for Neutron Research.
		Director, Law Enforcement Standards Office.
		Chief Facilities Management Officer.
		Deputy Director, Building and Fire Research.
		Director, Information Technology and Applications Office.
		Deputy Director, Physical Measurement Laboratory.
		Director, Special Programs Office.
		Director, Smart Grid and Cyber-Physical Systems Program Office.
		Senior Information Technology Policy Advisor.
		Director, Standards Coordination Office.

Agency	Organization	Title
		Senior Advisor for Voting Standards.
		Associate Director for Laboratory Programs.
		Associate Director for Management Resources.
		Associate Director for Innovation and Industry Services.
		Senior Advisor for Cloud Computing.
		Boulder Laboratories Site Manager.
		Chief Safety Officer.
		Chief Cyber security Advisor.
	Office of the Director, National Institute of Standards and Technology.	Chief Financial Officer for National Institute of Standards and Technology.
		Senior Advisor to the Director Physical Measurement Laboratory.
		Director, Center for Technology Leadership.
		Chief Manufacturing Officer.
		Senior Advisor for Laboratory Programs.
		Chief Information Officer for National Institute of Standards and Technology.
	Baldrige Performance Excellence Program.	Deputy Director, Office of Quality Programs.
		Director, Baldrige Performance Excellence Program.
	Manufacturing Extension Partnership.	Director, Manufacturing Extension Partnership Programs.
		Deputy Director, Manufacturing Extension Partnership Program.
	Electronics and Electrical Engineering Laboratory.	Deputy Director for Measurement Services.
	Manufacturing Engineering Laboratory.	Deputy Director for Manufacturing.
	Chemical Science and Technology Laboratory Office.	Deputy Director, Chemical Scientist and Technology Laboratory.
		Director, Material Measurement Laboratory.
	Physics Laboratory Office	Director, Physical Measurement Laboratory.
	Building and Fire Research Laboratory.	Chief, Fire Safety Engineering Division.
		Director, Engineering Laboratory.
	National Technical Information Service.	Deputy Director, National Technical Information Service.
	Information Technology Laboratory	Director, Information Technology Laboratory.
		Deputy Director, Information Technology Laboratory.
	Office of the Chief Financial Officer.	Director, Office of Budget and Planning.
		Director for Acquisition and Grants Management.
DEPARTMENT OF COMMERCE OFFICE OF THE INSPECTOR GENERAL.	Immediate Office	Deputy Inspector General.
	Office of Audit and Evaluation	Principal Assistant Inspector General for Audit and Evaluation.
	Office of Economic and Statistical Program Assessment.	Assistant Inspector General for Economic and Statistical Program Assessment.
	Office of Systems Acquisitions and IT Security.	Assistant Inspector General for Systems Acquisitions and IT Security.
	Office of Audit	Assistant Inspector General for Audit.
	Office of Program Assessment	Assistant Inspector General for Administration.
	Office of Investigations	Principal Assistant Inspector General for Investigations.
	Office of Counsel	Counsel to the Inspector General.
CONSUMER PRODUCT SAFETY COMMISSION.	Office of Executive Director	Assistant Executive Director for Information and Technology Services.
		Director, Office of International Programs and Intergovernmental Affairs.
		Assistant Executive Director for Compliance and Administrative Litigation.
	Office of Hazard Identification and Reduction.	Deputy Assistant Executive Director for Hazard Identification and Reduction.
		Associate Executive Director for Engineering Sciences.
		Associate Executive Director for Economic Analysis.
		Assistant Executive Director for Hazard Identification and Reduction.
		Associate Executive Director for Epidemiology.
	Office of Import Surveillance	Director, Office of Import Surveillance.
COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA.	Court Services and Offender Supervision Agency for the District of Columbia.	Deputy Director.
		Associate Director of Human Resources.
		Associate Director, Legislative, Intergovernmental and Public Affairs.
		Associate Director for Special Criminal Justice Programs.
		Associate Director for Research and Evaluation.

Agency	Organization	Title
		Director.
		Chief Financial Officer.
		Attorney (General Counsel).
		Associate Director for Management and Administration.
		Chief Information Officer.
		Associate Director for Community Supervision.
		Associate Director for Community Justice Programs.
	Pretrial Services Agency	Associate Director for Management and Administration.
		Deputy Director.
		Director.
		Associate Director, Operations.
OFFICE OF THE SECRETARY OF DEFENSE.	Office of the Secretary	Assistant to the Secretary of Defense for Intelligence Oversight.
	Office of the Under Secretary of Defense (Policy).	Foreign Relations and Defense Policy Manager/DTSA.
	Office of Principal Deputy Under Secretary for Policy.	Foreign Relations and Defense Policy Manger, Special Assistant to the Principal Deputy Under Secretary of Defense—9 Policy.
	Office of the Assistant Secretary of Defense (Asian and Pacific Security Affairs).	Deputy Assistant Secretary of Defense (East Asia).
	Director, Operational Test and Evaluation.	Deputy Director for Live Fire Test and Evaluation.
	Office of Inspector General	Assistant Inspector General for Acquisition and Contract Management.
	Office of the Under Secretary of Defense (Personnel and Readiness).	Chief of Staff.
	Office Assistant Secretary of Defense (Health Affairs).	Deputy Chief, Tricare Acquisitions Directorate.
		General Counsel.
		Regional Director, Tricare Regional Office—South.
		Military Health System Chief Information Officer.
		Regional Director, Tricare Regional Office—North.
	Office of Assistant Secretary of Defense (Reserve Affairs).	Principal Director (Manpower and Personnel).
	Office of the Under Secretary of Defense (Comptroller).	Deputy Chief Financial Officer.
	Office of Director of Administration and Management.	Director, Department of Defense Consolidated Adjudications Facility.
	Washington Headquarters Services.	Director, Acquisition Directorate.
		Deputy Director, Defense Facilities Directorate.
		Director, Acquisition Directorate.
		Director, Facilities Services Directorate.
		Director, Human Resources Directorate.
		Deputy Director, Human Resources Directorate.
	Pentagon Force Protection Agency	Principal Deputy Director, Pentagon Force Protection Agency.
		Assistant Director, Law Enforcement.
		Director, Pentagon Force Protection Agency.
	Office of the General Counsel	Director, Office of Litigation.
		Director Defense Office of Hearings and Appeals.
Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).	Deputy Director, Property, Plant and Equipment Policy..	
		Director (Planning and Analysis).
		Deputy Director, Resource Analysis.
		Director for Administration.
		Director, Defense Procurement and Acquisition Policy.
		Director, Acquisition Resources and Analysis.
		Deputy Director, Treaty Compliance and Homeland Defense.
		Deputy Director, Acquisition Technology.
		Deputy Director, OSD Studies and Federally Funded Research and Development Center Management.
		Principal Deputy, Acquisition Resources and Analysis.
		Deputy Director, Enterprise Information and OSD Studies.
	Assistant Secretary of Defense (Acquisition).	Assistant Deputy Under Secretary of Defense (Acquisition Process and Policies).
		Deputy Director, Developmental Test and Evaluation.
		Special Assistant Concepts and Plans.
		Deputy Director, Naval Warfare.
		Deputy Director, Contract Policy and International Contracting.
		Deputy Director, Defense Acquisition Regulations System.
		Technical Director, Force Development.
		Deputy Director, Assessments and Support.

Agency	Organization	Title
		Deputy Director, Program Acquisition and Strategic Sourcing.
		Deputy Director, Land Warfare and Munitions.
	Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.	Deputy Assistant Secretary of Defense (Nuclear Matters).
Office of the Director of Defense Research and Engineering.	Principal Deputy Assistant Secretary of Defense (Research and Engineering)/Director, Plans An Programs..	
		Director for Weapons Systems.
		Director, Space and Sensor Technology.
		Director for Information Technology.
		Director, Human Performance, Training and Bio systems.
	Defense Advanced Research Projects Agency.	Deputy Director, Defense Advanced Research Projects Agency.
		Director, Contracts Management Office.
		Director, Support Services Office.
		Deputy Director, Strategic Technology Office.
		Deputy Director, Special Programs.
		Director, Tactical Technology Office.
	Office of the Joint Chiefs of Staff ..	Vice Director C4/Cyber.
		Executive Director, Joint Capabilities Development (Forward).
		Assistant Deputy Director for Command and Control.
		Assistant Deputy Director, Synchronization and Integration.
		Executive Director, Force Generation.
		Vice Assistant Deputy Director, Joint Development.
		Vice Deputy Director Joint and Coalition Warfighting.
	Missile Defense Agency	Deputy Director, Joint National Integration Center.
		Director for Acquisition
		Deputy Program Manager for Assessment and Integration, Ballistic Missile Defense System.
		Deputy Program Director, BC.
		Program Director, Ground Missile Defense.
		Program Director for Battle Management, Command and Control.
		Director for Operations.
		Deputy for Engineering.
		Director for Advanced Technology.
		Program Director, Ground Missile Defense.
		Chief Engineer, Ground-Based Midcourse Defense.
		Program Director, Targets and Countermeasures.
		Director for Systems Engineering and Integration.
		Director, Contracting.
	Defense Contract Audit Agency	Deputy Regional Director, Western Region.
		Special Assistant.
		Assistant Director, Policy and Plans.
		Assistant Director, Operations.
		Deputy Director, Defense Contract Audit Agency.
		Director, Field Detachment.
		Director, Defense Contract Audit Agency.
	Regional Managers	Deputy Regional Director Northeastern Region.
		Deputy Regional Director Eastern Region.
		Regional Director, Mid-Atlantic.
		Regional Director, Western.
		Deputy Regional Director Central Region.
		Assistant Director, Integrity and Quality Assurance.
		Regional Director, Eastern.
		Regional Director, Northeastern.
		Deputy Regional Director Mid-Atlantic Region.
		Regional Director, Central.
	Defense Logistics Agency	Director, Defense Logistics Agency Disposition Services.
		Director of Enterprise Planning and Transformation.
		General Counsel.
		Director, Defense Logistics Agency Human Resources.
		Director, Defense Logistics Agency Information Operation.
		Director Defense Logistics Agency Accountability Office.
		Executive Director, Aviation Contracting and Acquisition Management.
		Principal Deputy Comptroller.
		Deputy Commander, Defense Logistics Agency Distribution.
		Deputy General Counsel, Defense Logistics Agency.
		Deputy Commander, Defense Logistics Agency Troop Support.
		Deputy Director, Customer Operations and Readiness.

Agency	Organization	Title
		Executive Director, Troop Support Contracting and Acquisition Management.
		Deputy Director, Information Operations/Chief Technical Officer.
		Chief Financial Officer, Director, Defense Logistics Agency.
		Executive Director, Contracting and Acquisition Management.
		Executive Director, Enterprise Solutions.
		Deputy Director, Defense Logistics Agency Acquisition.
		Vice Director, Defense Logistics Agency.
		Program Executive Officer, Defense Logistics Agency Information Operations.
		Chief of Staff.
		Executive Director, Joint Contingency Acquisition Support Office.
		Executive Director, Operations and Sustainment.
		Executive Director, Support—Policy and Strategic Programs.
		Deputy Commander, Defense Logistics Agency Land and Maritime.
		Program Executive Officer.
		Deputy Commander, Defense Logistics Agency Aviation.
		Director, Defense Logistics Agency Acquisition (J–7).
		Deputy Commander, Defense Logistics Agency Energy.
	Defense Human Resources Activity.	Director, Human Resources Operational Programs and Advisory Services.
		Deputy Director, Defense Manpower Data Center.
		Chief Actuary, Defense Human Resources Activity.
		Director, Defense Manpower Data Center.
		Deputy Director for Advisory Services, Defense Human Resources Activity.
	Defense Contract Management Agency.	General Counsel.
		Executive Director, Financial and Business Operations and Comptroller.
		Deputy Executive Director, Contract Management Operations.
		Deputy Chief Operations Officer.
		Deputy Executive Director, Portfolio Management and Integration.
		Executive Director, Contracts.
		Deputy Director, Defense Contract Management Agency.
		Executive Director, Quality Assurance.
		Director, Defense Contract Management Agency.
		Executive Director, Naval Sea Systems Division (Boston Division).
		Executive Director, Ground Systems and Munitions Division.
		Chief Operations Officer.
		Executive Director, Portfolio Management and Integration.
	Defense Information Systems Agency.	Director for Procurement and Chief, Defense Information Technology Contracting Organization.
		BRAC Transition Executive.
		Component Acquisition Executive.
		Principal Director, Operations Director.
		Director for Network Services.
		Vice Director for Network Services.
		Chief Technology Officer.
		Program Executive Officer, Communication.
		Chief Corporate Planning and Mission Integration.
		Vice Director for Procurement and Vice Chief Defense Information Technology Contracting Office.
		Deputy Chief Technology Officer for Mission Assurance.
		Chief Information Assurance Executive and Program Executive Officer for Mission Assurance and Network Operations.
		Deputy Chief Financial Executive/Comptroller.
		Principal Director for Computing Services.
		Director, Enterprise Engineering.
		Inspector General.
		Director for Strategic Planning and Information.
		Deputy Chief Technology Officer for Enterprise Services.
		Vice Chief Information Assurance Executive.
		Director, Manpower, Personnel and Security.
		Director, Joint Information Environmental Technical Synchronization Office.
		Congressional Liaison Officer.
		Chief Financial Executive/Comptroller.
		Test and Evaluation Executive.
		Chief Information Officer.
		Vice Principal Director, Operations.
	Defense Threat Reduction Agency	Chief Scientist.
		J–4/8c Acquisition/Finance/Logistics.
		Director, Counter Weapons of Mass Destruction Technologies.

Agency	Organization	Title
		Associate Director, Operations Enterprise.
		Associate Director, Strategy and Plans Enterprise.
		Executive Director.
		Director, Chemical-Biological Defense Technologies Directorate.
		Director, Nuclear Technologies Directorate.
		Director, Cooperative Threat Reduction.
		Associate Director, Research and Development Enterprise.
		Deputy Director, Operations Directorate.
		Director, On-Site Inspections Directorate.
		Director, Basic and Applied Sciences Directorate.
	Defense Security Cooperation Agency.	Foreign Relations Defense Policy Manager (Principal Director for Strategy).
	Defense Commissary Agency	Director.
DEPARTMENT OF THE AIR FORCE.	Department of the Air Force	Director, Joint Staff and Assistant to Chief and Vice Chief NGB.
		Deputy Director Force Development and Air Force Senior Language Authority.
		Director, Installations, Logistics and Mission Support.
		Director of Communications and Information.
		Executive Director Africa.
	Office of the Secretary	Deputy and Technical Director, Rapid Capabilities Office.
		Deputy Director, Legislative Liaison.
		Director, Air Force Rapid Capabilities Office.
	Office of the Under Secretary	Deputy Under Secretary of the Air Force (Space Programs).
	Deputy Under Secretary (International Affairs).	Director, Strategy, Operations, and Resources.
		Deputy Under Secretary (International Affairs).
		Director of Policy, International Affairs.
	Office of Administrative Assistant to the Secretary.	Deputy Administrator Assistant.
		Executive Director, OSI.
		Director Security, Special Program Oversight and Information Protection.
		Administrative Assistant.
		Director, Headquarters Air Force Information Management.
	Office of Small and Disadvantaged Business Utilization.	Director, Office of Small and Disadvantaged Business Utilization.
	Office of Public Affairs	Deputy Director, Public Affairs.
	Auditor General	Assistant Auditor General, Field Offices Directorate.
		Auditor General of the Air Force.
	Air Force Audit Agency (Field Operating Agency).	Assistant Auditor General (Support and Personnel Audits).
		Assistant Auditor General (Acquisition and Logistics Audits).
	Air Force Office of Special Investigations (Field Operating Agency).	Deputy Director Security, Special Program Oversight and Information Protection.
		Executive Director, Defense Cyber Crime Center (Defense Cyber Crime Center).
	Office of the General Counsel	Deputy General Counsel (Installations and Environmental Law).
		Deputy General Counsel (International Affairs).
		Deputy General Counsel (Acquisition).
		Director Global Combat Support.
		Principal Deputy General Counsel.
	Office of Assistant Secretary Air Force for Financial Management and Comptroller.	Chief Information Officer.
	Office Deputy Assistant Secretary Budget.	Director, Budget Investment.
		Director, Budget Management and Execution.
		Associate Deputy Assistant Secretary for Budget.
	Office Deputy Assistant Secretary Cost and Economics.	Associate Deputy Assistant Secretary (Cost and Economics).
		Deputy Assistant Secretary (Cost and Economics).
	Office Deputy Assistant Secretary Financial Operations.	Deputy Assistant Secretary (Plans, Systems and Analysis).
		Associate Deputy Assistant Secretary (Financial Operations).
	Office of Assistant Secretary Air Force for Acquisition.	Associate Deputy Assistant Secretary Science, Technology and Engineering.
		Director, Information Dominance Programs.
		Deputy Air Force Program Executive Officer (Combat and Mission Support).
		Associated Deputy Assistant Secretary (Acquisition Integration).
		Director of Contracting (Special Access Programs.
		Deputy Assistant Secretary (Acquisition Integration).

Agency	Organization	Title
		Deputy Assistant Secretary (Science, Technology and Engineering).
		Program Executive Office for Space Launch.
	Chief Information Office	Deputy Chief Information Officer.
	Office Deputy Assistant Secretary Contracting.	Associate Deputy Assistant Secretary (Contracting).
	Directorate of Space and Nuclear Deterrence.	Deputy Assistant Chief of Staff, Strategic Deterrence and Nuclear Integration.
		Associate Director, Nuclear Weapons and Counter proliferation.
	Air Force Review Boards Agency (Air Force Review Boards Agency)—Field Operating Agency.	Deputy for Air Force Review Boards.
	Office of Assistant Secretary Air Force, Installations, Environment, and Logistics.	Deputy Assistant Secretary (Energy).
		Deputy Assistant Secretary (Logistics).
	Office Deputy Assistant Secretary Installations.	Deputy Assistant Secretary (Installations).
	Office of the Chief of Staff	Deputy Director of Staff.
		Director, Air Force History and Museums Policy and Programs.
	Air Force Office of Safety and Air Force Safety Center (Field Operating Agency).	Deputy Chief of Safety.
	Judge Advocate General	Director, Administrative Law.
	Test and Evaluation	Director, Test and Evaluation.
		Deputy Director, Test and Evaluation.
	Air Force Studies and Analyses Agency (Direct Reporting Unit (DRU).	Principle Deputy Director, Studies and Analyses, Assessments and Lessons Learned.
		Director, Air Force Studies and Analyses, Assessments and Lessons Learned.
	Deputy Chief of Staff, Warfighting Integration.	Director, Architecture and Operational Support Modernization.
		Deputy Director, Information Services and Integration.
Deputy Chief of Staff, Installations and Logistics.	Director CE Center..	
		Deputy Director, Security Forces.
		Assistant Deputy Chief of Staff, Installation and Logistics.
	Civil Engineer	Deputy Civil Engineer.
	Logistics Readiness	Associate Deputy Director of Logistics.
	Resources	Associate Deputy of Logistics.
		Director of Resource Integration.
	Air Force Center for Environmental Excellence (Field Operating Agency).	Director, Air Force Civil Engineer Center.
Deputy Chief of Staff, Plans and Programs.	Associate Director, Programs..	
		Deputy Director of Strategic Planning.
		Assistant Deputy Chief of Staff, Strategic Plans and Programs.
	Deputy Chief of Staff, Personnel	Deputy Director, Airman Development and Sustainment.
		Assistant Deputy Chief of Staff Personnel.
		Director, Plans and Integration.
		Deputy Director, Air Force Manpower, Organization and Resources.
		Deputy Director of Services.
		Deputy Director, Force Management Policy.
		Director, Airman Development and Sustainment.
	Air Force Personnel Center (Field Operating Agency).	Director, Civilian Force Integration.
		Executive Director, Air Force Personnel Center.
	Deputy Chief of Staff, Air and Space Operations.	Deputy Director of Operational Planning, Policy, and Strategy.
		Deputy Director, Operational Planning, Policy and Strategy.
		Director, Irregular Warfare.
		Director of Weather.
		Associate Deputy Chief of Staff Operations, Plans and Requirements.
		Deputy for Operations.
	Deputy Chief of Staff for Intelligence, Surveillance and Reconnaissance.	Director of Intelligence, Surveillance, and Reconnaissance (SRR) Innovations and Unmanned Aerial Systems (UAS) Task Force.
	Air Force Operational Test and Evaluation Center (Direct Reporting Unit).	Executive Director, Air Force Operational Test and Evaluation Center.
Air Force Material Command	Director, National Museum of the United States Air Force..	
		Director, Communications, Installations, and Mission Support.

Agency	Organization	Title
		Executive Director, Air Force Material Command.
		Director, Financial Management.
		Executive Director, AFNWC.
		Director, Enterprise Sourcing Group.
		PEO, Business Enterprise Systems.
		Principal Deputy to the Staff Judge Advocate.
		Director, Manpower, Personnel and Services.
	Contracting	Director, Contracting, Air Force Material Command.
	Logistics	Deputy Director for Logistics, Air Force Material Command.
	Engineering and Technical Management.	Director, Engineering and Technical Management, Air Force Material Command.
	Financial Management and Comptroller.	Deputy Director, Financial Management and Comptroller, Air Force Material Command.
	Plans and Programs	Director, Acquisition, Intelligence, and Requirements.
	Requirements	Deputy Director, Intelligence, Surveillance, Reconnaissance and Requirements.
	Operations Directorate	Deputy Director, Air, Space and Information Operations.
	Staff Judge Advocate	Principal Deputy Staff Judge Advocate.
	Air Force Materiel Command Law Office.	Director, Air Force Materiel Command Law Office.
	Air Force Office of Scientific Research.	Director Air Force Office of Scientific Research.
		Director of Physics and Electronics Sciences.
	Electronic Systems Center	Director, Engineering and Technical Management, Electronic Systems Center.
		Program Executive Officer, Battle Management.
		Director, Contracting, Electronic Systems Center.
	Aeronautical Systems Center	Director, Contracting, Aeronautical Systems Center.
		Director of Engineering, Joint Strike Fighter.
		Program Executive Officer for Agile Combat Support.
		Program Executive Officer, Mobility Aircraft.
		Director Financial Management and Comptroller, Air Force Materiel Command.
		Executive Director, Air Force Life Cycle Management Center.
	Engineering Directorate	Director, Engineering, Air Force Life Cycle Management Center.
	Air Force Research Laboratory	Executive Director, Air Force Research Laboratory.
		Director, Plans and Programs, Air Force Research Laboratory.
		Director, Materials and Manufacturing, Air Force Material Command.
	Air Force Research Laboratory-Munitions Directorate.	Director, Munitions, Air Armament Center.
	Information Directorate	Director, Information.
	Directed Energy Directorate	Director, Directed Energy.
	Materials and Manufacturing Directorate.	Director, Materials and Manufacturing.
	Sensors Directorate	Director Sensors.
	Human Effectiveness Directorate	Director, Human Effectiveness Directorate.
	Air Force Flight Test Center	Executive Director, Air Force Flight Test Center.
	Air Logistics Center, Oklahoma City.	Director of Logistics, AFSC.
		Executive Director, AFSC.
		Director, 448th Combat Sustainment Wing.
		Director, Contracting, OC-Air Logistics Center.
		Director, Engineering and Technical Management, AFSC–EN.
	Air Logistics Center, Warner Robins.	Director, Engineering and Technical Management.
		Director, Contracting, WR–ALC.
	Air Logistics Center, Ogden	Director, Engineering and Technical Management, OO–ALC.
		Director Contracting, OO–ALC.
	Air Armament Center	Director, Engineering and Technical Management, Air Force Material Center.
	Air Combat Command	Director, Acquisition Management and Integration Center.
		Deputy Director of Logistics, Air Combat Command.
		Director, Air Force Global Cyberspace Integration Center.
	Air Mobility Command	Deputy Director, Installations and Mission Support, Air Mobility Command.
		Deputy Director of Logistics, Air Mobility Command.
	Air Education and Training Command.	Director, International Training and Education.
		Director, Logistics, Installations and Mission Support, Air Education and Training Command.
	Air Force Reserve Command	Director of Staff.
	United States Central Command	Deputy Director, Logistics and Engineering, United States Central Command.
		Director of Resources, Requirements, Budget and Assessment.

Agency	Organization	Title
		Deputy Director of Operations Interagency Action Group (Iag).
	Air Force Space Command	Director, Space Protection Program Office.
		Director of Installations and Logistics, Air Force Space Command.
		Executive Director, Air Force Space Command.
	United States Special Operations Command.	Director of Acquisition, United States Special Operations Command.
		Director, Plans, Policy and Strategy, United States Special Operations Command.
		President, Joint Special Operations University.
		Director and Chief Information Officer for Special Operations Networks and Communications Center.
		Director, Interagency Task Force, USSOCOM.
		Director, Financial Management and Comptroller, United States Special Operations Command.
		Deputy Director, Center for Special Operations Acquisition and Logistics.
	Air Force Special Operations Command.	Director of Financial Management and Comptroller, Air Force Special Operations Command.
	Space and Missile Systems Center.	Deputy Director and Chief Technical Advisor.
		Director, MILSATCOM Systems Wing.
	United States Strategic Command	Deputy Director, Plans and Policy, United States Strategic Command.
		Director, Joint Exercises and Training, United States Strategic Command.
		Director, Global Innovation Strategy Center.
		Director, Capability and Resource Integration.
		Associate Director Capability and Resource Integration.
		Executive Director, Joint Warfare Analysis Center.
		Special Command Advisor, Information Assurance and Cyber Security.
		Director, Command, Control, Command Computer Systems.
	United States Transportation Command.	Executive Director, JECC.
		Director, Acquisition.
		Deputy Director, Strategies and Policy, United States Transportation Command.
		Deputy Director of Command, Control Communications, and Computer Systems.
		Director, Program Analysis and Financial Management.
	Joint Staff	Director, Joint Information Operations Warfare Center.
	United States Northern Command	Director, Programs and Resources, United States Northern Command.
		Deputy Commander, Joint Forces Headquarters—National Capital Region.
		Domestic Policy Advisor.
		Director, Joint Exercises and Training, USNORTHHCOM.
		Director, Interagency Coordination, United States Northern Command.
DEPARTMENT OF THE ARMY	Department of the Army	Executive Director, U.S. Army Headquarters Services.
		Deputy Director of Operations, J3.
		Director for Partnering.
		Director for Forces, Resources and Assessments (J8).
		Deputy to the Commanding General, Army North.
		Assistant Deputy Chief of Staff, G–6.
		Director, Family, Morale, Welfare and Recreation Programs, G–9.
		Executive Director U.S. Army Information Technology Agency.
		Director, Capability Development Integration Directorate (CDID).
		Deputy Program Executive Officer, Intelligence, Electronic Warfare and Sensors.
		Deputy Program Executive Officer, Enterprise Information Systems.
		Joint PEO for Chemical and Biological Defense.
		Deputy G–3/5 for Operations and Plans, TRADOC.
		Deputy Program Executive Officer (Simulation, Training and Instrumentation).
		Deputy Joint Program Executive Officer for Chemical and Biological Defense.
	Office of the Secretary	Director, Test and Evaluation Office.
		Executive Director of the Army National Cemeteries Program.
		Superintendent, Arlington National Cemetery.
	Office of the Under Secretary	Deputy to the Deputy Under Secretary of the Army.
		Deputy Director, Office of Business Transformation, Office of the Under Secretary of the Army.
		Deputy Chief Management Officer.
		Director, Business Assessment Directorate.

Agency	Organization	Title
		Director, Business Transformation Directorate.
	Office Administrative Assistant to the Secretary of Army.	Deputy Administrative Assistant to the Secretary of the Army/Director for Shared Services.
		Administrative Assistant to the Secretary of the Army.
		Director, U.S. Army Center of Military History/Chief of Military History.
	Office Assistant Secretary Army (Civil Works).	Deputy Assistant Secretary of the Army (Management and Budget).
	Office Assistant Secretary Army (Financial Management and Comptroller).	Director of Investment.
		Deputy Assistant Secretary of the Army (Cost and Economics).
		Deputy Assistant Secretary of the Army (Financial Operations).
		Director of Investment.
		Director, Programs and Strategy.
		Director of Management and Control.
		Director, Military Personnel and Facilities.
		Director for Accountability and Audit Readiness.
		Director, Financial Information Management.
		Deputy Director and Senior Advisor for Army Budget (DDSA Budget).
	Office Assistant Secretary Army (Installations and Environment).	Deputy Assistant Secretary of the Army (Strategic Infrastructure).
		Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health).
	Office Assistant Secretary Army (Manpower and Reserve Affairs).	Executive Advisor to the ASA (Manpower and Reserve Affairs).
		Deputy Assistant Secretary of the Army (Force Management)/Director Civilian Senior Leader Management Office.
		Deputy Assistant Secretary of the Army (Army Review Boards Agency).
		Deputy Assistant Secretary of the Army (Military Personnel).
		Deputy Assistant Secretary of the Army (Diversity and Leadership).
		Deputy Assistant Secretary of the Army (Civilian Personnel/Quality of Life).
		Deputy Assistant Secretary of Army for Marketing/Director, Army Marketing Research Group.
		Director, Strategic Initiatives Group.
	Office Assistant Secretary Army (Acquisition, Logistics and Technology).	Deputy Assistant Secretary of the Army for Defense Exports and Cooperation.
		Director for Technology.
		Director for Research and Laboratory Management.
		Deputy Assistant Secretary of the Army for Plans, Programs and Resources.
		Deputy Assistant Secretary of the Army (Policy and Procurement).
		Deputy Assistant Secretary for Research and Technology/Chief Scientist.
		Deputy Assistant Secretary of the Army (Acquisition Policy and Logistics), Assistant Secretary of the Army (Acquisition, Logistics and Technology).
		Executive Director for Acquisition Services, Assistant Secretary Army (Acquisition, Logistics and Technology).
		Program Executive Officer Assembled Chemical Weapons Alternative.
		Director, Us Army Acquisition Support Center/Deputy Director Acquisition Career Management.
		Program Executive Office, Ground Combat Systems.
		Program Executive Officer, Intelligence, Electronic Warfare and Sensors.
		Director Systems of Systems Engineering.
		Deputy Program Executive Officer Ground Combat Systems.
		Deputy Program Executive Officer, Missiles and Space (Fires).
		Program Executive Officer Combat Support and Combat Service Support.
	Army Acquisition Executive	Director, Combined Test Organization, Program Manager, Future Combat System (Brigade Combat Team).
		Deputy Program Executive Officer, Combat Support and Combat Service Support.
		Deputy Program Executive Officer, Command Control and Communications Tactical.
		Program Executive Officer Simulation, Training and Instrumentation.
		Deputy Program Executive Officer for Aviation.
		Program Executive Officer Enterprise Information Systems.
		Deputy Program Executive Officer Ammunition.
		Deputy Program Executive Officer for Soldier.

Agency	Organization	Title
	Army Contracting Agency	Deputy to the Commanding General, Army Contracting Command.
	Office of the Inspector General	Principal Director for Inspections.
	Chief Information Officer/G–6	Director, Cyber security.
		Principal Deputy, Chief Information Officer/G–6 for Enterprise Integration.
		Director, Governance, Acquisition/Chief Knowledge Officer.
		Director for Army Architecture Integration Cell.
		Deputy Chief Information Officer/G–6.
	Office, Chief of Public Affairs	Principal Deputy Chief of Public Affairs/Director, Soldiers Media Center.
	Army Audit Agency	Deputy Auditor General, Manpower and Training Audits.
		Principal Deputy Auditor General.
		Deputy Auditor General, Acquisition and Logistics Audits.
		Deputy Auditor General, Installation, Energy and Environment Audits.
		Deputy Auditor General, Financial Management Audits.
		the Auditor General, U.S. Army.
	U.S. Army Test and Evaluation Command.	Director, Ballistic Missile Evaluation Directorate, Army Evaluation Center.
		Director, Army Evaluation Center.
		Executive Director-White Sands.
		Executive Director, Operational Test Command.
	Office, Chief Army Reserve	Director of Resource Management and Material.
		Assistant Chief of the Army Reserve.
	Office, Assistant Chief of Staff for Installation Management.	Director, Human Resources.
		Regional Director (Atlantic).
		Regional Director (Europe).
		Executive Director/Director of Services.
		Director Installation Services.
		Regional Director (Central).
		Director of Resource Integration.
		Deputy Assistant Chief of Staff for Installation Management.
		Chief Information Technology Officer (OACSIM/IMCOM).
		Regional Director (Pacific).
		Directors of Logistics.
	Office, Deputy Chief of Staff , G–4	Director, Force Projection and Distribution.
		Director, Logistics Innovation Agency.
		Assistant Deputy Chief of Staff, G–4.
		Director for Supply Policy, Programs and Processes.
		Director, Logistics Information Management.
		Director of Resource Management.
		Director for Maintenance Policy, Programs and Processes.
	Office, Deputy Chief of Staff, G–8	Assistant Deputy Chief of Staff, G–8.
		Director of Modernization.
		Director, Quadrennial Defense Review.
	Office, Deputy Chief of Staff, G–3	Assistant Deputy Chief of Staff for Operations (G–3/5/7).
		Deputy Director of Training and Leader Development.
		Director, Capabilities Integration Directorate.
		Deputy Director for Plans and Policy.
		Vice Director, Joint Improvised Explosive Device Defeat Organization.
		Deputy Director for Force Management.
	Office, Deputy Chief of Staff, G–1	Director, United States Army Research Institute and Chief Psychologist.
		Assistant Deputy Chief of Staff, G–1.
		Deputy Director, Human Resources Policy Directorate/Ready and Resilient Champaign Director.
		Director, Military Human Resources Integration.
		Assistant G–1 (Civilian Personnel Policy).
		Director for MANPRINT Directorate.
		Director, Plans and Resources.
	Office of the Surgeon General	Deputy Chief of Staff/Assistant Surgeon General, Force Management.
		Chief of Staff.
		Chief of Staff, Health System Administration.
	United States Army Medical Research and Materiel Command.	Principal Assistant for Acquisition.
		Principal Assistant for Research and Technology.
	U.S. Army Medical Department Center and School.	Deputy to the Commanding General.
	United States Army Space and Missile Defense Command.	Director, Space and Missile Defense Technical Center.
		Director, Space and Missile Defense Battle Laboratory.
		Director, Space and Cyberspace Technology Director.
		Chief Technology Officer.

Agency	Organization	Title
		Deputy to the Commander and Senior Department of the Army Civilian for United States Army Space and Missile Defense Command/Army Forces Strategic Command.
		Director, Emerging Technology.
	U.S. Army Training and Doctrine Command (TRADOC).	Deputy to the Commanding General, Signal Center of Excellence.
		Deputy to the Commanding General Fires/Director, Capabilities, Development and Integration.
		Deputy Chief of Staff G–1/4 (Personnel and Logistics).
		Deputy Chief of Staff G8, U.S. Army Training and Doctrine Command.
		Deputy to the Commanding General, Combined Arms Support Command.
		Assistant Deputy Chief of Staff, G–3/5/7, U.S. Army Training and Doctrine Command/Deputy G–3 for Training.
		Assistant Deputy Chief of Staff for Combat Development.
		Director, Capabilities Development and Integration.
		Deputy to the Commanding General Maneuver Support/Director, Capabilities Development and Integration.
		Deputy to the Commanding General, Combined Arms Center.
		President, Army Logistics University.
	Training and Doctrine Command Analysis Center.	Director of Operations.
		Director of Operations
		Director.
	Military Surface Deployment Distribution Command.	Deputy to the Commander, Surface Deployment and Distribution Command.
		Executive Director, Transportation Engineering Agency/Director Joint Distribution Process Analysis Center.
	United States Army Forces Command.	Deputy Chief of Staff for Resource Management.
		Chief Executive Officer.
		Assistant Deputy Chief of Staff for Logistics and Readiness.
		Assistant Deputy Chief of Staff G–3/5/7.
		Assistant Deputy Chief of Staff, G1.
	United States Army Network Enterprise Technology Command/9th Army Signal Command..	Deputy to Commander, Army Cyber Command/2nd Army.
		Deputy to Commander/Senior Technical Director/Chief Engineer.
		Deputy for Cyber Operations/Director of Operations.
	United States Army Corps of Engineers..	Director of Resource Management.
		Director, Information Technology Laboratory.
		Division Programs Director (South Pacific Division).
		Regional Business Director, (Mississippi Valley Division).
		Division Programs Director, Transatlantic Division.
		Director, Research and Development and Director, Engineering Research and Development Center.
		Director of Contracting.
		Chief, Homeland Security Office.
		Regional Business Director.
		Director of Human Resources.
		Director of Corporate Information.
		Director, Real Estate.
		Division Programs Director (3).
		Chief Military Programs Integration Division.
		Division Programs Director.
	Directorate of Research and Development.	Deputy Director.
	Directorate of Civil Works	Chief, Programs Management Division.
		Chief, Operations Division and Regulatory Community of Practice.
		Chief, Engineering and Construction Community of Practice.
		Director of Civil Works.
		Chief, Planning and Policy Division/Community of Practice.
	Directorate of Military Programs	Director of Military Programs.
		Chief, Installation Support Division.
		Chief, Interagency and International Services Division.
		Chief, Environmental Community of Practice.
	Directors of Programs Management.	Division Programs Director (3).
	Directors of Engineering and Technical Services.	Regional Business Director (5).
		Regional Business Director (Great Lakes, Ohio River Division).

Agency	Organization	Title
	Engineer Research and Development Center.	Director, Environmental Laboratory.
		Deputy Director, Engineer Research and Development Center.
		Director, Coastal and Hydraulics Laboratory.
		Director, Geotechnical and Structures Laboratory.
	Engineer Topographic Laboratories, Center of Engineers.	Director, Army Geospatial Center.
	Construction Engineering Research Laboratory Champaign, Illinois.	Director, Construction Engineering Research Laboratories.
	Cold Regions Research and Engineering Laboratory Hanover, New Hampshire.	Director, Cold Regions Research and Engineering Laboratory.
	United States Army Materiel Command.	Director, Communications-Electronics Life Cycle Management Command Logistics and Readiness Center.
		Director, Engineering Plans and Programs.
		Deputy to the Commander/Deputy Director Mission and Installation Command.
		Deputy to the Commander, United States Army Expeditionary Contracting Command.
		Deputy Chief of Staff for Corporate Information/Chief Information Officer.
		Executive Director, Munitions Engineering Technology Center, ARDEC.
		Deputy G–3 for Current Operations.
		Assistant Deputy Chief of Staff, G–4 for Support Operations.
		≤Deputy Chief of Staff for Business Transformation, G–7.
		Deputy to the Commanding General/Director Logistics and Readiness Center.
		Executive Director, Weapons and Software Engineer Center.
	Office of Deputy Chief of Staff for Logistics and Operations.	Deputy Chief of Staff G–5 for Strategy and Concepts.
		Principal Deputy G–3 for Operations/Executive Deputy, Supply Chain and Industrial Operations.
	Office Deputy Commanding General.	Executive Deputy to the Commanding General.
	Office of Deputy Chief of Staff for Personnel.	Deputy Chief of Staff for Personnel.
	Office of the Deputy Chief of Staff for Resource Management.	Deputy Chief of Staff for Resource Management.
		Assistant Deputy Chief of Staff for Resource Management, G–8/Executive Director for Business.
	United States Army Contracting Command.	Executive Director, Army Contracting Command-National Capitol Region.
		Executive Director, Army Contracting Command-Warren.
		Executive Director Army Contracting Command-Redstone, Alabama.
	United States Army Security Assistance Command.	Deputy Us Army Security Assistance Command.
	United States Army Sustainment Command.	Deputy to the Commander.
		Executive Director Rock Island Contracting Center.
		Executive Director for LOGCAP.
		Executive Director for Ammunition.
		Executive Director for Field Support.
	Natick Soldier Center	Director, Natick Soldier Research and Development Engineering Center.
	United States Army Soldier and Biological Command (Soldier and Biological Command).	Director for Programs Integration.
		Director, Engineering Directorate.
		Director, Research and Technology Directorate.
		Executive Director, Research Development and Engineering Command, Acquisition Center.
		Technical Director.
	Communications Electronics Command Research, Development and Engineering Center.	Director-Night Vision/Electromagnetics Sensors Directorate.
		Director, Space and Terrestrial Committee Directorate.
		Director, Software Engineering Directorate.
		Director, Intelligence and Information Warfare Directorate.
		Director, Command and Control Directorate.
	United States Army Research Laboratory.	Director Human Dimension Simulations and Training Directorate.
		Director United States Army Research Laboratory.

Agency	Organization	Title
		Director, Computational and Information Sciences Directorate.
	Survivability/Lethality Analysis Directorate.	Director, Survivability/Lethality Analysis Directorate.
	Army Research Office	Director, Engineering Sciences Directorate.
		Director, Army Research Office.
	Sensors and Electron Devices Directorate.	Director.
	Weapons and Material Research Directorate.	Director Weapons and Materials Research Directorate.
	United States Army Aviation and Missile Command (Army Materiel Command).	Executive Director Integrated Material Management Center.
		Deputy to the Commander.
		Director for Engineering.
		Director for Weapons Development and Integration.
		Director for Test Measurement Diagnostic Equipment Activity.
	Missile Research Development and Engineering Center (Research Development and Engineering Center).	Director for Aviation Development.
		Director for Systems Simulation, Software, and Integration.
		Technology Director for Missiles and Development, Research, Development and Engineering Center.
		Director for Weapons Development and Integration.
		Director for Missile Guidance.
	Aviation Research, Development and Engineering Center.	Director of Aviation Engineering.
		Associate Director for Technical Applied/Director of Special Program.
	Research, Development and Engineering Command.	Director, Research Development and Engineering Command.
		Deputy Director, Research Development and Engineering Command.
		Director, Communications-Electronics Research, Development and Engineering Center.
	Tank-Automotive and Armaments Command (Tank-Automotive and Armaments Command).	Director Integrated Logistics Support Center.
		Director of Acquisition Center.
		Deputy to the Commander.
	Tank-Automotive Research, Development and Engineering Center (Tank-Automotive Research, Development and Engineering Center).	Director, Tank-Automotive Research, Development and Engineering Center.
		Executive Director for Engineering.
		Executive Director for Product Development.
		Director, Research, Technology Development and Integration.
	United States Army Armament Research, Development and Engineering Center (Armament Research, Development and Engineering Center).	Director for Armament Research, Development and Engineering.
		Executive Director, Enterprise and Systems Integration Center.
	United States Army Simulation, Training and Instrumentation Command.	Deputy to the Commander.
	U.S. Army Joint Munitions Command.	Deputy to the Commander, Joint Munitions Command.
	United States Army Materiel Systems Analysis Activity.	Technical Director.
		Director, Army Material Systems Analysis Activity.
	Headquarters, United States Army, Europe.	Director, European Security and Defense Policy Defense Advisor to United States Mission European Union.
		Deputy Chief of Staff, G1.
		Deputy Chief of Staff G–8.
	U.S. Army Special Operations Command.	Deputy to the Commanding General.
	United States Southern Command	Deputy Director, Strategy and Policy.
		Director, J8 (Resources and Assessments Directorate).
	United States European Command	Deputy Director, Security Cooperation (Dj5).
		Director, Interagency Partnering, (J9).
	United States Africa Command	Foreign Policy Advisor for United States Africa Command.
		Director of Resources (J1/J8), United States Africa Command.
		Deputy Director of Resources (J1/J8).
		Deputy Director of Program, (J5), United States Africa Command.

Agency	Organization	Title
	Joint Improvised Explosive Device Defeat Organization.	Deputy Director, Rapid Acquisition and Technology.
		Chief Information Officer.
		Director, Counter Improvised Explosive Device Operational Integration Center.
DEPARTMENT OF THE NAVY	Office of the Secretary	Assistant for Administration.
		Director, Operations Directorate.
		Director, Sexual Assault Prevention and Response.
		Chief Information Officer.
	Office of the Under Secretary of the Navy.	Principal Deputy Under Secretary of the Navy Business Operations and Transformation).
		Principal Director to the Under Secretary of the Navy for Plans, Policy, Oversight and Integration.
		Director, Operations Integration Group.
		Senior Director for Security.
		Director, Small Business Programs.
		Principal Director (DCMO).
		Director, Operations Integration Group.
		Senior Director for Policy.
	Office of the Naval Inspector General.	Deputy Naval Inspector General.
	Office of the Auditor General	Deputy Auditor General of the Navy.
		Assistant Auditor General for Financial Management and Comptroller Audits.
		Assistant Auditor General for Installation and Environment Audits.
		Assistant Auditor General for Manpower and Reserve Affairs Audits.
		Assistant Auditor General for Research, Development, Acquisition and Logistics Audits.
		Auditor General of the Navy.
	Office of the Assistant Secretary of Navy (Manpower and Reserve Affairs).	Deputy Assistant Secretary of the Navy (Reserve Affairs and Total Force Integration).
		Assistant General Counsel (Manpower and Reserve Affairs).
		Principal Deputy Assistant Secretary of the Navy (Manpower and Reserve Affairs).
		Deputy Assistant Secretary of the Navy (Civilian Human Resources).
	Office of Civilian Human Resources.	Director, Human Resources Operations and Customer Engagement.
		Director, Human Resources Systems and Analytics.
		Director, Human Resources Operations.
		Director, Office of Civilian Human Resources.
		Director, Human Resources Policy and Program Department.
		Director, Human Resources Systems, Processes and Productivity.
	Office Assistant Secretary of Navy (Energy, Installations and Environment).	Deputy Assistant Secretary of the Navy (Energy).
		Assistant General Counsel (Energy, Installations and Environment).
		Director, Joint Guam Program Office.
		Deputy Assistant Secretary of the Navy for Infrastructure, Strategy and Analysis.
	Office Assistant Secretary of the Navy (Research, Development and Acquisition).	Executive Director, Navy International Programs Office.
		Deputy Assistant Secretary of the Navy (Management and Budget).
		Director, Program Analysis and Business Transformation.
		Assistant General Counsel (Research, Development and Acquisition).
		Principal Civilian Deputy Assistant Secretary of the Navy (Acquisition Workforce).
		Deputy Assistant Secretary of the Navy (Command, Control, Communications, Computers and Intelligence) Space).
		Deputy Assistant Secretary of the Navy (Ships).
		Program Executive Officer for Defense Healthcare Management Systems.
		Deputy for Test and Evaluation.
		Executive Director, F–35, Joint Program Office.
		Chief of Staff/Policy.
	Program Executive Officers	Program Executive Officer, Land Systems.
		Executive Director, Program Executive Office, Littoral Combat Ships.
		Program Executive Officer (Enterprise Information Systems).
		Executive Director, Program Executive Office for Space Systems.
		Deputy Program Executive Officers Air Assault and Special Mission.
		Executive Director for Command, Control, Communications, Computers and Intelligence (C4i).
		Executive Director, Program Executive Office Submarines.

Agency	Organization	Title
		Executive Director, Amphibious, Auxiliary and Sealift Ships, Program Executive Officers Ships.
		Executive Director, Program Executive Officers for Integrated Warfare Systems.
		Deputy Program Executive Officers for Tactical Air Programs.
		Deputy Program Executive Officers for Strike Weapons.
		Executive Director, Program Executive Officers for Aircraft Carriers.
		Executive Director, Combatants, Program Executive Officers Ships.
		Director for Above Water Sensors Directorate.
		Director for Integrated Combat Systems for Integrated Warfare Systems.
		Deputy Program Executive Officer for Unmanned Aviation Programs.
	Strategic Systems Programs	Director, Plans and Programs Division.
		Branch Head, Reentry Systems Branch.
		Technical Plans and Payloads Integration Officer.
		Head, Resources Branch (Comptroller) and Deputy Director, Plans and Program Division.
		Assistant for Missile Engineering Systems.
		Counsel, Strategic Systems Programs.
		Assistant for Shipboard Systems.
		Assistant for Systems Integration and Compatibility.
		Chief Engineer.
		Assistant for Missile Production, Assembly and Operations.
		Director, Integrated Nuclear Weapons Safety and Security, Director Strategic Systems Programs.
	Office of the Assistant Secretary of Navy (Financial Management and Comptroller).	Director, Investment and Development Division.
		Deputy Director, Financial Operations.
		Deputy Assistant Secretary of the Navy for Cost and Economics.
		Director, Program/Budget Coordination Division.
		Deputy Assistant Secretary of the Navy for Financial Operations.
		Associate Director, Office of Budget/Fiscal Management Division.
		Assistant General Counsel (Financial Management and Comptroller).
		Director, Civilian Resources and Business Affairs Division.
		Director, Budget and Policy and Procedures Division.
		Principal Deputy Assistant Secretary of the Navy (Financial Management and Comptroller).
	Office of the General Counsel	Assistant General Counsel (Intelligence Law).
		Special Counsel for Litigation.
		Assistant General Counsel (Acquisition Integrity).
	Naval Criminal Investigative Service.	Criminal Investigator, Executive Assistant Director for Criminal Operations.
		Criminal Investigator, Director, Naval Criminal Investigative Service.
		Criminal Investigator, Deputy Director, Naval Criminal Investigative Service.
		Criminal Investigator, Executive Assistant Director for Management and Administration.
		Criminal Investigator, Executive Assistant Director for Global Operations.
		Criminal Investigator, Executive Assistant Director for Pacific Operations.
		Criminal Investigator, Executive Assistant Director for Atlantic Operations.
	Chief of Naval Operations	Deputy Director, Air Warfare.
		Assistant Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education).
		Deputy Director, Program Division (N80b).
		Assistant Deputy Chief of Naval Operations, Warfare Systems.
		Director, Strategic Mobility and Combat Logistics Division.
		Director, Special Programs.
		Deputy Director, Afloat Readiness and Maintenance Division (N43).
		Deputy Director for Strategy and Policy.
		Deputy Director, Environmental Readiness Division.
		Assistant Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education).
		Director, Assessment and Compliance (N2/N6bc).
		Assistant Deputy Chief of Naval Operations for Information Dominance (N2/N6).
		Financial Manager and Chief Resources Officer for Manpower, Personnel, Training and Education.
		Assistant Deputy Chief of Naval Operations (Resources, Warfare Requirements and Assessments) N8b.
		Assistant Deputy Chief of Naval Operations (Logistics).

Agency	Organization	Title
		Technical Director, Oceanographer of the Navy.
		Director, Naval History and Heritage Command.
		Head, Campaign Analysis Branch.
		Deputy Director, Fleet Readiness Division.
		Director Naval History and Heritage Command.
		Assistant Deputy Chief of Naval Operations, Fleet Readiness and Logistics.
		Deputy Director, Energy and Environmental Readiness (N45b).
		Assistant Deputy Chief of Naval Operations, Warfare Systems.
	Commander, Navy Installations Command.	Deputy Regional Commander (Southeast).
		Comptroller.
		Counsel, Commander Navy Installations Command.
		Director, Total Force Manpower.
		Deputy Commander.
		Deputy Regional Commander (Mid-Atlantic).
	Bureau of Medicine and Surgery ..	Director, Total Force.
		Comptroller/Deputy Chief of Staff for Resource Management.
	Military Sealift Command	Comptroller.
		Director, Government Operations NFAF and Special Mission Ships.
		Director, Contractor Operated Ships.
		Director, Military Sealift Command Manpower and Personnel.
		Executive Director.
		Counsel, Military Sealift Command.
	Naval Meteorology and Oceanography Communications, Stennis Space Center, Mississippi.	Technical/Deputy Director.
	Office of Commander, United States Fleet Forces Command/Joint Forces Command.	Deputy for Naval Air and Missile Defense Command.
		Deputy Chief of Staff, Fleet Installation and Environment.
		Deputy Director, Force Certification.
		Assistant Deputy Chief of Staff, Fleet Policy and Capabilities Requirements.
		Executive Director, Fleet Resources and Readiness Integration.
		Deputy Chief of Staff, Personnel Development and Allocation.
	Commander, Submarine Forces ...	Executive Director, Submarine Forces.
	Commander, Naval Expeditionary Combat Command.	Executive Director, Navy Expeditionary Combat Command.
	Navy Cyber Forces	Deputy Commander.
	Office of the Commander, United States Pacific Command.	Director, Pacific Outreach Directorate.
		Director for Forces Resources and Management.
		Chief Information Officer.
	Office of the Commander, United States Pacific Fleet.	Deputy for Naval Mine and Anti-Submarine Warfare Command.
		Executive Director, Fleet Warfare Requirements, Resources and Force Structure.
		Executive Director, Naval Surface Forces.
		Chief of Staff.
		Executive Director, Total Force Management (2).
		Executive Director, Pacific Fleet Plans and Policy.
		Executive Director, Naval Air Forces.
		Deputy Chief of Staff for C4/CIO.
	Naval Air Systems Command Headquarters.	Counsel, Naval Air Systems Command.
		Director of Contracts, F–35 JSF.
		Director, Air Anti-Submarine Warfare, Assault and Special Mission Programs Contracts Department.
		Deputy Counsel, Office of Counsel.
		Director, Propulsion and Power.
		Director, Design Interface and Maintenance Planning.
		Director, Aviation Readiness and Resource Analysis.
		Director, Strike Weapons, Unmanned Aviation, Naval Air Programs Contracts Department.
		Director Industrial Operations.
		Director, Air Platform Systems.
		F–35 Joint Strike Fighter, Director of Logistics and Sustainment.
		Command Information Officer.
		Director, Cost Estimating and Analysis.
		Principal Assistant for Air Warfare Acquisition Analysis and Planning.
		Assistant Commander, Corporate Operations and Total Force.
		Deputy Assistant Commander for Logistics and Industrial Operations.
		Deputy Commander, Naval Air Systems Command.

Agency	Organization	Title
		Deputy Assistant Commander for Research and Engineering.
		Assistant Commander for Acquisition Processes and Execution.
		Director, Logistics Management Integration.
		Director, Tactical Aircraft and Missiles Contracts Department.
		Director, Air Vehicles and Unmanned Air Vehicles.
		Director, Avionics Department.
		Director, Systems Engineering Department.
		Counsel, Naval Air Systems Command.
		Comptroller.
		Assistant Commander for Contracts.
	Naval Air Warfare Center Aircraft Division.	Director, Aircraft Launch and Recovery Equipment/Support Equipment.
		Deputy Assistant Commander for Test and Evaluation/Executive Director Naval Air Warfare Center Aircraft Division/Director, Test and Evaluation NAWCAD.
		Director, Flight Test Engineering.
		Director, Battlespace Simulation.
		Director, Integrated Systems Evaluation Experimentation and Test Department.
	Naval Air Warfare Center Weapons Division, China Lake, California.	Executive Director, Naval Air Warfare Center Weapons Division/Director, Research Engineering.
		Director, Weapons and Energetics Department.
		Director, Range Department.
		Director, Software Engineering.
		Director, Electronic Warfare/Combat Systems.
	Naval Air Warfare Center Training Systems Division.	Director, Human Systems Department.
	Space and Naval Warfare Systems Command.	Counsel, Space and Naval Warfare Systems Command.
		Executive Director, Fleet Readiness Directorate.
		Director Corporate Operations/Command Information Officer.
		Assistant Chief Engineer for Mission Architecture and Systems Engineering.
		Assistant Chief Engineer for Certification and Mission Assurance.
		Assistant Chief Engineer for Mission Engineering.
		Deputy Chief Engineer.
		Deputy Commander.
		Director, Readiness/Logistics Directorate.
		Director, Corporate Operations/Command Information Officer.
		Executive Director.
		Director, Contracts.
		Comptroller, Business Resources Manager.
	Space and Naval Warfare Systems Center.	Comptroller/Business Resource Manager.
		Executive Director.
		Head, Research and Applies Sciences Department.
		Head, Command and Control Department.
		Head, Communication and Information Systems Department.
		Counsel, Space and Naval Warfare Systems Command.
		Director, Science and Technology.
		Head Intelligence, Surveillance, and Reconnaissance and Information Operations Department.
	Space and Naval Warfare Systems Center, Charleston.	Executive Director.
	Naval Facilities Engineering Command.	Executive Director.
		Director of Asset Management.
		Director, Public Works.
		Counsel, Naval Facilities Engineering Command.
		Assistant Commander/Chief Management Officer.
		Comptroller.
		Director, Navy Crane Center.
		Counsel, Naval Facilities Engineering Command.
		Director of Contracts Support.
		Chief Engineer.
		Director of Environment.
	Naval Sea Systems Command	Deputy for Weapons Safety.
		Deputy Commander, Corporate Operations Directorate.
		Executive Director for Logistics Maintenance and Industrial Operations Directorate.
		Executive Director, Undersea Warfare Directorate.
		irector, Reactor Plant Components and Auxiliary Equipment Division.
		Director, Surface Ship Systems Division.

Agency	Organization	Title
		Director, Reactor Safety and Analysis Division.
		Director for Submarine/Submersible Design and Systems Engineering.
		Program Manager for Commissioned Submarines.
		Director, Office of Resource Management.
		Deputy Commander, Human Systems Integration Directorate.
		Director, Reactor Refueling Division.
		Deputy Commander/Comptroller.
		Director for Advanced Undersea Integration.
		Assistant Deputy Commander, Maintenance, Modernization, Environment and Safety.
		Director of Radiological Controls.
		Director for Marine Engineering.
		Director for Ship Integrity and Performance Engineering.
		Division Technical Director, Naval Surface Warfare Center Indian Head Explosive Ordinance Disposal Technology Division.
		Deputy Director, Advanced Aircraft Carrier System Division.
		Director, Fleet Readiness Division.
		Director, Surface Systems Contracts Division.
		Deputy Counsel, Naval Sea Systems Command.
		Executive Director, Ship Design, and Engineering Directorate.
		Director for Aircraft Carrier Design and Systems Engineering.
		Assistant Deputy Commander for Industrial Operations.
		Director, Shipbuilding Contracts Division.
		Director, Cost Engineering and Industrial Analysis.
		Director for Surface Ship Design and Systems Engineering.
		Director, Reactor Materials Division.
		Director for Contracts.
		Counsel, Naval Sea Systems Command.
		Executive Director, Surface Warfare Directorate.
		Executive Director.
		Director, Nuclear Components Division.
		Director, Undersea Systems Contracts Division.
		Head, Advanced Reactor Branch.
		Director for Ship Survivability and Structural Integrity.
		Deputy Director for Advanced Submarine Reactor Servicing and Spent Fuel Management.
	Naval Shipyards	Nuclear Engineering and Planning Manager; Pearl Harbor Naval Shipyard.
		Naval Shipyard Nuclear Engineering and Planning Manager, Norfolk Naval Shipyard.
		Nuclear Engineering and Planning Manager; Portsmouth Naval Shipyard.
		Nuclear Engineering and Planning Manager, Puget Sound Naval Shipyard.
	Naval Surface Warfare Center	Division Technical Director, NSWC Dahlgren Division.
		Technical Director.
	Naval Undersea Warfare Center	Technical Director.
	Naval Surface Warfare Center, Crane Division.	Division Technical Director, Naval Surface Warfare Center, Crane Indiana.
	Naval Undersea Warfare Center Division, Keyport, Washington.	Division Technical Director, Naval Undersea Warfare Center, Keyport Division.
	Naval Surface Warfare Center, Port Hueneme Division.	Division Technical Director Naval Surface Warfare Center Port Hueneme Division.
	Naval Surface Warfare Center, Corona Division.	Division Technical Director, Naval Surface Warfare Center, Corona Division.
	Naval Surface Warfare Center, Indian Head Division.	Division Technical Director, Naval Surface Warfare Center, Indian Head Division.
	Naval Surface Warfare Center, Carderock Division.	Division Technical Director, Naval Surface Warfare Center, Carderock Division.
	Naval Surface Warfare Center, Dahlgren Division.	Division Technical Director Naval Surface Warfare Center Panama City Division.
		Division Technical Director, Naval Surface Warfare Center, Dahlgren Division.
	Naval Undersea Warfare Center Division, Newport, Rhode Island.	Division Technical Director, NUWC Division Newport.
	Naval Supply Systems Command Headquarters.	Senior Acquisition Logistician/Enterprise Resource Planning Program Manager.
		Counsel, Naval Supply Systems Command.
		≤Deputy Commander, Acquisition, Naval Supply Systems Command.
		Executive Director, Office of Special Projects.
		Deputy Commander, Corporate Operations.
		Assistant Commander for Financial Management/Comptroller.
		Vice Commander.

Agency	Organization	Title
	Fleet and Industrial Supply Centers.	Vice Commander, Global Logistics Support.
	Weapon Systems Support	Vice Commander, NAVSUP Weapon Systems Support.
	United States Marine Corps Headquarters Office.	Director, Program Assessment and Evaluation Division.
		Deputy Counsel for the Commandant.
		Assistant Deputy Commandant, Installations and Logistics (E-Business and Contracts).
		Director, Manpower Plans and Policy Division.
		Deputy Assistant Deputy Commandant Installations and Logistics (Facilities).
		Counsel for the Commandant.
		Assistant Deputy Commandant for Plans, Policies and Operations (Security).
		Assistant Deputy Commandant, Resources and Fiscal Director, Marine Corps.
		Assistant Deputy Commandant, Installations and Logistics.
		Assistant Deputy Commandant for Programs and Resources.
		Assistant Deputy Commandant for Manpower and Reserve Affairs.
		Assistant Deputy Commandant for Aviation (Sustainment).
	Marine Corps Systems Command	Executive Director.
		Deputy Commander for Resource Management.
		Deputy Commander, Command, Control, Communications, Computer, Intelligence, Surveillance and Reconnaissance.
	Marine Corps Combat Development Command; Quantico, Virginia.	Executive Deputy Training and Education Command.
	Marine Corps Logistics Command Albany, Georgia.	Executive Deputy, Marine Corps Logistics Command.
	Office of Naval Research	Head, Expeditionary Warfare and Combating Terrorism Science and Technology Department.
		Director, Mathematical, Computer, and Information Sciences Division.
		Patent Counsel of the Navy.
		Counsel, Office of Naval Research.
		Executive Director.
		Head, Warfighter Performance Science and Technology Department.
		Head, Command, Control, Communications, Intelligence, Surveillance, and Reconnaissance (C4isr) Science and Technology Department.
		Head, Ocean, Battlespace Sensing Science and Technology Department.
		Director of Transition.
		Head, Sea Warfare and Weapons Science and Technology Department.
		Executive Director for Acquisition Management.
		Director, Ocean, Atmosphere and Space Science and Technology Processes and Prediction Division.
		Director, Hybrid Complex Warfare Science and Technology Division.
		Head, Air Warfare and Weapons Science and Technology Department.
		Director of Innovation.
		Director, Undersea Weapons and Naval Materials Science and Technology Division.
		Comptroller.
		Director, Ship Systems and Engineering Division.
		Director, Life Sciences Research Division.
		Director, Electronics, Sensors, and Networks Research Division.
		Director for Aerospace Science Research Division.
		Head, Air Warfare and Weapons Science and Technology Department.
	Naval Research Laboratory	Associate Director of Research for Systems.
		Superintendent, Center for Bio-Molecular Science and Engineering.
		Superintendent, Spacecraft Engineering Department.
		Superintendent, Oceanography Division.
		Superintendent, Marine Geosciences Division.
		Superintendent, Radar Division.
		Superintendent, Material Science and Technology Division.
		Superintendent, Tactical Electronic Warfare Division.
		Superintendent, Plasma Physics Division.
		Associate Director of Research for Business Operations.
		Associate Director of Research for Ocean and Atmospheric Science and Technology.
		Superintendent, Chemistry Division.
		Superintendent, Optical Sciences Division.

Agency	Organization	Title
		Associate Director of Research for Material Science and Component Technology.
		Director of Research.
		Superintendent, Marine Meteorology Division.
		Superintendent, Remote Sensing Division.
		Superintendent, Electronics Science and Technology Division.
		Superintendent, Information Technology Division.
		Superintendent, Acoustics Division.
		Director, Naval Center for Space Technology.
		Superintendent, Space Systems Development Department.
		Superintendent, Space Sciences Division.
OFFICE OF THE SECRETARY OF DEFENSE OFFICE OF THE INSPECTOR GENERAL.	Office of the General Counsel	General Counsel.
	Office of Communications and Congressional Liaison.	Assistant Inspector General, Office of Communications and Congressional Liaison.
	Office of the Inspector General	Principal Deputy Inspector General.
	Deputy Inspector General for Auditing.	Deputy Inspector General for Auditing.
	Office of the Principal Deputy Inspector General for Auditing.	Principal Assistant Inspector General for Auditing.
	Acquisition and Contract Management.	Assistant Inspector General for Acquisition and Contract Management.
	Financial Management and Reporting.	Assistant Inspector General for Financial Management and Reporting.
		Assistant Inspector General for Financial Management and Reporting.
	Readiness, Operations and Support.	Assistant Inspector General for Readiness and Cyber Operations.
	Deputy Inspector General for Investigations.	Deputy Inspector General for Investigations.
	Defense Criminal Investigative Service.	Assistant Inspector General for Investigations.
		Assistant Inspector General for Investigative Operations.
		Assistant Inspector General for International Operations.
	Deputy Inspector General for Policy and Oversight.	Deputy Inspector General for Policy and Oversight.
	Audit Policy and Oversight	Assistant Inspector General for Audit Policy and Oversight.
	Investigative Policy and Oversight	Assistant Inspector General for Investigative Policy and Oversight.
	Deputy Inspector General for Intelligence and Special Program Assessments.	Deputy Inspector General for Intelligence and Special Program Assessments.
		Deputy Inspector General for Intelligence and Special Program Assessments.
	Office of Administration and Management.	Assistant Inspector General for Administration and Management.
	Deputy Inspector General for Special Plans and Operations.	Deputy Inspector General for Special Plans and Operations.
	Deputy Inspector General for Administrative Investigations.	Deputy Inspector General Administrative Investigations.
DEFENSE NUCLEAR FACILITIES SAFETY BOARD.	Defense Nuclear Facilities Safety Board.	Group Lead for Nuclear Facility Design and Infrastructure.
		Technical Director.
		Group Lead for Nuclear Materials Processing and Stabilization.
		Deputy General Counsel.
		Group Lead for Nuclear Programs and Analysis.
		Group Lead for Performance Assurance.
		Deputy General Manager.
		Group Lead for Nuclear Weapon Programs.
		Deputy Technical Director.
DEPARTMENT OF EDUCATION ...	Office of the Chief Financial Officer.	Director, Financial Improvement and Post Audit Operations.
		Deputy Chief Financial Officer, Management and Operations.
		Deputy Chief Financial Officer.
		Executive Assistant to the Chief Financial Officer.
	Office of the Chief Information Officer.	Chief Information Officer.
		Director, Information Assurance and Chief Information Security Officer.
	Office of Management	Director, Human Capital and Client Services.
		Director, Security Services.
		Chairperson, Education Appeal Board.
	Office of the General Counsel	Assistant General Counsel for Postsecondary Education and Education Research Division.

Agency	Organization	Title
		Assistant General Counsel for Educational Equity.
		Assistant General Counsel for Business and Administration Law.
	Office for Civil Rights	Deputy Assistant Secretary for Enforcement
		Deputy Assistant Secretary for Enforcement.
		Enforcement Director (2).
	Institute of Education Sciences	Associate Commissioner, Assessments Division.
	Federal Student Aid	Chief Financial Officer.
DEPARTMENT OF EDUCATION OFFICE OF THE INSPECTOR GENERAL.	Office of the Inspector General	Assistant Inspector General for Information Technology Audits and Computer Crime Investigations.
		Assistant Inspector General for Audit Services.
		Deputy Assistant Inspector General for Investigation Services.
		Deputy Inspector General.
		Assistant Inspector General for Management Services.
		Deputy Assistant Inspector General for Audit Services.
		Assistant Inspector General for Investigative Services.
		Counsel to the Inspector General.
DEPARTMENT OF ENERGY	Loan Programs Office	Director for Portfolio Management.
	Associate Administrator for Acquisition and Project Management.	Director, Office of Acquisition and Supply Management.
	Office of Management and Budget	Director, Office of Field Financial Management.
	Deputy Administrator for Defense Programs.	Manager, Livermore Site Office.
		Manager, Sandia Site Office.
		Manager, Nevada Site Office.
		Manager, Savannah River Site Office.
		Principal Assistant Deputy Administrator for Defense Program.
	Deputy Administrator for Naval Reactors.	Director, Instrumentation and Control Division.
		Director, Advanced Submarine Systems Division.
		Deputy Director for Naval Reactors.
		Senior Naval Reactors Representative (Yokosuka, Japan).
		Deputy Director, Nuclear Technology Division.
		Program Manager for Surface Ship Nuclear Propulsion.
		Manager, Naval Reactors Laboratory Field Office.
		Director, Regulatory Affairs.
		Senior Naval Reactors Representative.
	Office of Defense Nuclear Security	Director, Office of Nuclear Materials Integration.
	Office of Health, Safety and Security.	Deputy Director, Office of Headquarters Security Operations.
		Director, Office of Independent Oversight.
		Director, Office of Security and Safety Performance.
	Office of the Chief Information Officer.	Associate Chief Information Officer for Cyber Security.
		Deputy Chief Information Officer.
		Chief Information Officer.
		Associate Chief Information Officer for Energy It Services.
	Office of the Chief Human Capital Officer.	Director, Office of Human Capital Strategy, Budget and Performance Metrics.
		Director, Office of Executive Resources.
		Director, Office of Learning and Workforce Development.
		Director, Office of Human Capital Policy Accountability and Technology.
		Director, Human Capital Management Strategic Planning and Vision.
	Office of Management	Director, Project Management Systems and Assessments.
	Office of the Chief Financial Officer.	Deputy Chief Financial Officer.
		Deputy Chief Financial Officer.
	Office of Security and Safety Performance Assurance.	Director, Office of Safeguards and Security Training.
	Office of Economic Impact and Diversity.	Deputy Chief Human Capital Officer.
	Assistant Secretary for Energy Efficiency and Renewable Energy.	Program Manager.
		Director, Regional Office and Deployment Operations.
		Program Manager.
		Deputy Manager, Golden Field Office.
		Program Manager.
		Program Manager, Office of Geothermal Technologies Program.
		Manager, Golden Field Office.
	Assistant Secretary for Environment, Safety and Health.	Director, Office of Nuclear Safety, Policy and Standards.
		Director, Office of Regulatory Liaison.
	Energy Information Administration	Director, Office of Petroleum and Biofuels Statistics.

Agency	Organization	Title
		Director, Office of Survey Development and Statistical Integration.
		Director, Office of Integration Analysis and Forecasting.
		Director, Electrical Power Division.
		Director, Petroleum Division.
		Director, Natural Gas Division.
		Director, Energy Markets and Contingency Information Division.
		Director, Coal, Nuclear and Renewables Division.
		Director, Office of Oil and Gas.
		Director, Coal and Electric Power Division.
		Director, Electric Power Division.
		Director, Office of Energy Consumption and Energy Efficiency Analysis.
		Director, Office of Petroleum Gas and Biofuels Analysis.
		Director, Office of Integrated and International Energy Analysis.
		Assistant Administrator for Communications.
		Assistant Administrator for Resources and Technology Management.
		Assistant Administrator for Energy Analysis.
		Director Office of Electricity, Coal Nuclear and Renewables.
		Director, Office of Oil, Gas and Coal Supply Statistics.
	Office of Environmental Management.	Science Advisor.
		Director, Office of Project Assessment.
		Director, Office of Safeguard and Security/Emergency Management.
	Environmental Management Consolidated Business Center.	Deputy Manager.
	Office of Science	Site Office Manager, Fermi.
		Director, Facilities Division.
		Director High Energy Physics Division.
		Director, Health Effects and Life Scientist Research Division.
		Director, Financial Management Division.
		Associate Director, Office of Resource Management.
	Office of Fossil Energy	Director, Materials Partnerships Research Center.
	Albuquerque Operations Office	Director, Weapons Programs Division.
		Assistant Manager for Management and Administration.
		Carlsbad Area Office Manager.
		Director Transportation Safeguards Division.
	Chicago Operations Office	Deputy Manager, Chicago Office.
		Director, New Brunswick Laboratory.
		Assistant Manager, Acquisition and Assistance.
	Idaho Operations Office	Chief Financial Officer/Chief Operating Officer.
	Ohio Field Office	Manager Ohio Field Office.
		Deputy Manager, Ohio Field Office.
	Oakland Operations Office	Associate Manager for Site Management.
	Oak Ridge Operations Office	Assistant Manager for Administration.
		Chief Financial Officer.
	Rocky Flats Office	Assistant Manager for Administration and Transition.
	Office of General Counsel	Assistant General Counsel for General Law.
	Office of Hearings and Appeals	Deputy Director for Legal Analysis.
		Deputy Director for Financial Analysis.
		Deputy Director for Economic Analysis.
		Director, Hearings and Appeals (Chief Administrative Judge).
	Office of Inspector General	Assistant Inspector General for Investigations.
		Counsel to the Inspector General.
	Office of Nuclear Energy	Director Office of Light Water Reactor Deployment.
		Associate Director for Nuclear Facilities Management.
	Western Area Power Administration.	Transmission Infrastructure Program Manager.
		Chief Financial Officer.
		Chief Operating Officer.
		Transmission Infrastructure Program Manager.
DEPARTMENT OF ENERGY OFFICE OF THE INSPECTOR GENERAL.	Department of Energy Office of the Inspector General.	Director, Environment Technology Corporate and Financial Audits Division.
		Assistant Inspector General for Investigations.
		Director, Eastern Audits Division.
		Director, Central Audits Division.
		Deputy Inspector General Management and Administration.
		Counsel to the Inspector General.
		Assistant Inspector General for Audits.
		Assistant Inspector General for Inspections.
		Deputy Inspector General for Audits and Inspections.
		Director, National Nuclear Security Administration and Science Audits Division.
		Deputy Inspector General for Investigations.

Agency	Organization	Title
		Deputy Inspector General for Investigations and Inspections.
ENVIRONMENTAL PROTECTION AGENCY.	Office of Homeland Security	Director, Office of Homeland Security.
	Office of Executive Services	Director, Office of Executive Services.
	Office of the Chief Financial Officer.	Senior Advisor.
		Deputy Chief Financial Officer.
		Associate Chief Financial Officer.
	Office of Planning, Analysis and Accountability.	Director, Office of Planning, Analysis and Accountability.
	Center for Environmental Finance	Director, Center for Environmental Finance.
	Office of Budget	Director, Office of Budget.
	Office of Financial Management	Director, Office of Financial Management.
	Office of Financial Services	Director, Office of Financial Services.
	Office of Technology Solutions	Director, Office of Technology Solutions.
	Office of Environmental Information.	Director, Enterprise Information Technology Systems.
	Office of Technology Operations and Planning.	Director, National Computer Center.
	Office of the Assistant Administrator for Administration and Resources Management.	Deputy Assistant Administrator for Administration and Resources Management.
		Senior Policy Advisor.
	Office of Policy and Resource Management.	Director, Office of Policy and Resource Management.
	Office of Administration	Deputy Director, Office of Administration.
		Director, Office of Administration.
		Director, Facilities Management and Services Division.
		Director, Safety, Health and Environmental Management Division.
	Office of Human Resources	Director, Office of Human Resources.
		Director, Executive Resources Division.
		Deputy Director, Office of Human Resources.
	Office of Acquisition Management	Deputy Director, Office of Acquisition Management.
		Director, Superfund/Resource Conservation and Recovery Act Regional Procurement Operations Division.
		Director, Office of Acquisition Management.
	Office of Grants and Debarment	Director, Office of Grants and Debarment.
		Director, Grants Administration Division.
		Deputy Director, Office of Grants and Debarment.
	Office of Administration and Resources Management—Cincinnati Ohio.	Director, Office of Administration and Resources Management.
	Office of Administration and Resources Management—Research Triangle Park, North Carolina.	Director, Office of Administration and Resources Management.
	Office of Diversity, Advisory Committee Management and Outreach.	Director, Office of Diversity, Advisory Committee Management and Outreach.
	Environmental Appeals Board	Environmental Appeals Judge.
		Environmental Appeals Judge (3).
	Federal Facilities Enforcement Office.	Director, Federal Facilities Enforcement Office.
	Office of Environmental Justice	Director, Office of Environmental Justice.
	Office of Compliance	Director, Enforcement Targeting and Data Division.
		Deputy Director, Office of Compliance.
		Director, Monitoring Assistance and Media Programs Division.
		Director, National Enforcement Training Institute.
		Director, Office of Compliance.
	Office of Criminal Enforcement, Forensics and Training.	Director, Criminal Investigation Division.
		Assistant Director, Office of Criminal Enforcement, Forensics and Training.
		Director, National Enforcement Investigations Center.
		Director, Office of Criminal Enforcement, Forensics and Training.
		Deputy Director, Office of Criminal Enforcement, Forensics Training.
	Office of Federal Activities	Director, International Compliance Assurance Division.
	Office of Civil Enforcement	Director, Air Enforcement Division.
		Director, Office of Civil Enforcement.
		Deputy Director, Office of Civil Enforcement.
	Office of Site Remediation Enforcement.	Deputy Director, Office of Site Remediation Enforcement.
		Director, Office of Site Remediation Enforcement.
	Office of Deputy General Counsel	Director, Resources Management Office.

Agency	Organization	Title
	Office of Ground Water and Drinking Water.	Director, Standards and Risk Management Division.
		Director, Drinking Water Protection Division.
	Office of Science and Technology	Director, Health and Ecological Criteria Division.
		Director, Standards and Health Protection Division.
		Director, Engineering and Analysis Division.
	Office of Waste Water Management.	Director, Municipal Support Division.
		Director, Water Permits Division.
	Office of Wetlands, Oceans and Watersheds.	Director, Wetlands Division.
		Director, Assessment and Watershed Protection Division.
		Director, Oceans and Coastal Protection Division.
	Office of the Assistant Administrator for Solid Waste and Emergency Response.	Director, Land Revitalization Staff.
	Office of Superfund Remediation and Technology Innovation.	Director, Technology Innovation and Field Services Division.
		Director, Resources Management Division.
		Director, Assessment and Remediation Division.
	Office of Resource Conservation and Recovery.	Director, Materials Recovery and Waste Management Division.
		Director, Program Implementation and Information Division.
		Director, Resource Conservation and Sustainability Division.
	Office of the Assistant Administrator for Air and Radiation.	Senior Policy Advisor (Agriculture).
		Director, Office of Policy Analysis and Review.
		Senior Advisor.
	Office of Air Quality Planning and Standards.	Director, Sector Policies and Programs Division.
		Director, Health and Environmental Impacts Division.
		Director, Air Quality Policy Division.
		Director, Air Quality Assessment Division.
		Associate Office Director for Program Integration and International Air Quality Issues.
		Director, Outreach and Information Division.
		Deputy Director, Office of Air Quality Planning and Standards.
	Office of Transportation and Air Quality.	Director, Transportation and Climate Division.
		Director, National Center for Advanced Technology.
		Director, Testing and Advanced Technology Division.
		Director, Assessment and Standards Division.
		Director, Compliance Division.
	Office of Radiation and Indoor Air	Director, Radiation Protection Division.
		Director, Indoor Environments Division.
		Deputy Director, Office of Radiation and Indoor Air.
	Office of Atmospheric Programs ...	Director, Climate Protection Partnership Division.
		Director, Climate Change Division.
		Director, Clean Air Markets Division.
	Office of Program Management Operations.	Associate Assistant Administrator (Management).
	Office of Pesticide Programs	Director, Antimicrobials Division.
		Director, Field and External Affairs Division.
		Director, Information Technology and Resources Management Division.
		Director, Health Effects Division.
		Director, Environmental Fate and Effects Division.
		Director, Biological and Economic Analysis Division.
		Director, Registration Division.
		Director, Special Review and Reregistration Division.
		Director, Biopesticides and Pollution Prevention Division.
	Office of Pollution Prevention and Toxics.	Director, Risk Assessment Division.
		Director, National Program Chemicals Division.
		Director, Pollution Prevention Division.
		Director, Chemical Control Division.
		Director, Information Management Division.
		Director, Economics Exposure and Technology Division.
		Director, Environmental Assistance Division.
	Office of the Assistant Administrator for Research and Development.	Deputy Director for Management OSIM.
		Director, Environmental Technology Innovation Cluster Program.
		Chief Innovation Officer.

Agency	Organization	Title
		Director for Ecology.
		Director, Office of Science Information Management.
	National Homeland Security Research Center.	Director, National Homeland Security Research Center.
		Deputy Director for Management, National Homeland Security Research Center.
	Office of Program Accountability and Resource Management.	Director, Office of Program Accountability and Resource Management.
	National Health and Environmental Effects Research Laboratory.	Associate Director for Ecology.
		Associate Director for Health.
		Director, National Health and Environmental Effects Research Laboratory.
		Deputy Director for Management.
	Atlantic Ecology Division	Director, Atlantic Ecology Division.
	Western Ecology Division	Director, Western Ecology Division.
	Gulf Ecology Division	Director, Gulf Ecology Division.
	Mid-Continent Ecology Division	Director, Mid-Continent Ecology Division.
	Human Studies Division	Director, Human Studies Division.
	National Exposure Research Laboratory—NERL.	Director, Microbiological and Chemical Assessment Research Division.
		Director, National Exposure Research Laboratory.
		Deputy Director for Management.
	Environmental Sciences Division	Director, Environmental Sciences Division.
	Ecosystems Research Division	Director, Ecosystems Research Division.
	Human Exposure and Atmospheric Sciences Division.	Director, Human Exposure and Atmospheric Science Division.
	National Risk Management Research Laboratory.	Deputy Director for Management.
		Director, National Risk Management Research Laboratory.
	Air Pollution Prevention and Control Division.	Director, Air Pollution Prevention and Control Division.
	Ground Water Ecosystems Restoration Division.	Director, Ground Water Ecosystems Restoration Division.
	Water Supply and Water Resources Division.	Director, Water Supply and Water Resources Division.
	National Center for Environmental Assessment.	Director, National Center for Environmental Assessment.
		Associate Director for Ecology.
		Deputy Director for Management.
	National Center for Environmental Assessment-Washington, DC.	Director, National Center for Environmental Assessment.
	National Center for Environmental Assessment- Research Triangle Park, North Carolina.	Director, National Center for Environmental Assessment.
	National Center for Environmental Assessment—Cincinnati, Ohio.	Director, National Center for Environmental Assessment.
	National Center for Environmental Research.	Director, National Center for Environmental Research.
		Deputy Director for Management.
	Office of Administrative and Research Support.	Deputy Director, Office of Administrative and Research Support.
		Director, Office of Administrative and Research Support.
	Region 1- Boston, Massachusetts	Director, Office of Environmental Stewardship.
		Director, Office of Ecosystem Protection.
		Director, Office of Site Remediation Restoration.
		Assistant Regional Administrator for Administration and Resources Management.
		Director, Coastal and Ocean Policy and Programs.
	Office of Regional Counsel	Regional Counsel.
	Region 2—New York, New York	Assistant Regional Administrator for Policy and Management.
		Director, Office of Emergency and Remedial Response.
		Director, Environmental Science and Assessment Division.
		Director, Caribbean Environmental Protection Division.
		Director, Clean Air and Sustainability Division.
		Director, Enforcement and Compliance Assistance Division.
	Office of Regional Counsel	Regional Counsel.
	Region 3—Philadelphia, Pennsylvania.	Director, Environmental Assessment and Innovation Division.
		Director, Land and Chemicals Division.
		Director, Air Protection Division.
		Director, Chesapeake Bay Program Office.
		Assistant Regional Administrator for Policy and Management.
		Director, Hazardous Site Cleanup Division.

Agency	Organization	Title
		Director, Water Protection Division.
	Office of Regional Counsel	Regional Counsel
	Region 4—Atlanta, Georgia	Director, Water Management Division.
		Director, Resource Conservation and Recovery Act Division.
		Director, Superfund Division.
		Assistant Regional Administrator for Policy and Management.
		Director, Gulf of Mexico Program.
		Director, Science and Ecosystem Support Division.
		Director, Air, Pesticides and Toxics Management Division.
	Office of Regional Counsel	Regional Counsel.
	Region 5—Chicago, Illinois	Director, Land and Chemicals Division.
		Director, Great Lakes National Program Office.
		Director, Air and Radiation Division.
		Director, Water Division.
		Assistant Regional Administrator for Resources Management.
		Director, Superfund Division.
	Office of Regional Counsel	Regional Counsel.
	Region 6—Dallas, Texas	Director, Compliance Assurance and Enforcement Division.
		Director, Superfund Division.
		Director, Water Quality Protection Division.
		Director, Multimedia Planning and Permitting Division.
		Assistant Regional Administrator for Management.
	Office of Regional Counsel	Regional Counsel.
	Region 7—Kansas City, Kansas	Assistant Regional Administrator for Policy and Management.
		Director, Superfund Division.
		Director, Water, Wetlands and Pesticides Division.
		Director, Air and Waste Management Division.
		Director, Environmental Services Division.
	Office of Regional Counsel	Regional Counsel.
	Region 8—Denver, Colorado	Assistant Regional Administrator for Technical and Management Services
		Assistant Regional Administrator for Partnerships and Regulatory Assistance.
		Assistant Regional Administrator for Ecosystems Protection and Remediation.
	Office of Regional Counsel	Regional Counsel.
	Region 9—San Francisco, California.	Assistant Regional Administrator for Management and Technical Services.
		Director, Air Division.
		Director, Water Division.
		Director, Enforcement Division.
		Director, Superfund Division.
		Director, Communities and Ecosystem Division.
		Director, Waste Management Division.
		Director, Office of Public Affairs.
	Office of Regional Counsel	Regional Counsel.
	Region 10—Seattle, Washington	Senior Advisor.
		Director, Office of Ecosystems, Tribal and Public Affairs.
		Director, Office of Environmental Cleanup.
		Assistant Regional Administrator for Management Programs.
		Director, Office of Compliance and Enforcement.
		Director, Office of Air, Waste and Toxics.
		Director, Office of Water and Watersheds.
	Office of Regional Counsel	Regional Counsel.
ENVIRONMENTAL PROTECTION AGENCY OFFICE OF THE INSPECTOR GENERAL.	Environmental Protection Agency Office of the Inspector General.	Assistant Inspector General for Audit.
		Assistant Inspector General for Congressional and Public Liaison, and Management.
		Assistant Inspector General for Program Evaluation.
		Assistant Inspector General for Homeland Security and Customer Liaison.
		Deputy Inspector General.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Mission Systems.
		Counsel to the Inspector General.
		Chief of Staff.
	Office of Cyber Investigation and Homeland Security.	Assistant Inspector General for Cyber Investigation and Homeland Security.
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.	Office of the Inspector General	Inspector General.
	Office of Field Programs	District Director (Miami).
		District Director (Dallas).
		District Director (San Francisco).

Agency	Organization	Title
		District Director (Detroit).
		District Director (Houston).
		District Director (Philadelphia).
		District Director (Phoenix).
		District Director (Charlotte).
		District Director (San Antonio).
		District Director (New Orleans).
		District Director (Milwaukee).
		Program Manager.
		District Director (Baltimore).
		District Director (New York).
		District Director (St Louis).
		District Director (Chicago).
		District Director (Indianapolis).
		District Director (Atlanta).
		District Director (Birmingham).
		District Director (Cleveland).
		National Mediation Executive Advisor.
		National Legal/Enforcement Executive Advisor.
		District Director (Denver).
		District Director (Los Angeles).
		District Director (Memphis).
	Field Management Programs	Director, Field Management Programs
	Field Coordination Programs	Director, Field Coordination Programs.
FEDERAL COMMUNICATIONS COMMISSION.	Office of Inspector General	Inspector General.
FEDERAL ENERGY REGULATORY COMMISSION.	Office of Energy Projects	Director of Dam Safety and Inspection.
	Office of Administrative Litigation	Director, Legal Division.
		Director, Technical Division.
	Office of Enforcement	Chief Accountant and Director, Division of Financial Regulations.
FEDERAL LABOR RELATIONS AUTHORITY.	Office of the Chairman	Chief Counsel.
		Senior Advisor.
		Director, Policy and Performance Management.
		Solicitor.
	Office of Member	Chief Counsel (2).
	Federal Service Impasses Panel	Executive Director, Federal Service Impasses Panel.
	Office of the Executive Director	Executive Director.
	Office of the General Counsel	Deputy General Counsel (2).
	Office of General Counsel Regional Offices.	Regional Director, Denver.
		Regional Director, Boston.
		Regional Director, Washington, DC.
		Regional Director, Atlanta.
		Regional Director, Dallas.
		Regional Director, Chicago Illinois.
		Regional Director, San Francisco.
FEDERAL MARITIME COMMISSION.	Office of the Secretary	Secretary.
	Office of Consumer Affairs and Dispute Resolution Services.	Director, Office of Consumer Affairs and Dispute Resolution Services.
	Office of the General Counsel	Deputy General Counsel for Reports Opinions and Decisions.
	Office of the Inspector General	Inspector General.
	Office of the Managing Director	Director, Strategic Planning and Regulatory Review.
		Deputy Managing Director.
	Bureau of Certification and Licensing.	Director, Bureau of Certification and Licensing.
	Bureau of Trade Analysis	Director, Bureau of Trade Analysis.
	Bureau of Enforcement	Director, Bureau of Enforcement.
FEDERAL MEDIATION AND CONCILIATION SERVICE.	Office of the Director	National Representative.
		Chief of Staff.
	Office of the Deputy Director	Director of Field Operations.
FEDERAL RETIREMENT THRIFT INVESTMENT BOARD.	Federal Retirement Thrift Investment Board.	Director of Benefits.
		Director of Enterprise Risk Management.
		Chief Investment Officer.
		Director, Office of Enterprise Planning.
		Chief Technology Officer.
		Chief Operating Officer.
		Chief Financial Officer.
		Director of Communications and Education.
		Director of Resource Management.

Agency	Organization	Title
FEDERAL TRADE COMMISSION ..	Office of International Affairs	Deputy Director for International Consumer Protection.
	Office of Executive Director	Deputy Executive Director.
		Chief Information Officer.
	Bureau of Competition	Deputy Director, Bureau of Competition.
FEDERAL TRADE COMMISSION OFFICE OF THE INSPECTOR GENERAL.	Federal Trade Commission Office of the Inspector General.	Inspector General.
GENERAL SERVICES ADMINISTRATION.	Office of the Administrator	Senior Advisor for National Security.
	Office of Emergency Response and Recovery.	Associate Administrator for Emergency Response and Recovery.
	Office of Citizen Services and Communications.	Director, Federal Citizen Information Center.
	Office of the Chief People Officer	Senior Advisor.
		Director of Human Capital Management.
		Chief Human Capital Officer.
		Director of Human Resources Services.
		Deputy Chief Information Officer.
		Chief Information Officer.
	Office of Governmentwide Policy ..	Director of the Federal Acquisition Institute.
		Director of Governmentwide Acquisition Policy.
		Deputy Associate Administrator for Travel, Transportation and Asset Management.
		Deputy Associate Administrator for Real Property Management.
		Deputy Associate Administrator for Technology Strategy.
	Office of the Chief Acquisition Officer.	Director of Acquisition Integrity.
		Deputy Chief Acquisition Officer.
		Director of Acquisition Systems.
	Office of the Chief Financial Officer.	Director of Budget
		Director of Financial Policy and Operations.
		Chief Financial Officer.
		Director of Financial Management Systems.
	Public Buildings Service	Assistant Commissioner for Leasing.
		Assistant Commissioner for Budget and Financial Management.
		Assistant Commissioner for Construction Programs.
		Assistant Commissioner for Organizational Resources.
		Assistant Commissioner for National Customer Services Management.
		Assistant Commissioner for Real Property Asset Management.
		Deputy Assistant Commissioner for Real Estate Portfolio Management.
		Deputy Assistant Commissioner for Real Property Disposal.
		Assistant Commissioner for Facilities Management and Services Programs.
		Deputy Assistant Commissioner for Vendor Alliance and Vendor Acquisition.
		Director of Federal High-Performance Green Buildings.
		Program Executive.
	Office of the Chief Information Officer.	Director of Enterprise Infrastructure.
		Senior Agency Information Security Officer.
		Director of Enterprise Management Services.
	Federal Acquisition Service	Director of Acquisition.
		Director of Governmentwide Acquisition Contracts and Information Technology Schedule Programs.
		Assistant Commissioner for Strategic Business Planning and Process Improvement.
		Director of Motor Vehicle Management.
		Director of Supply Operations.
		Deputy Assistant Commissioner for General Supplies and Services.
		Director of Travel and Transportation Services.
		Director of Network Services Programs.
		Deputy Assistant Commissioner for Integrated Technology Services.
		Assistant Commissioner for General Supplies and Services.
		Assistant Commissioner for Travel, Motor Vehicle and Card Services.
		Assistant Commissioner for Customer Accounts and Research.
		Assistant Commissioner for Acquisition Management.
		Assistant Commissioner for Assisted Acquisition Services.
		Chief Information Officer.
		Controller.
		Assistant Commissioner for Integrated Technology Services.
		Deputy Chief Information Officer.

Agency	Organization	Title
	New England Region	Regional Commissioner for Public Buildings Service
		Regional Commissioner for Federal Acquisition Service, Region 1.
	Northeast and Caribbean Region	Regional Commissioner for Public Buildings Service.
		Regional Commissioner for Federal Acquisition Service.
	Mid-Atlantic Region	Regional Commissioner for Federal Acquisition Service.
		Regional Commissioner for Public Buildings Service.
		Regional Counsel.
	National Capital Region	Director of Facilities Management and Services Programs.
		Director of Portfolio Management.
		Director of Project Delivery.
		Director of Leasing.
		Principal Deputy Regional Commissioner for Public Buildings Service.
		Principal Deputy Regional Commissioner for Projects and Real Property Asset Management.
		Regional Commissioner for Federal Acquisition Service.
		Project Executive for Real Estate Development.
		Regional Commissioner for Public Buildings Service.
	Southeast Sunbelt Region	Regional Commissioner for Public Buildings Service.
		Regional Commissioner for Federal Acquisition Service.
		Deputy Regional Commissioner for Real Estate Design, Construction and Development.
	Great Lakes Region	Regional Commissioner for Federal Acquisition Service.
		Regional Commissioner for Public Buildings Service.
	Heartland Region	Regional Commissioner for Federal Acquisition Service.
		Regional Commissioner for Public Buildings Service.
	Greater Southwest Region	Regional Commissioner for Federal Acquisition Service.
	Regional Commissioner for Public Buildings Service..	
	Rocky Mountain Region	Regional Commissioner for Public Buildings Service.
		Regional Commissioner for Federal Acquisition Service, Region 8.
	Pacific Rim Region	Assistant Regional Administrator for Federal Supply Service.
		Principal Deputy Regional Commissioner for Public Buildings Service.
		Regional Commissioner for Public Buildings Service.
		Assistant Regional Administrator, Federal Acquisition Service.
	Northwest/Arctic Region	Regional Commissioner for Public Buildings Service.
		Regional Commissioner for Federal Acquisition Service, Region 10.
GENERAL SERVICES ADMINISTRATION OFFICE OF THE INSPECTOR GENERAL.	General Services Administration Office of the Inspector General.	Assistant Inspector General for Administration.
		Counsel to the Inspector General.
		Assistant Inspector General for Auditing.
		Deputy Assistant Inspector General for Real Property Audits.
		Deputy Inspector General.
		Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Acquisition Programs Audits.
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Office of Security and Strategic Information.	Associate Director for Strategic Information.
		Director, Intelligence and Counterintelligence.
		Associate Director for Personnel and Classified Information Security.
	Office of the Assistant Secretary for Administration.	Director, Atlanta Human Resources Center.
	Office of the Assistant Secretary for Financial Resources.	Director, Office of Small and Disadvantaged Business Utilization.
	Office of the Deputy Assistant Secretary for Finance.	Associate Deputy Assistant Secretary, Finance.
		Deputy Assistant Secretary, Finance.
	Office of the Deputy Assistant Secretary for Information Resources Management.	Deputy Chief Information Officer.
	Office of the Assistant Secretary for Planning and Evaluation.	Associate Deputy Assistant Secretary for Planning and Evaluation (Health Services Policy).
	Office of the Assistant Secretary for Health.	Director, Office of Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome Policy
		Director, Office of Research Integrity.
	Associate General Counsel Divisions.	Deputy Associate General Counsel for Claims and Employment Law.
		Deputy Associate General Counsel, Business and Administrative Law Division.
		Associate General Counsel, General Law Division.
	Office of the Inspector General	Principal Deputy Inspector General.
		Deputy Inspector General for Management and Policy.
		Deputy Inspector General for Legal Affairs.

Agency	Organization	Title
	Office of the Deputy Inspector General for Investigations.	Deputy Inspector General for Investigations.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Investigative Operations.
	Office of the Deputy Inspector General for Audit Services.	Assistant Inspector General for Audit Management and Policy.
		Deputy Inspector General for Audit Services.
		Assistant Inspector General for Medicare and Medicaid Service Audits.
		Assistant Inspector General for Grants and Internal Activities.
		Assistant Inspector General for Financial Management and Regional Operations.
	Office of the Deputy Inspector General for Evaluation and Inspections.	Deputy Inspector General for Evaluation and Inspections.
	Program Support Center	Deputy Assistant Secretary for Program Support.
		Director, Information Systems Management Service.
	Office of Financial Management Service.	Director, Financial Management Service.
	Office of Program Support	Director, Office of Financial Management.
	Office of the Actuary	Director, Medicare and Medicaid Cost Estimates Group.
		Director, Office of the Actuary (Chief Actuary).
		Director, National Health Statistics Group.
		Director, Parts C and D Actuarial Group.
	Center for Medicare	Director, Medicare Contractor Management Group.
	Center for Program Integrity	Director, Medicaid Integrity Group.
		Director, Medicare Program Integrity Group.
	Office of Acquisitions and Grants Management.	Director, Office of Acquisitions and Grants Management.
		Deputy Director, Office of Acquisition and Grants Management.
	Office of Information Services	Director, Office of Information Services (Chief Information Officer).
		Deputy Director, Office of Information Services.
		Deputy Director, Office of Information Services.
	Office of Financial Management	Director Office of Financial Management.
		Deputy Director Office of Financial Management.
		Director, Financial Services Group.
		Director, Accounting Management Group.
	Office of Policy, Planning, and Budget.	Associate Administrator for Policy and Programs Coordinator.
	Center for Mental Health Services	Director, Division of State and Community Systems Development.
		Director, Center for Mental Health Services.
	Centers for Disease Control and Prevention.	Director, Procurement and Grants Office.
		Director, Information Technology Services Office.
		Chief Financial Officer.
		Director, Buildings and Facilities Office.
		Issues Analysis and Coordination Officer.
		Chief Management Officer, Office of the Director.
		Chief Learning Officer.
	National Institute for Occupational Safety and Health.	Deputy Director for Management.
	Office of Chief Counsel	Associate Deputy Chief Counsel for Drugs and Biologics.
		Deputy Chief Counsel for Program Review.
		Associate Deputy Chief Counsel for Devices, Foods and Veterinary Medicine.
	Office of Management	Director, Office of Acquisitions and Grants Services.
	Office of Regulatory Affairs	Director, Office of Criminal Investigations.
		Regional Food and Drug Director, Southwest Region.
		Regional Food and Drug Director, Southeast Region.
		Regional Food and Drug Director, Northeast Region.
		District Food and Drug Director, Los Angeles District.
		Regional Food and Drug Director, Central Region.
		Deputy Director for Investigations.
		District Food and Drug Director, New York District.
		Associate Commissioner for Regulatory Affairs.
		Associate Director, Investigations.
		Deputy Associate Commissioner for Regulatory Affairs.
	Center for Biologics Evaluation and Research.	Director, Office of Compliance and Biologics Quality.
		Associate Director for Compliance and Biologic Quality.
	Center for Drug Evaluation and Research.	Director, Office of Generic Drugs.
		Senior Advisor for Policy.

Agency	Organization	Title
		Director, Office of New Drug Quality Assessment.
		Director, Office of Management.
		Director, Office of Epidemiology and Biostatistics.
		Director, Office of Compliance.
		Director, Division of Medical Imaging Surgical and Dental Products.
	Center for Devices and Radiological Health.	Director, Office of System and Management.
		Director, Office of Compliance.
		Director, Office of Device Evaluation.
		Director, Office of Science and Technology.
	Center for Food Safety and Applied Nutrition.	Director, Office of Seafood.
		Director, Office of Regulations and Policy.
		Director, Office of Plant and Dairy Foods and Beverages.
		Director, Office of Field Programs.
		Director, Office of Premarket Approval.
	Center for Veterinary Medicine	Director, Office of Science.
		Director, Office of Surveillance and Compliance.
	Office of Operations	Director, Office of Human Resources.
		Director, Office of Budget.
	Special Programs Bureau	Associate Administrator, Special Programs Bureau.
	HIV/Aids Bureau	Director, Office of Science and Epidemiology.
	Indian Health Service	Director, Office of Environmental Health and Engineering.
	National Institutes of Health	Director, Office of Research Information Systems.
		Associate Director for Management.
		Director.
		Associate Director for Administrative Management.
	Office of the Director	Director, Office of Contracts Management.
		Director, Office of Financial Management.
		Associate Director for Extramural Affairs.
		Director, Office of Medical Applications of Research.
		Associate Director for Disease Prevention.
		Associate Director for Administration.
		Director, Office of Policy for Extramural Research Administration.
		Director, Office of Reports and Analysis.
		Senior Advisor for Policy.
		Scientific Advisor for Capacity Development.
		Deputy Director for Science, Outreach, and Policy.
		Director, Office of Strategic Planning for Administration.
		Senior Policy Officer (Ethics).
		Special Advisor to the Director.
		Associate Director for Security and Emergency Response.
		Director, Office of Research Facilities Development and Operations.
	National Heart, Lung and Blood Institute.	Director, Division of Extramural Affairs.
		Director, Office of Biostatics Research.
		Deputy Director, Division of Epidemiology and Clinical Application.
		Deputy Director, Division of Heart Vascular Diseases.
		Director, National Center for Sleep Disorders.
		Associate Director for International Programs.
		Director, Office of Health Education, Communications, and Science Policy.
		Director, Division of Heart and Vascular Diseases.
		Director, Division of Blood Diseases and Resources.
		Director, Division of Lung Diseases.
		Director, Epidemiology and Biometry Program.
	Intramural Research	Chief, Metabolic Regulation Section.
		Chief, Macromolecules Section.
		Chief, Laboratory of Biophysical Chemistry.
		Chief, Laboratory of Cardiac Energetics.
		Chief, Laboratory of Biochemical Genetics.
		Chief, Laboratory of Kidney and Electrolyte Metabolism.
		Chief, Intermediary Metabolism and Bioenergetics Section.
		Chief, Laboratory of Biochemistry.
	National Cancer Institute	Associate Director for Budget and Financial Management.
		Deputy Director for Administrative Operations.
		Associate Director, Referral Review and Program Coordination.
		Associate Director, Cancer Diagnosis Program.
		Deputy Director for Management.
		Associate Director for Intramural Management.
		Associate Director for Extramural Management.
	Division of Cancer Biology, Diagnosis and Centers.	Chief, Laboratory of Biochemistry Intramural Research Program.
		Chief, Microbial Genetics and Biochemistry Section, Laboratory of Biochemistry.

Agency	Organization	Title
		Chief, Cell Mediated Immunity Section.
		Chief, Dermatology Branch, Intramural Research Program.
		Chief, Laboratory of Tumor and Biological Immunology, Intramural Research Programs.
		Associate Director, Extramural Research Program.
		Associate Director, Centers Training and Resources Program.
		Director, Division of Cancer Biology Diagnosis and Centers.
		Deputy Director, Division of Cancer Biology Diagnosis and Centers.
	Division of Cancer Etiology	Director, Division of Cancer Etiology.
		Chief, Laboratory of Experimental Pathology.
		Chief, Laboratory of Biology.
		Chief, Laboratory of Molecular Carcinogenesis.
	Division of Cancer Prevention and Control.	Associate Director, Early Development and Conchology Program.
		Deputy Director, Division of Cancer Prevention and Control.
		Associate Director, Surveillance Research Program.
	Division of Extramural Activities	Deputy Director, Division of Extramural Activities.
		Director, Division of Extramural Activities.
	Division of Cancer Treatment	Chief, Radiation Conchology Branch.
		Associate Director, Cancer Therapy Evaluation Program.
	National Institute of Diabetes and Digestive and Kidney Diseases.	Director, Division Kidney Urologic and Hematologic Diseases.
		Deputy Director for Management and Operations.
		Director, Division of Extramural Activities.
		Associate Director for Management (2).
		Chief, Laboratory of Molecular and Cellular Biology.
	Intramural Research	Chief, Oxidation Mechanisms Section Laboratory of Bioorganic Biochemistry.
		Chief, Laboratory of Bio-Organic Chemistry.
		Chief, Laboratory of Neuroscience, National Institute of Diabetes and Digestive and Kidney Diseases.
		Chief, Section Carbohydrates Laboratory of Chemistry/National Institute of Diabetes and Digestive and Kidney Diseases.
		Chief, Section on Molecular Biophysics.
		Clinical Director and Chief, Kidney Disease Section.
		Chief, Section on Metabolic Enzymes.
		Chief, Laboratory of Biochemistry and Metabolism.
		Chief, Laboratory of Medicinal Chemistry.
		Chief, Morphogenesis Section.
		Chief, Theoretical Biophysics Section.
		Chief, Section on Molecular Structure.
		Chief, Section on Physical Chemistry.
		Chief, Section on Biochemical Mechanisms.
	National Institute of Arthritis and Musculoskeletal and Skin Diseases.	Deputy Director.
		Director, Extramural Program.
		Associate Director for Management and Operations.
	National Library of Medicine	Director, Lister Hill National Center for Biomedical Community.
		Associate Director for Extramural Programs.
		Deputy Director for Research and Education.
		Director, Information Systems.
		Associate Director for Health and Information Programs Development.
		Deputy Director, Lister Hill National Center for Biomedical Commissioners.
		Associate Director for Administrative Management.
		Associate Director for Extramural Programs.
		Associate Director for Library Operations.
		Deputy Director, National Library of Medicine.
		Director National Center for Biotechnology Information.
	National Institutes of Allergy and Infectious Diseases.	Director, Office If Communications and Government Relations.
		Chief, Laboratory of Parasitic Diseases.
		Chief, Laboratory of Malaria Research.
		Head Epidemiology Section.
		Director, Division of Intramural Research.
		Director, Division of Allergy/Immunology/Transplantation.
		Director, Division of Microbiology/Infectious Diseases.
		Chief, Laboratory of Molecular Microbiology.
		Chief, Laboratory of Microbial Structure and Function.
		Director, Division of Extramural Activities.
		Chief, Laboratory of Immunogenetics.
		Chief, Laboratory of Infectious Diseases.

Agency	Organization	Title
		Head, Lymphocyte Biology Section.
		Chief, Biological Resources Branch.
		Director, Division Acquired Immunodeficiency Syndrome.
		Deputy Chief, Laboratory of Immunology and Head Lymphocyte Biology Section.
		Deputy Director, Division of Acquired Immunodeficiency.
	National Institute on Aging	Associate Director, Biology of Aging Program.
		Scientific Director, Gerontology Research Center.
		Director of Behavioral and Social Research Program.
		Director of Neuroscience and Neuropsychology of Aging Program.
		Director of Management.
		Associate Director, Epidemiology, Demography, and Biometry Program.
		Director of Office of Extramural Affairs.
		Clinical Director and Chief Clinical Physiology Branch.
		Associate Director, Office of Planning, Analysis and International Activities.
	National Institutes of Child Health and Human Development.	Director, Center for Research for Mothers and Children.
		Chief, Endocrinology and Reproduction Research Branch.
		Chief, Laboratory of Comparative Ethology.
		Director, Center for Population Research.
		Chief, Laboratory of Molecular Genetics.
		Associate Director for Administration.
		Director, National Center for Medical Rehabilitation Research.
		Chief, Section on Growth Factors.
		Chief, Laboratory of Mammalian Genes and Development.
		Chief, Section on Microbial Genetics.
		Chief, Section Neuroendocrinology.
		Chief, Section on Molecular Endocrinology.
		Associate Director for Prevention Research.
	National Institute of Dental and Craniofacial Research.	Associate Director for Program Development.
		Associate Director for International Health.
		Associate Director for Management.
		Associate Director for Management.
		Director, Extramural Program.
		Chief, Laboratory of Immunology.
	National Institutes of Environmental Health Sciences.	Associate Director for Management.
		Head, Mutagenesis Section.
		Head, Mammalian Mutagenesis Section.
		Chief, Laboratory of Pulmonary Pathobiology.
		Senior Scientific Advisor.
		Director, National Institute of Environmental Health Science.
		Chief, Laboratory of Molecular Carcinogenesis.
		Director, Environmental Toxicology Program.
	National Institutes of General Medical Sciences.	Deputy Director, National Institute of General Medical Sciences.
		Director, Division of Pharmacology, Physiology, and Biological Chemistry.
		Director, Minority Opportunities In Research Program Branch.
		Associate Director for Administration and Operations.
		Director, Genetics Program.
		Director, Biophysics Physiological Sciences Program Branch.
		Associate Director for Extramural Activities.
	National Institutes of Neurological Disorders and Stroke.	Chief, Laboratory of Molecular and Cellular Neurobiology.
		Director, Basic Neuroscientist Program/Chief/Laboratory of Neurochemistry.
		Associate Director for Administration.
		Director, Division of Fundamental Neurosciences.
	Intramural Research	Chief, Development and Metabolic Neurology Branch.
		Chief, Brain Structural Plasticity Section.
		Chief, Laboratory of Neurobiology.
		Chief, Laboratory of Neura Control.
		Chief, Stroke Branch.
		Chief, Laboratory of Central Nervous System Studies.
		Deputy Chief, Laboratory of Central Nervous System Studies.
		Chief, Neuroimaging Branch.
	National Eye Institute	Chief, Laboratory of Sensorimotor Research.
		Chief, Laboratory of Molecular and Development Biology.
		Chief, Laboratory of Retinal Cell and Molecular Biology.

Agency	Organization	Title
	National Institutes on Deafness and Other Communication Disorders.	Director, Division of Extramural Research.
		Associate Director for Administration.
		Chief, Laboratory of Cellular Biology.
		Director, Division of Human Communication.
	National Institutes of Health Clinical Center.	Deputy Director for Management and Operations.
		Chief Operating Officer.
		Associate Director for Planning.
		Associate Chief, Positron Emission Tomography and Radiochemistry.
		Chief Financial Officer.
	Center for Information Technology	Associate Director Office of Computing Resources Services.
		Director, Division of Computer System Services.
		Senior Advisor to Director, Center for Information Technology.
		Director, Center for Information Technology and Chief Information Officer.
		Chief, Computer Center Branch.
		Deputy Director.
	John E Fogarty International Center.	Deputy Director, Fogarty International Center.
		Associate Director for International Advanced Studies.
		Special Advisor to the Fogarty International Center Director.
National Center for Research Resources.	Director, General Clinical Research Center for Research Resources..	
		Associate Director for Comparative Medicine.
		Associate Director for Research Infrastructure.
		Deputy Director, National Center for Research Resources.
		Associate Director for Biomedical Technology.
		Director, National Center for Research Resources.
	Center for Scientific Review	Director, Division of Physiological Systems.
		Director, Division of Biologic Basis of Disease.
		Associate Director for Referral and Review.
		Senior Scientific Advisor.
		Director, Division of Molecular and Cellular Mechanisms.
		Director, Division of Clinical and Population-Based Studies.
		Associate Director for Statistics and Analysis.
	National Institute of Nursing Research.	Deputy Director/Director, Division of Extramural Activities.
		Director National Center for Nursing Research.
	National Human Genome Research Institute.	Director, Office of Population Genomics.
		Chief, Laboratory of Genetic Disease Research National Center for Human Genome Research Institute.
		Director, Division of Intramural Research National Center Human Genome Research.
		Deputy Director.
		Chief, Diagnosis Development Branch National Center Human Genome Research Institute.
		Associate Director for Management.
	National Institute on Drug Abuse ..	Senior Advisor and Counselor for Special Initiatives.
		Chief, Neuroscience Research Branch.
		Director, Medications Development Division.
		Associate Director for Clinical Neuroscience and Medical Affairs, Division of Treatment Research and Development.
		Director Division of Clinical Research.
		Director, Office of Extramural Program Review.
		Associate Director for Management and Operations.
	National Institute of Mental Health	Associate Director for Special Populations.
		Associate Director for Prevention.
		Executive Officer, National Institute of Mental Health.
		Chief, Neuropsychiatry Branch.
		Director, Division of Neuroscience and Behavioral Scientist.
		Director, Division of Mental Disorders, Behavioral Research and Acquired Immunodeficiency Syndrome.
		Director, Office on Acquired Immunodeficiency Syndrome.
		Director, Division of Services and Intervention Research.
		Chief, Section on Clinical and Experimental Neuropsychology.
		Chief, Section on Cognitive Neuroscience.
		Deputy Director, National Institute of Mental Health.
		Chief, Section on Histopharmacology.
		Director, Office of Legislative Analysis and Coordinator.
		Chief, Laboratory of Clinical Science.

Agency	Organization	Title
		Chief, Child Psychiatry Branch.
		Chief, Biological Psychiatry Branch.
	National Center for Advancing Translational Sciences.	Associate Director for Administration.
	National Institute on Alcohol Abuse and Alcoholism.	Director, Division of Basic Research.
		Associate Director for Administration.
	Agency for Healthcare Research and Quality.	Executive Officer.
DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF THE INSPECTOR GENERAL.	Department of Health and Human Services Office of the Inspector General.	Principal Deputy Inspector General.
	Office of Counsel to the Inspector General.	Assistant Inspector General for Legal Affairs.
		Chief Counsel to the Inspector General.
	Office of Audit Services	Assistant Inspector General for Medicare and Medicaid Service Audits.
		Deputy Inspector General for Audit Services.
		Assistant Inspector General for Audit Management and Policy.
		Assistant Inspector General for Audit Services.
		Assistant Inspector General for Financial Management and Regional Operations.
	Office of Evaluation and Inspections.	Assistant Inspector General for Evaluation and Inspections.
		Deputy Inspector General for Evaluation and Inspections.
	Office of Investigations	Assistant Inspector General for Investigations.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Investigations.
		Deputy Inspector General for Investigations.
	Office of Management and Policy	Assistant Inspector General for Management and Policy (Chief Operating Officer).
		Assistant Inspector General for Information Technology (Chief Information Officer).
		Deputy Inspector General for Management and Policy.
DEPARTMENT OF HOMELAND SECURITY.	Ombudsman, Citizenship and Immigration Services.	Deputy Director, Ombudsman.
	Office of the Executive Secretariat	Deputy Executive Secretary, Operations and Administration.
	Office of Operations Coordination and Planning Directorate.	Senior Department of Homeland Security Advisor to the Commander, U.S. Northern Command/North American Aerospace Defense Command.
	Office of the General Counsel	Assistant General Counsel for Acquisition and Procurement.
		Deputy Associate General Counsel for General Law.
		Associate General Counsel for Ethics.
	Office for Civil Rights and Civil Liberties.	Director, Civil Rights and Civil Liberties Programs Division.
		Deputy Civil Rights and Civil Liberties Officer, Equal Employment Opportunity and Diversity Director.
		Deputy Civil Rights and Civil Liberties Officer, Programs and Compliance.
	Domestic Nuclear Detection Office	Assistant Director, Architecture and Plans Directorate.
		Assistant Director, National Technical Nuclear Forensics Center.
		Assistant Director, Operations Support Directorate.
		Deputy Director.
		Assistant Director, Transformational and Applied Research Directorate.
		Chief of Staff.
		Assistant Director, Product Acquisition and Deployment Directorate.
	Office of the Assistant Secretary for Policy.	Associate Director, Identity Management.
	U.S. Citizenship and Immigration Services.	Deputy Director, Service Center, Laguna Niguel, California.
		Deputy Director, Service Center, Dallas, Texas.
		Director, Los Angeles Asylum Office.
		Associate Director, Service Center Operations.
		Deputy Associate Director, Refugee, Asylum, and International Operations.
		Associate Director, Enterprise Services Division.
		Chief, Office of Security and Integrity.
		District Director, Field Services, Atlanta, Georgia.
		District Director, Field Services, Newark, New Jersey.
		District Director, Field Services, Tampa, Florida.
		Regional Director, Southeast Region.
		District Director, Field Services, San Francisco California.
		Deputy General Counsel.

Agency	Organization	Title
		Deputy Chief Information Officer.
		Deputy Associate Director, Enterprise Services Division.
		District Director, Field Services, New York, New York.
		Chief, Asylum Division.
		Chief, Human Capital and Training.
		Chief, Immigrant Investor Program.
		Deputy Associate Director, Service Center Operations.
		Associate Director, Customer Service and Public Engagement.
		Deputy Chief Counsel for Field Management.
		Deputy Director, Office of Security and Integrity.
		Chief, Office of Transformation Coordination.
		Deputy Associate Director, Office of Management.
		Deputy Chief, Office of Transformation Coordination.
		District Director, Field Services, Chicago, Illinois.
		District Director, Field Services, Boston, Massachusetts.
		Chief, Verification Division.
		Chief, Administrative Appeals.
		Associate Director, Field Operations.
		Deputy Director, Service Center, Saint Albans, Vermont.
		Deputy Director, Service Center, Lincoln, Nebraska.
		Chief, International Operations.
		Director, National Records Center.
		District Director, Field Services, Los Angeles, California.
		Director, National Benefits Center.
		Chief, Office of Administration.
		District Director, Field Services, Miami, Florida.
		Chief Financial Officer.
		Northeast Regional Director (Burlington, Vermont).
		Western Regional Director (Laguna Niguel, California).
		Central Regional Director (Dallas, Texas).
		Director, Vermont Service Center, Saint Albans, Vermont.
		Director, Service Center, Dallas, Texas.
		Director, Service Center, Laguna Niguel, California.
		Director, Service Center, Lincoln, Nebraska.
		Associate Director, Office of Management.
		Chief Information Officer.
		Chief, Performance and Quality.
		Director, Office of Refugee Affairs.
		Deputy Associate Director, Office of Field Operations.
		Deputy Associate Director, Customer Service and Public Engagement.
		Associate Director, Fraud Detection and National Security.
		Chief, Intake and Document Production.
		Deputy Associate Director, Fraud Detection and National Security.
		Associate Director, Refugee, Asylum and International Operations.
	United States Secret Service	Deputy Assistant Director, Office of Administration.
		Special Agent In Charge, Paris Field Office.
		Special Agent In Charge, Information Resources and Management.
		Assistant Director, Office of Strategic Intelligence and Information.
		Assistant Director—Office of Government and Public Affairs.
		Special Agent In Charge, Protective Intelligence and Assessment Division.
		Special Agent In Charge, Rome Field Office.
		Special Agent In Charge, Rowley Training Center.
		Special Agent In Charge, Criminal Investigative Division.
		Chief of Staff.
		Deputy Assistant Director, Office of Government and Public Affairs.
		Chief Financial Officer.
		Deputy Assistant Director, Office of Protective Operations.
		Deputy Assistant Director, Office of Investigations.
		Special Agent In Charge, Philadelphia Field Office.
		Deputy Assistant Director, Protective Operations.
		Special Agent In Charge, Chicago Field Office.
		Chief Technology Officer.
		Deputy Assistant Director, Office of Investigations.
		Special Agent In Charge, Los Angeles Field Office.
		Component Acquisition Executive.
		Special Agent In Charge, Washington Field Office.
		Deputy Assistant Director, Special Operations Division.
		Special Agent In Charge, Honolulu Field Office.
		Special Agent In Charge, Atlanta Field Office.
		Deputy Special Agent In Charge, Vice Presidential Protective Division.
		Chief Information Officer.

Agency	Organization	Title
		Deputy Special Agent In Charge (White House Complex).
		Deputy Assistant Director, Technical Development and Mission Support.
		Deputy Assistant Director, Rowley Training Center.
		Special Agent In Charge, Houston Field Office.
		Deputy Assistant Director, Investigations.
		Deputy Assistant Director, Human Resources and Training.
		Deputy Special Agent In Charge, Presidential Protective Division.
		Deputy Assistant Director, Administration.
		Special Agent In Charge (Dignitary Protective Division).
		Special Agent In Charge, Dallas Field Office.
		Special Agent In Charge, San Francisco Field Office.
		Chief Counsel.
		Special Agent In Charge, Technical Security Division.
		Special Agent In Charge, Vice Presidential Protective Division.
		Assistant Director, Human Resources and Training.
		Special Agent In Charge, New York Field Office.
		Special Agent In Charge, Presidential Protective Division.
		Assistant Director, Office of Professional Responsibility.
		Assistant Director, Office of Administration.
		Assistant Director, Office of Technical Development and Mission Support.
		Assistant Director, Protective Operations.
		Assistant Director, Investigations.
		Deputy Director, United States Secret Service.
		Director, United States Secret Service.
		Deputy Assistant Director, Technical Development and Support Mission.
		Deputy Chief Counsel/Principal Ethics Official.
		Special Agent In Charge, Miami Field Office.
		Deputy Assistant Director, Strategic Intelligence and Information.
	United States Coast Guard	Director, Global Maritime Operational Threat Response Coordination Center.
		Director, National Pollution Funds Center.
		Deputy Assistant Commandant for Intelligence and Criminal Investigations.
		Deputy Assistant Commandant for Acquisition/Director of Acquisition Services.
		Senior Procurement Executive/Head of Contracting Activity.
		Director, Coast Guard Investigative Service.
		Deputy Assistant Commandant for Command, Control, Communications, Computers, and Information Technology and Deputy Chief Information Officer (2).
		Chief Procurement Law Counsel and Chief Trial Attorney.
		Deputy Chief Financial Officer.
		Deputy Director of Acquisition Programs.
		Director of Financial Operations/Comptroller.
		Director, Incident Management and Preparedness Policy.
		Director, Marine Transportation System Management.
	Office of the Under Secretary for National Protection and Programs Directorate.	Senior Advisor, Office of Infrastructure Protection.
		Assistant Director, Program Integration and Mission Services, Office of Biometric Identity Management.
		Chief Technology Officer, Cyber Security and Communications.
		Director, Human Resources Management.
		Director, Office of Compliance and Security.
		Chief Technology Officer, Office of Biometric Identity Management.
		Director, National Cyber security and Communications Integration Center.
		Director, Network Security Deployment.
		Deputy Director, National Cyber security and Communications Integration Center.
		Assistant Director of Field Operations (Central), Federal Protective Services.
		Assistant Director of Field Operations (West), Federal Protective Services.
		Assistant Director of Operations, Federal Protective Services.
		Senior Counselor to the Under Secretary for National Protection and Programs Directorate.
		Deputy Director, Office of Emergency Communications.
		Director, Stakeholder Engagement and Cyber Infrastructure Resilience Division.
		Deputy Director, Federal Network Resilience.

Agency	Organization	Title
		Director, Federal Network Security.
		Deputy Director, National Cyber security Center.
		National Protection and Programs Directorate (NPPD) Chief Information Officer.
		Deputy Director, Infrastructure Security Compliance.
		Director, Budget, Finance and Acquisition.
		Director, Infrastructure Security Compliance.
		Director, Sector Outreach and Programs Division.
		Deputy Assistant Secretary for Cyber Security.
		Assistant Director for Field Operations (East), Federal Protective Service.
		Director, Management Services.
		Director, Office of Emergency Communications.
		Deputy Director, Office of Biometric Identity Management.
		Director, Federal Network Resilience.
		Director, Protective Security Coordination.
		Director, Federal Protective Service.
		Director, Budget and Financial Administration.
		Senior Advisor for Regulatory Policies.
		Assistant Director of Risk Management, Federal Protective Service.
		Assistant Director of Risk Management.
		Director, Strategy and Policy/Cyber security Coordination.
		Assistant Director, Office of Training and Career Development, Federal Protective Service.
		Assistant Director, Office of Resource Management, Federal Protective Service.
		Director, Enterprise Performance Management.
		Principal Deputy Assistant Secretary for Infrastructure Protection.
	Office of the Under Secretary for Intelligence and Analysis.	Director, Cyber, Infrastructure and Science Division.
		Deputy Director, Office of Analysis.
		Senior Advisor for Strategic Cyber Security Management.
		Principal Deputy Counter Terrorism Coordinator.
		Director, Border Security Division.
		Director, Information Sharing and Intelligence Enterprise Management Division.
		Director, Mission Support Division.
		Director for Strategy, Plans, and Policy.
		Deputy Director, Office of Enterprise and Mission Support.
		Director, Operations, State and Local Program Office.
		Principal Deputy Director, Terrorist Screening Center.
		Director, Collection Requirements Division.
		Chief of Staff.
		Director, Border Intelligence Fusion Section.
	Assistant Secretary for Health Affairs and Chief Medical Officer.	Principal Deputy Assistant Secretary for Health Affairs/Deputy Chief Medical Officer.
		Associate Chief Medical Officer.
		Deputy Director, Health Threats Resilience
	U.S. Immigration and Customs Enforcement.	Special Agent In Charge, Miami.
		Special Agent In Charge, Los Angeles.
		Deputy Director, El Paso Intelligence Center (Epic).
		Senior Advisor, Office of International Affairs.
		Component Acquisition Executive.
		Director, Facilities and Asset Administration.
		Director, Federal Export Enforcement Coordination Center.
		Special Agent In Charge, San Juan, Puerto Rico.
		Senior Policy Administrator, Brussels.
		Senior Management Counsel.
		Special Agent In Charge, El Paso.
		Special Agent In Charge, Phoenix.
		Special Agent In Charge, Newark, New Jersey.
		Special Agent In Charge, Tampa, Florida.
		Special Agent In Charge, Saint Paul, Minnesota.
		Field Office Director, Office of Enforcement and Removal Operations, New York City, New York.
		Field Office Director, Office of Enforcement and Removal Operations, Los Angeles, California.
		Field Office Director, Office of Enforcement and Removal Operations, Phoenix, Arizona.
		Deputy Assistant Director, Domestic Operations.
		Assistant Director for Detention Oversight and Inspections.
		Chief Counsel for Los Angeles.
		Chief Counsel for Miami.

Agency	Organization	Title
		Field Office Director, Office of Enforcement and Removal Operations, Miami, Florida.
		Field Office Director, Office of Enforcement and Removal Operations, San Antonio, Texas.
		Field Office Director, Office of Enforcement and Removal Operations, San Diego, California.
		Director, Office of Training and Development.
		Division Director for Investigations, Office of Professional Responsibility.
		Deputy Director, Office of Professional Responsibility.
		Executive Director, State and Local Coordination.
		Assistant Director, Enforcement and Removal Operations, Field Operations.
		Special Agent In Charge, San Francisco.
		Special Agent In Charge, Dallas.
		Director, Office of Professional Responsibility.
		Special Agent In Charge, Houston.
		Special Agent In Charge, Chicago.
		Director, Intelligence, Homeland Security Investigations.
		Director, International Affairs.
		Deputy Assistant Director (Financial, Narcotics and Public Safety).
		Special Agent In Charge, Seattle.
		Director, Office of Enforcement and Removal Operations.
		Director of Enforcement and Litigation.
		Deputy Assistant Director, Mission Support.
		Deputy Director, Office of Detention Policy and Planning.
		Special Agent In Charge, Buffalo, New York.
		Special Agent In Charge, Philadelphia, Pennsylvania.
		Special Agent In Charge, Boston, Massachusetts.
		Special Agent In Charge, San Diego.
		Special Agent In Charge, San Antonio.
		Special Agent In Charge, New Orleans.
		Assistant Director, Homeland Security Investigative Programs.
		Special Agent In Charge, Denver.
		Director, Intellectual Property Enforcement Operations.
		Assistant Director, Enforcement and Removal Operations, Law Enforcement Systems and Analysis Division.
		Deputy Chief Information Officer.
		Special Agent In Charge, Detroit.
		Executive Director, Law Enforcement Information Sharing Initiative.
		Deputy Assistant Director, Office of Enforcement and Removal Operations, Field Operations.
		Assistant Director, Operations.
		Deputy Assistant Director, Homeland Security Investigative Services.
		Deputy Director, Enforcement and Removal Operations.
		Deputy Principal Legal Advisor for Headquarters.
		Deputy Principal Legal Advisor for Field Operations.
		Chief Counsel, New York.
		Deputy Director, Medical Affairs, Office of Enforcement and Removal Operations.
		Assistant Director, Enforcement and Removal Operations, Custody Operations Division.
		Assistant Director, Operations Support, Office of Enforcement and Removal Operations.
		Deputy Chief Financial Officer.
		Deputy Director, International Affairs.
		Special Agent In Charge, Washington, DC.
		Special Agent In Charge, Atlanta.
		Director, Financial Management.
		Assistant Director, Management, Office of Enforcement and Removal Operations.
		Chief Financial Officer.
		Director, Office of Procurement.
		Assistant Director for Secure Communities and Enforcement, Office of Enforcement and Removal Operations.
		Executive Director, Management and Administration.
		Chief Information Officer.
		Director, Budget and Program Performance.
		Deputy Assistant Director, Critical Infrastructure, Protection, and Fraud.
		Assistant Director, Diversity and Civil Rights.
		Deputy Assistant Secretary for Immigration and Customs Enforcement.
		Assistant Director, Human Resources Management.

Agency	Organization	Title
	U.S. Customs and Border Protection.	Deputy Principal Legal Advisor.
		Director, Office of Homeland Security Investigations.
		Deputy Director, Office of Homeland Security Investigations.
		Special Agent In Charge, New York.
		Deputy Assistant Director, National Security Investigations.
		Chief Patrol Agent, El Centro, California.
		Deputy Chief Patrol Agent, San Diego.
		Executive Director, Program Management Office.
		Director of Operations, Northern Region, Detroit, Office of Customs and Border Protection (CBP) Air and Marine.
		Director of Operations, Southeastern Region, Miami, Florida, Office of Customs and Border Protection (CBP) Air and Marine.
		Director, Air and Marine Operations Center, Riverside, Office of Customs and Border Protection (CBP) Air and Marine.
		Executive Director, Intelligence and Targeting.
		Director of Operations, Southwest Border, Office of Customs and Border Protection (CBP) Air and Marine.
		Executive Director, Passenger Systems Program Office.
		Executive Director, National Air Security Operations, Office of Customs and Border Protection (CBP) Air and Marine.
		Executive Director, Training, Safety and Standards.
		Executive Director, Human Resources Operations, Programs and Policy.
		Executive Director, Commercial Targeting and Enforcement.
		Executive Director, Financial Operations.
		Port Director, Laredo.
		Deputy Assistant Commissioner, Intelligence and Investigative Liaison.
		Chief, Operations Planning and Analyses Division.
		Director of Operations, Air and Marine.
		Associate Chief Counsel, Enforcement.
		Director, Field Operations, El Paso.
		Chief Patrol Agent, San Diego.
		Chief Patrol Agent, El Paso.
		Director, Field Operations, San Francisco.
		Chief Patrol Agent, Laredo Sector.
		Chief, Border Patrol.
		Deputy Assistant Commissioner, Air and Marine.
		Director, Field Operations, San Diego.
		Director, Field Operations, Laredo.
		Director, Field Operations, Houston.
		Director, Field Operations, Los Angeles.
		Director, Field Operations, Chicago.
		Director, Field Operations, Miami.
		Port Director, Miami International Airport.
		Port Director, Newark.
		Principal Executive for Program Development.
		Director, Field Operations, New York.
		Director, Field Operations, Atlanta.
		Chief, Southwest Border Division.
		Executive Director, Enterprise Networks and Technology Support.
		Executive Director, Mission Support.
		Chief Patrol Agent, Rio Grande Valley.
		Deputy Assistant Commissioner, Information and Technology.
		Port Director, El Paso.
		Port Director, Los Angeles/Long Beach Seaport.
		Chief Patrol Agent, Tucson.
		Executive Director, Customs and Border Protection (CBP) Basic Training.
		Executive Director, Procurement.
		Assistant Commissioner, Administration.
		Executive Director, Mission Support.
		Executive Director, Agriculture Programs and Trade Liaison.
		Port Director, Los Angeles Airport.
		Director, Field Operations, Boston.
		Deputy Assistant Commissioner, Administration.
		Executive Director, Regulations and Rulings.
		Executive Director, Regulatory Audit.
		Assistant Commissioner, Office of International Trade.
		Assistant Commissioner, Training and Development.
		Executive Director, Facilities Management and Engineering.
		Executive Director, Labor and Employee Relations.
		Deputy Assistant Commissioner, Human Resources Management.

Agency	Organization	Title
		Assistant Commissioner, Human Resources Management.
		Deputy Commissioner.
		Deputy Chief Counsel.
		Executive Director, Planning, Program Analysis and Evaluation.
		Port Director, JFK Airport.
		Deputy Chief Patrol Agent, El Paso.
		Assistant Commissioner, Technology Innovation and Acquisition.
		Deputy Chief Patrol Agent, Rio Grande Valley.
		Assistant Commissioner, International Affairs.
		Director, National Targeting Center (Passenger).
		Executive Director, Programming.
		Deputy Joint Field Commander, Arizona, Joint Operations Directorate.
		Joint Field Commander, Arizona, Joint Operations Directorate.
		Assistant Commissioner, Intelligence and Investigative Liaison.
		Executive Director, Automated Commercial Environment (ACE) Business Office.
		Executive Director, Acquisition Management.
		Executive Director, Joint Operations Directorate.
		Director, Border Enforcement Coordination Cell, El Paso.
		Deputy Assistant Commissioner, International Affairs.
		Executive Director, Diversity and Civil Rights.
		Port Director, San Ysidro.
		Deputy Chief Patrol Agent, Tucson.
		Deputy Assistant Commissioner, Office of Training and Development.
		Director, Field Operations, Buffalo.
		Director, Field Operations, Detroit.
		Director, Field Operations, Seattle.
		Executive Director, Operations.
		Deputy Chief, Border Patrol.
		Deputy Assistant Commissioner, Field Operations.
		Assistant Commissioner, Field Operations.
		Executive Director, Laboratories and Scientific Services.
		Assistant Commissioner, Information and Technology.
		Deputy Director, Procurement.
		Executive Director, Budget.
		Executive Director, Trade Policy and Programs.
		Deputy Assistant Commissioner, Technology Innovation and Acquisition.
		Executive Director, Mission Support, Office of Customs and Border Protection (CBP) Air and Marine.
		Chief, Northern Border and Coastal Division.
		Deputy Assistant Commissioner, Internal Affairs.
		Executive Director, Enterprise Data Management and Engineering.
		Executive Director, Targeting and Analysis Systems.
		Executive Director, Field Support.
		Executive Director, Cargo Systems Programs Office.
		Deputy Chief, Southwest Border Division.
		Chief Patrol Agent, Yuma, Arizona.
		Executive Director, Admissibility and Passenger Programs.
		Chief Patrol Agent, Del Rio.
		Assistant Commissioner, Air and Marine.
		Deputy Director, Policy and Planning.
		Executive Director, Cargo and Conveyance Security.
		Director, Field Operations, Tucson.
		Port Director, San Francisco.
		Executive Director, National Targeting Center.
		Deputy Assistant Commissioner, International Trade.
		Assistant Commissioner, Internal Affairs.
		Director, Field Operations, San Juan.
		Associate Chief Counsel, Los Angeles.
		Associate Chief Counsel, Houston.
		Associate Chief Counsel, Chicago.
		Associate Chief Counsel, New York.
		Associate Chief Counsel, Southeast.
		Associate Chief Counsel for Ethics, Labor, and Employment.
		Associate Chief Counsel, Trade, Tariffs and Legislation.
	Federal Law Enforcement Training Center.	Deputy Director, Federal Law Enforcement Training Center.
		Director, Federal Law Enforcement Training Center.
		Assistant Director, Administration.
		Assistant Director (Centralized Training Management Directorate).
		Assistant Director (Glynco Training Directorate).
		Assistant Director, Chief Financial Officer (2).

Agency	Organization	Title
		Assistant Director (Information Technology Directorate).
		Assistant Director (Field Training Directorate).
		Assistant Director, Washington Office.
		Chief Counsel.
Federal Emergency Management Agency.	Director, Grants Operations Division..	
		Chief, Risk Reduction Branch (Mitigation).
		Deputy Associate Administrator for Mitigation, Federal Insurance and Mitigation.
		Deputy Chief Financial Officer.
		Deputy Assistant Administrator, National Preparedness Directorate.
		Deputy Regional Administrator, Region IV, Atlanta.
		Deputy Associate Administrator, Management and Performance Improvement.
		Deputy Principal Legal Advisor for Management.
		Director, National Disaster Recovery Planning Division.
		Chief, Enterprise Business Unit.
		Chief Security Officer.
		Chief Technology Officer.
		Senior Counselor to the Administrator and International Relations Officer.
		Director, Emergency Communication Division.
		Chief Administrative Officer.
		Deputy Associate Administrator, Policy and Strategy.
		Director, Technology Hazards Division.
		Director, Financial Management Division.
		Deputy Assistant Administrator, Grants Program.
		Deputy Chief Counsel.
		Superintendent, Center for Domestic Preparedness.
		Deputy Regional Administrator, Region IV, Atlanta.
		Director, National Preparedness Assessment Division.
		Deputy Director, External Affairs.
		Executive Director for Readiness.
		Deputy Executive Administrator, Mount Weathers Emergency Operations Center.
		Deputy Assistant Administrator for Response.
		Director, Office of Federal Disaster Coordination.
		Director, Acquisition Operations Division.
		Director, Acquisition Programs and Planning Division.
		Deputy Associate Administrator, Mission Support Bureau.
		Chief Procurement Officer.
		Director, National Exercise Division.
		Chief Financial Officer.
		Planning Division Director, Office of Response and Recovery.
		Deputy Chief Component Human Capital Officer.
		Deputy Associate Administrator for Insurance, Federal Insurance and Mitigation.
		Director, National Processing Service Center.
	Office of the Chief Security Officer	Chief Security Officer.
		Chief Personnel Security Officer.
		Deputy Chief Security Officer.
		Chief, Counterintelligence and Investigations.
	Office of the Chief Financial Officer.	Director, Office of Budget.
		Director, Resource Management Transformation Office.
		Director, Financial Management.
		Director, Program Analysis and Evaluation.
		Deputy Director, Financial Management.
		Director, Departmental General Accounting Office/Inspector General (GAO/IG) Liaison Office.
		Director, Financial Risk Management and Assurance.
	Office of the Chief Procurement Officer.	Chief Procurement Officer.
		Deputy Chief Procurement Officer.
		Director, Enterprise Acquisition and Information Technology.
		Executive Director, Office of Procurement Operations.
		Director, Procurement Policy and Oversight.
		Director, Oversight and Strategic Support.
		Director, Policy and Acquisition Workforce.
		Executive Director, Program Accountability and Risk Management Office.
	Office of the Chief Human Capital Officer.	Executive Director, Human Resources Management and Services.
		Executive Director, Policy and Programs.

Agency	Organization	Title
		Deputy Chief Human Capital Officer.
		Executive Director, Human Capital Business Systems.
		Executive Director, Diversity and Inclusion.
		Deputy Chief Learning Officer.
	Office of the Chief Information Officer.	Director, Enterprise Business Management Office.
		Senior Advisor, Chief Information Officer.
		Director, Enterprise System Development Office.
		Executive Director, Customer Relationship Management Division.
		Deputy Chief Information Officer.
		Executive Director, Information Sharing.
		Executive Director, Office of Applied Technology (Chief Technology Officer).
		Executive Director, Information Technology Services Office.
		Executive Director, Chief Information Security Officer.
		Deputy Executive Director, Information Technology Services Office.
	Office of the Chief Readiness Support Officer.	Deputy Chief Readiness Support Officer.
		Director, Safety and Environmental Programs.
		Director, Headquarters Management and Development.
		Director of Asset and Logistics Management.
		Deputy Chief Readiness Support Officer, Operations Support.
	Office of the Under Secretary for Science and Technology.	Director, Office for Interoperability and Compatibility.
		Director, Office of National Laboratories.
		Director, Explosives Division.
		Director, Infrastructure Protection and Disaster Management Division.
		Director, Finance and Budget Division.
		Deputy Director, Homeland Security Advanced Research Projects Agency.
		Director, Chemical Biological Defense Division.
		Director, Borders and Maritime Security Division.
		Director, Test and Evaluations and Standards Office.
		Director, Interagency Office.
		Deputy Director, Office of National Laboratories.
		Director, Cyber Security Division.
		Director, Research and Development Partnerships.
		Director, Homeland Security Advanced Research Projects Agency.
		Director, Acquisition Support and Operations Analysis Division.
DEPARTMENT OF HOMELAND SECURITY OFFICE OF THE INSPECTOR GENERAL.	Department of Homeland Security Office of the Inspector General.	Assistant Inspector General for Management.
		Assistant Inspector General, Investigations.
		Chief Operating Officer.
		Deputy Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General, Investigations.
		Deputy Assistant Inspector General, Audits.
		Deputy Assistant Inspector General, Investigations.
		Deputy Inspector General.
		Assistant Inspector General , Audits.
		Assistant Inspector General, Information Technology Audits.
		Assistant Inspector General, Inspections.
		Assistant Inspector General for Emergency Management Oversight.
		Deputy Assistant Inspector General, Emergency Management Oversight.
		Deputy Assistant Inspector General, Audits.
		Counsel to the Inspector General.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of the Secretary	Director, Office of Hearings and Appeals.
	Office of the Deputy Secretary	Chief Disaster and National Security Officer.
	Office of Strategic Planning and Management.	Director, Office of Departmental Grants Management and Oversight.
	Office of the Administration	Chief Learning Officer.
		Deputy Chief Human Capital Officer.
	Office of the Chief Human Capital Officer.	Director, Office of Human Capital Services.
	Office of the Chief Financial Officer.	Assistant Chief Financial Officer for Accounting.
		Deputy Chief Financial Officer.
		Assistant Chief Financial Officer for Budget.
		Deputy Assistant Chief Financial Officer for Budget.
		Assistant Chief Financial Officer for Financial Management.
	Office of the Chief Information Officer.	Deputy Chief Information Officer—Office of Customer Relationship and Performance Management.

Agency	Organization	Title
	Office of the Chief Procurement Officer.	Deputy Chief Procurement Officer.
	Office of Community Planning and Development.	Deputy Assistant Secretary for Special Needs Programs.
	Office of Departmental Equal Employment Opportunity.	Director, Office of Departmental Equal Employment Opportunity.
	Office of the General Counsel	Director, Departmental Enforcement Center.
		Senior Counsel (Appeals, Odeeo Advice and Special Projects).
		Associate General Counsel for Program Enforcement.
	Government National Mortgage Association.	Senior Vice President, Office of Program Operations.
		Senior Vice President for Mortgage-Backed Securities.
		Senior Vice President, Office of Enterprise Data and Technology Solutions.
		Senior Vice President and Chief Risk Officer.
		Senior Vice President, Office of Finance.
		Senior Vice President, Office of Capital Markets.
	Office of Housing	Deputy Assistant Secretary for Finance and Budget.
		Director, Office of Program Systems Management.
		Housing Federal Housing Administration Deputy Comptroller.
		Housing Federal Housing Administration-Comptroller.
	Office of Policy Development and Research.	Associate Deputy Assistant Secretary for Policy Development.
		Chief of Staff to the Deputy Secretary.
	Office of Public and Indian Housing.	Deputy Assistant Secretary for Public Housing Investments.
		Director, Office of Housing Voucher Programs.
		Deputy Assistant Secretary for the Real Estate Assessment Center.
		Director for Budget and Financial Management.
		Deputy Assistant Secretary for Budget and Administration.
		General Deputy Assistant Secretary for Public and Indian Housing.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OFFICE OF THE INSPECTOR GENERAL.	Department of Housing and Urban Development Office of the Inspector General.	Counsel to the Inspector General.
		Deputy Assistant Inspector General for Audit (Field Operations).
		Deputy Assistant Inspector General for Investigation (Field Operations).
		Deputy Assistant Inspector General for Information Technology.
		Assistant Inspector General for Office of Evaluation (OE).
		Assistant Inspector General for Office of Management and Technology.
		Assistant Inspector General for Audit.
		Deputy Inspector General.
		Assistant Inspector General for Investigation.
		Deputy Assistant Inspector General for Investigation (Headquarters Operations).
		Deputy Assistant Inspector General for Audit—Special Operations.
DEPARTMENT OF THE INTERIOR	Office of the Solicitor	Associate Solicitor for Administration..
		Designated Agency Ethics Official.
	Assistant Secretary—Policy, Management and Budget.	Director, Office of Financial Management and Deputy Chief Financial Officer.
		Director, Office of Law Enforcement and Security.
		Management Initiatives and Transformation Director.
		Director, Office of Emergency Management.
		Deputy Director, Office of Financial Management.
		Deputy Assistant Secretary—Budget, Finance, Performance and Acquisition.
		Deputy Assistant Secretary—Human Capital and Diversity.
		Chief Division of Budget and Program Review.
		Deputy Assistant Secretary—Law Enforcement, Security and Emergency Management.
		Director, Office of Human Resources.
		Chief, Budget Administration and Departmental Management.
	Office of Natural Resources Revenue Management.	Deputy Director, Office of Natural Resources Revenue Management.
		Program Director for Financial and Program Management.
		Program Director for Audit and Compliance Management.
		Program Director for Coordination, Enforcement, Valuation and Appeals.
	Office of Hearings and Appeals	Director, Office of Hearings and Appeals.
	United States Fish and Wildlife Service.	Chief, Office of Law Enforcement.
	National Park Service	Financial Advisor (Comptroller).

Agency	Organization	Title
		Associate Director Interpretation and Education.
	Field Offices	Park Manager (Superintendent).
		Park Manager.
		Director, Safety, Security, and Law Enforcement.
		Director, Management Services Office.
	United States Geological Survey	Associate Director for Energy, Minerals and Environmental Health.
		Associate Director for Administrative Enterprise Information.
		Deputy Director, United States Geological Survey.
		Associate Director for Human Capital.
		Associate Chief Biologist for Information.
		Associate Director for Communications and Publishing.
		Associate Director for Budget, Planning, and Integration.
		Chief, Geospatial Information, Integration and Analysis.
		Associate Director for Natural Hazards.
		Associate Director for Climate Variability and Land Use Change.
		Associate Director for Water.
		Associate Director for Core Science Systems.
		Director, Office of Science Quality and Integrity.
		Associate Director for Ecosystems.
		Chief Scientist for Hydrology.
		Director, Earth Resources Observation and Science Center and Space Policy Advisor.
	Field Offices	Regional Director—Northwest.
		Regional Director—Southwest.
		Regional Executive—South Central.
		Regional Director—Northeast.
		Regional Director—Alaska.
		Regional Director—Pacific.
		Regional Director—Southeast.
		Regional Director—Midwest.
	Bureau of Land Management	Assistant Director, Human Capital Management.
	Field Offices	Director, National Operations Center.
		Deputy Assistant Director, Fire and Aviation At National Interagency Fire Center (NIFC).
		Regional Director.
		Regional Director Mid Continent Regionaloordinating Center.
	Bureau of Ocean Energy Management.	Strategic Resources Chief.
	Assistant Secretary—Indian Affairs	Director of Human Capital Management.
DEPARTMENT OF THE INTERIOR OFFICE OF THE INSPECTOR GENERAL.	Office of the Inspector General	Chief of Staff (2).
		Associate Inspector General for Communication.
		Deputy Inspector General.
	Office of General Counsel	General Counsel.
	Office of Recovery and Accountability.	Assistant Inspector General for Recovery Oversight.
	Office of Investigations	Assistant Inspector General for Investigations.
	Office of Management	Deputy Assistant Inspector General for Management.
		Assistant Inspector General for Management.
	Office of Information Technology	Assistant Inspector General for Information Technology.
	Office of Audits, Inspections, and Evaluations.	Assistant Inspector General for Audits, Inspections, and Evaluations.
		Deputy Assistant Inspector General for Compliance and Finance.
DEPARTMENT OF JUSTICE	Office of the Deputy Attorney General.	Chief, Professional Misconduct Review Unit.
	Office of the Legal Counsel	Special Counsel (2).
	Office of Professional Responsibility.	Deputy Counsel on Professional Responsibility.
		Counsel on Professional Responsibility.
	Justice Management Division	Director, Facilities and Administrative Services Staff.
		Deputy Assistant Attorney General, Policy, Management, and Planning.
		Assistant Attorney General for Administration.
		Director Library Staff.
		Deputy Assistant Attorney General for Human Resources and Administration.
		Director, Asset Forfeiture Management Staff.
		Deputy Assistant Attorney General (Controller).
		Director Finance Staff.
		Deputy, Chief Information Officer for E-Government Services Staff.

Agency	Organization	Title
		Director, Office of Attorney Recruitment and Management.
		Director, Equal Employment Opportunity Staff.
		General Counsel.
		Director Procurement Services Staff.
		Deputy Assistant Attorney General for Information Resources Management/Chief Information Officer.
		Senior Policy Advisor.
		Director, Debt Collection Management Staff.
		Director, Budget Staff.
		Deputy Director, Budget Staff, Operations and Funds Control.
		Director, Departmental Ethics Office.
		Director, Enterprise Solutions Staff.
		Director, Information Technology Security Staff (ITSS).
		Chief Technology Officer.
		Deputy Chief Information Officer.
		Special Assistant for Offices, Boards and Divisions, IT Solutions.
		Director Information Technology Security Services.
		Deputy Director, Human Resources.
		Deputy Director, Auditing, Finance Staff.
		Deputy Director, Budget Staff, Programs and Performance.
		Director, Operations Services Staff.
		Director, Information Technology Policy and Planning Staff.
		Director, Security and Emergency Planning Staff.
		Director, Human Resources.
	Professional Responsibility Advisory Office.	Director, Professional Responsibility Advisory Office.
	Federal Bureau of Prisons	Senior Deputy Assistant Director, Program Review Division.
		Warden, Federal Correctional Institution, Fairton, New Jersey.
		Warden, Federal Detention Center, Miami, Florida.
		Warden, Federal Correctional Institution, El Reno, Oklahoma.
		Senior Deputy Assistant Director, Administration Division.
		Warden, Federal Transfer Center, Oklahoma City, Oklahoma.
		Warden, Federal Correctional Complex, Allenwood, Pennsylvania.
		Warden, Federal Medical Center, Carswell, Texas.
		Warden, Federal Correctional Complex, Oakdale, Louisiana.
		Warden, Metropolitan Detention Center, Brooklyn, New York.
		Warden, Federal Correctional Institution, Otisville, New York.
		Warden, Federal Correctional Institution, Beckley, West Virginia.
		Warden, Federal Correctional CROW≤omplex, Coleman, Florida.
		Warden, Federal Correctional Complex, Beaumont, Texas.
		Senior Deputy Assistant Director, Information, Policy, and Public Affairs Division.
		Senior Deputy Assistant Director for Administration.
		Warden, Metropolitan Correctional Center, New York, New York.
		Warden, United States Penitentiary, Atwater, California.
		Warden, United States Penitentiary, Lee, Virginia.
		Senior Counsel, Office of General Counsel.
		Warden, United States Penitentiary, Big Sandy, Kentucky.
		Warden, United States Penitentiary-High, Florence, Colorado.
		Warden, Federal Correctional Complex, Florence, Colorado.
		Senior Deputy Assistant Director, Administration Division.
		Assistant Director, Reentry Services Division.
		Warden, Federal Correctional Complex, Yazoo City, Mississippi.
		Warden, United States Penitentiary, Hazelton, West Virginia.
		Warden, Federal Correction Complex, Petersburg, Virginia.
		Warden, United States Penitentiary, McCreary, Kentucky.
		Senior Deputy Assistant Director, Information, Policy, and Public Affairs Division.
		Warden, Federal Correctional Institution, Berlin, NH.
		Senior Deputy General Counsel, OGC.
		Senior Deputy Assistant Director, Information, Policy and Public Affairs.
		Senior Deputy Assistant Director, Health Services Division.
		Senior Deputy Assistant Director, Industries, Education and Vocational Training Division.
		Warden, Federal Correctional Institution, McDowell, WV.
		Warden, Federal Correctional Institution, Mendota, CA.
		Warden, Federal Correctional Institution, Herlong, California.
		Warden, Federal Correctional Institution, Ray Brook, New York.
		Warden, Federal Correctional Institution, Williamsburg, South Carolina.
	Warden, Federal Correctional Institution, Bennettsville, South Carolina.	

Agency	Organization	Title
		Warden, Federal Correctional Institution, Manchester, Kentucky.
		Warden, Federal Correctional Institution, Gilmer, West Virginia.
		Warden, Federal Correctional Institution, Sheridan, Oregon.
		Warden, Federal Correctional Institution, Memphis, Tennessee.
		Warden, Metropolitan Detention Center, Guaynabo, Puerto Rico.
		Warden, Federal Correctional Institution, Three Rivers, Texas.
		Warden, Federal Correctional Institution, Schuylkill, Pennsylvania.
		Warden, Federal Correctional Institution, Pekin, Illinois.
		Warden, Federal Correctional Institution, Oxford, Wisconsin.
		Warden, Federal Correctional Institution, McKean, Pennsylvania.
		Warden, Federal Correctional Institution, Greenville, Illinois.
		Warden, Federal Correctional Institution, Estill, South Carolina.
		Warden, Federal Correctional Institution, Cumberland, Maryland.
		Warden, United States Penitentiary, Tucson, Arizona.
		Warden, United States Penitentiary Coleman-I, Coleman, Florida.
		Senior Deputy Assistant Director (Correctional Program Officer).
		Warden, Federal Correctional Complex, Forrest City, Arkansas.
		Warden, United States Penitentiary, Canaan, Pennsylvania.
		Warden, Federal Correctional Complex, Victorville, California.
		Warden, United States Penitentiary, Pollock, Louisiana.
		Warden, Federal Correctional Institution, Jessup, Georgia.
		Warden Federal Correctional Complex, Butner, North Carolina.
		Warden Federal Correctional Complex, Terre Haute, Indiana.
		Assistant Director, Industries, Education, and Vocational Training Division.
		Warden, United States Penitentiary, Marion Illinois.
		Warden, Federal Medical Center, Lexington, Kentucky.
		Warden, United States Medical Center Federal Prisoners, Springfield, Missouri.
		Warden, Federal Correctional Complex, Lompoc, California.
		Warden, United States Penitentiary, Lewisburg, Pennsylvania.
		Warden, United States Penitentiary, Leavenworth, Kansas.
		Warden, United States Penitentiary, Atlanta, Georgia.
		Regional Director, South Central Region.
		Regional Director, Western Region.
		Regional Director, North Central Region.
		Regional Director, Southeast Region.
		Warden, Federal Correctional Institution, Fort Dix, New Jersey.
		Warden, Federal Correctional Institution, Talladega, Alabama.
		Deputy Director.
		Regional Director Middle Atlantic Region.
		Warden, Federal Medical Center, Rochester, Minnesota.
		Warden, Federal Correctional Institution, Phoenix, Arizona.
		Senior Deputy Assistant Director, Correctional Programs Division.
		Assistant Director for Human Resources Management.
		Warden, Federal Correctional Institution, Marianna, Florida.
		Regional Director, Northeast Region.
		Assistant Director, Office of General Counsel.
		Assistant Director Correctional Programs Division.
		Assistant Director for Administration.
		Warden, Metropolitan Detention Center, Los Angeles, California.
		Warden, Federal Medical Center, Devens, Massachusetts.
		Warden, Federal Correctional Institution, Edgefield, South Carolina.
	Executive Office for Immigration Review.	Assistant Director for Administration.
		Vice Chairman, Board of Immigration Appeals.
		Chief Administrative Hearing Officer.
		Associate Director.
		General Counsel.
		Chairman, Board of Immigration Appeals.
		Deputy Chief Immigration Judge.
		Chief Immigration Judge.
	Criminal Division	Senior Litigation Counsel, Public Integrity Section.
		Deputy Chief, Organized Crime and Gang Section.
		Chief, Human Rights and Special Prosecutions Section.
		Chief Narcotic and Dangerous Drug Section.
		Chief Public Integrity Section.
		Chief Fraud Section.
		Counselor for Transnational Organized Crime and International Affairs.
		Chief, Computer Crime and Intellectual Property Section.
		Senior Litigation Counsel, Public Integrity Section.
		Chief, Appellate Section.
		Chief, Organized Crime and Gang Section.

Agency	Organization	Title
		Deputy Chief Public Integrity Section.
		Chief, Asset Forfeiture and Money Laundering Section.
		Deputy Chief for Litigation.
		Executive Officer.
		Deputy Chief, Appellate Section.
		Director, International Criminal Investigative Training Assistance Program.
		Chief, Child Exploitation and Obscenity Section.
		Deputy Chief for Organized Crime and Gang Section.
		Senior Counsel to the Assistant Attorney General.
		Senior Counsel for Cybercrime.
		Director, Office of Overseas Prosecutorial Development, Assistance, and Training.
		Deputy Chief, Narcotic and Dangerous Drug Section.
		Deputy Chief, Computer Crime and Intellectual Property Section.
		Deputy Chief, Asset Forfeiture and Money Laundering Section.
	National Security Division	Chief, Operations Section.
		Deputy Assistant Attorney General, FISA Operations and Intelligence Oversight.
		Executive Officer.
		Deputy Chief, Counterterrorism Section.
		Deputy Chief, Operations Section.
		Chief, Oversight Section.
		Deputy Chief Terrorism and Violent Crime, Counterterrorism Section.
		Chief, Appellate Unit.
		Director, FOIA and Declassification Program.
Deputy Chief, Counterespionage Section..		
		Special Counsel for National Security (2).
	Executive Office for United States Attorneys.	Chief Financial Officer.
Deputy Director for Administration and Management..		
		General Counsel.
		Counsel, Legal Programs and Policy
		Deputy Director.
		Associate Director, Office of Legal Education.
		Deputy Director for Operations.
		Chief, Information Officer.
		Chief Human Resources Officer.
	United States Marshals Service	Assistant Director for Prisoner Operations.
		Assistant Director, Tactical Operations
		Associate Director, Administration
		Associate Director, Operations.
		Federal Detention Trustee.
		Assistant Director, Information Technology.
		Assistant Director Office of Inspection.
		Director, Justice Prisoner and Alien Transportation System.
		Assistant Director Judicial Security.
		Deputy Assistant Director Acquisition and Procurement.
		Assistant Director, Investigative Operations.
		Assistant Director, Justice Prisoner and Alien Transportation System.
		Assistant Director, Training.
		Assistant Director, Human Resources.
		Assistant Director, Financial Services.
		Assistant Director, Witness Security.
		Assistant Director, Management Support.
		Assistant Director, Asset Forfeiture.
		Assistant Director, Judicial Security.
		Deputy Director.
	Bureau of Alcohol, Tobacco, Firearms and Explosives.	Deputy Assistant Director, Office of Professional Responsibility and Security Operations.
		Special Agent In Charge, Houston.
		Special Agent In Charge, Washington DC.
		Special Agent In Charge, New York.
		Special Agent In Charge, Los Angeles.
		Deputy Assistant Director, Field Operations—West.
		Special Agent In Charge, San Francisco.
		Deputy Assistant Director, Forensic Services.
		Assistant Director, Science and Technology.
		Deputy Assistant Director for Information Technology and Deputy Chief Information Officer.
		Assistant Director, Management and Chief Financial Officer.
		Deputy Assistant Director, Management.

Agency	Organization	Title
		Assistant Director, Office of Professional Responsibility and Security Operations.
		Assistant Director, Training and Professional Development.
		Deputy Assistant Director, Human Resources and Professional Development.
		Deputy Assistant Director, Enforcement Programs and Services.
		Assistant Director, Enforcement Programs and Services.
		Deputy Assistant Director, Field Operations-Central.
		Assistant Director, Field Operations.
		Deputy Director.
		Senior Advisor to the Director.
		Deputy Assistant Director, Field Operations (Programs).
		Deputy Assistant Director, Industry Operations.
		Chief, Special Operations Division.
		Deputy Director, Terrorist Explosive Device Analytical Center.
		Special Agent In Charge, Denver.
		Special Agent In Charge, Newark.
		Special Agent In Charge, Baltimore.
		Special Agent In Charge, New Orleans.
		Special Agent In Charge, Columbus.
		Special Agent In Charge, Tampa.
		Special Agent In Charge, Seattle.
		Special Agent In Charge, Louisville.
		Special Agent In Charge, Detroit.
		Special Agent In Charge, Charlotte.
		Special Agent In Charge, Miami.
		Special Agent In Charge, Phoenix.
		Special Agent In Charge, Philadelphia.
		Special Agent In Charge, Kansas City.
		Special Agent In Charge, Chicago.
		Special Agent In Charge, Boston.
		Special Agent In Charge, Atlanta.
		Special Agent In Charge, Saint Paul.
		Deputy Assistant Director, Office of Public and Governmental Affairs.
		Assistant Director, Office of Public and Governmental Affairs.
		Deputy Assistant Director, Office of Strategic Intelligence and Information.
		Assistant Director, Office of Strategic Intelligence and Information.
		Special Agent In Charge, Dallas.
		Special Agent In Charge, Nashville.
		Deputy Assistant Director, Industry Operations.
		Deputy Assistant Director, Field Operations-East.
	Antitrust Division	Executive Officer.
		Director, Economic Enforcement.
		Chief, Telecommunications and Media Section.
	Civil Division	Director, Office of Management Programs.
		Appellate Litigation Counsel.
		Special Immigration Counsel.
		Deputy Branch Director, Federal Programs.
		Deputy Branch Director.
		Deputy Director, Appellate Staff.
		Deputy Director, Commercial Litigation Branch.
		Deputy Director, Office of Immigration Litigation, Appellate Section.
		Special Litigation Counsel, Aviation and Admiralty Section.
		Director, Foreign Litigation Section.
		Deputy Branch Director, Federal Programs.
		Deputy Director, Commercial Litigation Branch.
		Deputy Director Appellate Branch.
		Director, Consumer Protection Branch.
		Deputy Branch Director, Federal Programs.
		Deputy Director, Commercial Litigation Branch.
	Environment and Natural Resources Division.	Deputy Section Chief, Natural Resources Section.
		Executive Officer.
		Chief, Environmental Crimes Section.
		Senior Litigation Counsel.
		Chief, Wildlife and Marine Resources Section.
		Chief, Natural Resources Section.
		Chief, Environmental Enforcement Section.
		Chief, Land Acquisition Section.
		Chief-Appellate Section.
		Chief, Indian Resources Section.
		Chief, Environmental Defense Section.
		Deputy Chief, Environmental Enforcement Section.

Agency	Organization	Title
		Deputy Chief, Environmental Enforcement Section.
		Deputy Chief, Environmental Enforcement Section.
		Deputy Chief, Natural Resources Section.
		Deputy Chief, Appellate Section.
		Deputy Chief, Environmental Defense Section.
	Tax Division	Senior Litigation Counsel.
		Chief, Civil Trial Section, Western Region.
		Chief, Civil Trial Section, Southwestern Region.
		Executive Officer.
		Chief, Office of Review.
		Chief, Criminal Enforcement Section, Western Region.
		Chief, Appellate Section.
		Chief, Court of Federal Claims Section.
		Chief, Civil Trial Section, Central Region.
		Chief, Civil Trial Section, Northern Region.
		Chief, Civil Trial Section, Southern Region.
		Chief, Criminal Enforcement Section, South Region.
		Special Litigation Counsel.
		Chief, Criminal Enforcement Section, North Region.
		Chief, Criminal Appeals and Tax Enforcement Policy Section.
		Chief, Civil Trial Section, Eastern Region.
	Civil Rights Division	Chief, Policy Strategy Section.
		Executive Officer.
	Executive Office for Organized Crime Drug Enforcement Task Forces.	Executive Director, Organized Crime Drug Enforcement Task Forces.
	Office of Justice Programs	Director, Office of Audit, Assessment and Management.
		Director, Office of Administration.
		Deputy Chief Financial Officer.
		Chief Financial Officer.
		Deputy Director, Office for Victims of Crime.
	National Institute of Justice	Deputy Director, National Institute of Justice.
	Office of the Inspector General	Deputy Assistant Inspector General for Investigation.
		Deputy Assistant Inspector General for Audit.
		Director, Office of Oversight and Review.
		General Counsel.
		Assistant Inspector General for Management and Planning.
		Assistant Inspector General for Investigation.
		Assistant Inspector General for Audit.
		Assistant Inspector General, Evaluation and Inspections Division.
		Deputy Inspector General.
	Office of Tribal Justice	Director.
DEPARTMENT OF JUSTICE OFFICE OF THE INSPECTOR GENERAL.	Audit Division	Deputy Assistant Inspector General, Audit Division.
		Assistant Inspector General, Audit Division.
	Evaluation and Inspections Division.	Assistant Inspector General, Evaluation and Inspections Division.
	Front Office	General Counsel.
		Deputy Inspector General.
	Investigations Division	Deputy Assistant Inspector General, Investigations Division.
		Assistant Inspector General, Investigations Division.
	Management and Planning Division.	Assistant Inspector General, Management and Planning Division.
	Oversight and Review Division	Assistant Inspector General, Oversight and Review Division.
DEPARTMENT OF LABOR	Office of the Secretary	Deputy National Director Regional Operations.
		Deputy National Director Regional Operations.
	Women's Bureau	Deputy Director, Women's Bureau.
	Office of the Inspector General	Assistant Inspector General for Inspections and Special Investigations.
		Deputy Assistant Inspector General for Labor Racketeering.
		Deputy Assistant Inspector General for Audit.
		Assistant Inspector General for Audit.
		Counsel to the Inspector General.
		Deputy Inspector General.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Management and Policy.
	Office of Public Affairs	Senior Managing Director.
		Director, Division of Enterprise Communications.
	Bureau of International Labor Affairs.	Director, Office of Trade and Labor Affairs.
	Office of the Assistant Secretary for Policy.	Deputy Assistant Secretary for Policy.
		Director, Office of Regulatory and Programmatic Policy.

Agency	Organization	Title
	Office of the Solicitor	Regional Solicitor—Chicago.
		Associate Solicitor for Plan Benefits Security.
		Regional Solicitor—New York.
		Regional Solicitor—Boston.
		Associate Solicitor for Federal Employees' and Energy Workers' Compensation.
		Regional Solicitor—Atlanta.
		Associate Solicitor for Fair Labor Standards.
		Regional Solicitor—San Francisco.
		Deputy Solicitor (National Operations).
		Associate Solicitor, Management and Administrative Legal Services Division.
		Associate Solicitor for Legal Counsel.
		Associate Solicitor for Civil Rights and Labor Management.
		Regional Solicitor—Kansas City.
		Regional Solicitor—Dallas.
		Associate Solicitor for Black Lung and Longshore Legal Services.
		Regional Solicitor—Philadelphia.
		Acting Deputy Assistant Secretary.
		Associate Solicitor for Occupational Safety and Health.
		Associate Solicitor for Mine Safety and Health.
		Deputy Solicitor (Regional Operations).
	Office of Chief Financial Officer	Associate Deputy Chief Financial Officer for Financial Systems.
		Deputy Chief Financial Officer.
	Office of the Assistant Secretary for Administration and Management.	Director, Program Planning and Results Center.
		Deputy Assistant Secretary for Budget and Performance Planning.
		Director Office of Budget.
		Director Business Operations Center.
		Director of Civil Rights.
		Deputy Director, Information Technology Center.
		Director, National Capital Service Center.
		Deputy Director of Human Resources.
		Deputy Assistant Secretary for Operations.
		Deputy Assistant Secretary for Security and Emergency Management.
		Associate Deputy CIO.
		Director of Enterprise Services.
		Director, Customer Service.
		Project Manager.
	Employment Standards Administration.	Deputy Assistant Secretary for Operations.
		Director Office of Management, Administration and Planning.
	Wage and Hour Division	Deputy Administrator for Program Operations.
		Deputy Wage and Hour Administrator (Operations).
		Director of Administrative Operations.
	Office of Workers Compensation Programs.	Regional Director (Dallas).
		Administrative Officer.
		Director, Energy Employees' Occupational Illness Compensation.
		Comptroller.
		Regional Director (2).
		Director for Federal Employees' Compensation.
		Director of Coal Mine Workers' Compensation.
		Regional Director.
	Office of Labor-Management Standards.	Deputy Director, Office of Labor Management Standards.
		Senior Advisor and Director of Reports and Disclosures.
		Director, Office of Enforcement and International Union Audits.
		Director, Office of Policy, Reports and Disclosure.
	Employee Benefits Security Administration.	Director of Health Plan Standards Compliance and Assistance.
		Senior Policy Advisor.
		Regional Director—Atlanta.
		Director of Participant Assistance and Communications.
		Regional Director—Boston.
		Chief Accountant.
		Deputy Assistant Secretary for Program Operations.
		Director of Regulations and Interpretations.
		Director of Exemption Determinations.
		Director of Enforcement.
		Regional Director—San Francisco.
		Regional Director—Kansas City.

Agency	Organization	Title
		Regional Director—Philadelphia.
		Regional Director—New York.
		Director of Information Management.
	Bureau of Labor Statistics	Associate Commissioner for Prices and Living Conditions.
		Assistant Commissioner for Industry Employment Statistics.
		Director of Survey Processing.
		Director of Technology and Computing Services.
		Associate Commissioner for Compensation and Working Conditions.
		Assistant Commissioner for Safety, Health and Working Conditions.
		Assistant Commissioner for Compensation Levels and Trends.
		Assistant Commissioner for International Prices.
		Associate Commissioner Productivity and Technology.
		Associate Commissioner for Field Operations.
		Associate Commissioner for Administration.
		Deputy Commissioner for Labor Statistics.
		Associate Commissioner for Technology and Survey Processing.
		Assistant Commissioner for Current Employment Analysis.
		Associate Commissioner for Publications and Special Studies.
		Associate Commissioner for Employment and Unemployment Statistics.
		Assistant Commissioner for Occupational Statistics and Employment Projections.
		Assistant Commissioner for Consumer Prices and Prices Indexes.
		Assistant Commissioner for Industrial Prices and Price Indexes.
		Associate Commissioner for Survey Methods Research.
	Employment and Training Administration.	Comptroller.
		Deputy Administrator, Job Corp.
		Administrator, Office of Financial and Administrative Management.
		Associate Administrator.
	Occupational Safety and Health Administration.	Director, Directorate of Evaluation and Analysis Director, Directorate of Standards and Guidance.
		Director, Directorate of Cooperative and State Programs.
		Directorate of Technical Support and Emergency Management.
		Director, Administrative Programs.
	Mine Safety and Health Administration.	Director of Program Evaluation and Information Resources.
		Director, Office of Accountability, Audit, and Program Policy Evaluation.
		Director of Administration and Management.
		Director of Technical Support.
		Director of Assessments.
	Veterans Employment and Training Service.	Director, Department of Labor Homeless Assistance Program.
		Director, Office of Field Operations.
		Deputy Assistant Secretary for Operations and Management.
		Director of Operations and Programs.
	Office of Disability Employment Policy.	Director, Office of Operations.
		Deputy Assistant Secretary for Office of Disability Employment Policy.
DEPARTMENT OF LABOR OFFICE OF INSPECTOR GENERAL.	Department of Labor Office of Inspector General.	Deputy Inspector General for Operations.
		Counsel.
		Assistant Inspector General for Labor Racketeering.
		Deputy Assistant Inspector General for Labor Racketeering.
		Deputy Inspector General.
		Assistant Inspector General for Audit.
		Assistant Inspector General for Inspections and Special Investigations.
		Deputy Assistant Inspector General for Audit.
		Assistant Inspector General for Management and Policy.
MERIT SYSTEMS PROTECTION BOARD.	Office of the Clerk of the Board	Clerk of the Board.
	Office of Financial and Administrative Management.	Director, Financial and Administrative Management.
	Office of Policy and Evaluation	Director, Office of Policy and Evaluation.
	Office of Information Resources Management.	Director, Information Resources Management.
	Office of Regional Operations	Director, Office of Regional Operations.
	Atlanta Regional Office	Regional Director, Atlanta.
	Central Region, Chicago Regional Office.	Regional Director, Chicago.

Agency	Organization	Title
	Northeast Region, Philadelphia Regional Office.	Regional Director, Philadelphia.
	Western Region, San Francisco Regional Office.	Regional Director, San Francisco.
	Washington, DC Region, Washington Regional Office.	Regional Director, Washington, D.C.
	Dallas Regional Office	Regional Director, Dallas.
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.	National Aeronautics and Space Administration.	Director, NASA Lunar Science Institute.
		Director for Ames International Space Station Office.
		Associate Director for Mission Support.
		Senior Technical Advisor to the Director.
		Director, NASA Aeronautics and Research Institute.
		Deputy Director for Science.
	Office of the Deputy Administrator	Associate Administrator, Strategy and Policy.
	Chief of Staff	Director, Office of Evaluation.
	Office of the Chief Scientist	Associate Chief Scientist for Planning and Evaluation.
		Associate Chief Scientist for Life and Microgravity Sciences.
	Exploration Systems Mission Directorate.	Assistant Associate Administrator for Administration.
		Director, Mission Integration Division.
		Director, Business Operations Division.
		Manager, Advanced Space Technology Program.
		Manager, Strategic Planning.
		Assistant Associate Administrator, Strategic Integration and Management.
		Director, Directorate Integration Office.
		Director, Resources Management Office.
		Director, Strategic Integration and Management Office.
	Human Exploration and Operations Mission Directorate.	Deputy Assistant Administrator for Program Integration.
		Manager, Rocket Propulsion Test Program Office.
		Assistant Associate Administrator for Human Exploration Capability.
		Director, International Space Station and Space Shuttle Program Resource.
		Assistant Associate Administrator for Launch Services.
		Assistant Associate Administrator for Space Shuttle Program.
		Director, Human Spaceflight Capabilities Division.
		Director, Program and Strategic Integration Office.
		Deputy Associate Administrator for Policy and Plans.
		Director, Advanced Exploration Systems.
		Assistant Associate Administrator for Space Shuttle Program.
		Assistant Associate Administrator for International Space Station.
		Director, Advanced Capabilities Division.
		Deputy Associate Administrator for Space Communications and Navigation.
		Assistant Associate Administrator for Resources Management and Analysis Office.
		Space Operations Mission Directorate Transition Manager.
	Office of the Chief Technologist	Deputy Chief Technologist.
	Office of Evaluation	Director, Cost Analysis Division.
	Science Mission Directorate	Deputy Associate Administrator for Management.
		Deputy Director, for Programs, Earth Science Division.
		Director, Strategic Integration and Management Division.
		Deputy Associate Administrator for Research.
		Director, Applications Division.
		Deputy Associate Administrator for Programs.
	James Webb Space Telescope Program Office.	Director, James Webb Space Telescope Program.
	Planetary Science Division	Assistant Director for Strategy Communications and Integration.
		Director, Planetary Science Division.
		Deputy Director, Planetary Science Division.
		Mars Exploration Program Director.
	Astrophysics Division	Deputy Director, Astrophysics Division.
		Director, Astrophysics Division (2).
	Heliophysics Division	Program Director, Science Information and Telecommunications Systems.
		Director, Heliophysics Division.
		Deputy, Director, Heliophysics Division.
	Earth Science Division	Director, Earth Science Division.
		Program Director, Research and Analysis Program.
		Deputy Director, Earth Science.
		Program Director, Science Division.
	Joint Agency Satellite Division	Director, Joint Agency Satellite Division.

Agency	Organization	Title
		Deputy Director, Joint Agency Satellite Division.
	Strategic Integration and Management Division.	Director, Strategic Integration and Management Division.
	Aeronautics Research Mission Directorate.	Director, Strategy, Communications and Program Integration.
		Director, Strategy, Architecture, and Analysis Office.
		Director, Integrated Systems Research Program Office.
		Director, Fundamental Aeronautics.
		Director, Mission Support Office (2).
		Director, Airspace Systems Program Office.
		Director, Integration and Management Office.
		Director, Aviation Safety Program Office.
	Office of Program Analysis and Evaluation.	Deputy Director, Technical, Independent Program, Assessment.
		Director, Studies and Analysis Division.
		Deputy Director, Strategic Investments Division (2).
		Director , Independent Program Assessment Office.
		Deputy Associate Administrator.
	Office of the Chief Financial Officer/Comptroller.	Associate Deputy Chief Financial Officer (Finance).
		Deputy Chief Financial Officer (Agency Budget, Strategy and Performance).
	Office of Education	Deputy Associate Administrator for Integration.
		Deputy Associate Administrator for Education.
		Senior Advisor, Education and Stem Engagement.
	Space Technology Mission Directorate.	Deputy Associate Administrator for Programs.
	Office of the Chief Engineer	Senior Advisor for Innovation.
	Mission Support Directorate	Assistant Administrator for Agency Operations.
		Deputy Associate Administrator for Mission Support.
	Office of Headquarters Operations	Director, Headquarters Information Technology and Communications Division.
		Director, Human Resource Management Division.
	Office of Human Capital Management.	Assistant Administrator for Human Capital Management.
		Director, Workforce Systems and Accountability Division.
		Deputy Assistant Administrator for Human Capital Management.
		Director, Workforce Management and Development Division.
		Director, Workforce Strategy Division.kem.002
	Office of Strategic Infrastructure ...	Director, Strategic Capability Asset Program.
		Deputy Assistant Administrator for Policy.
		Director, Environmental Management Division.
		Director, Facilities Engineering and Real Property Division.
		Director, Facilities Engineering.
		Director, Integrated Asset Management Division.
	NASA Shared Services Center	Deputy Director, NASA Shared Services Center.
		Executive Director of NASA Shared Services Center.
		Director, Business and Administration.
	Office of Protective Services	Assistant Administrator for Security and Program Protection.
		Assistant Administrator for Protective Services.
	Office of Procurement.	
		Director, Analysis Division.
		Director, Program Operations Division.
		Director, Contract Management Division.
		Assistant Administrator for Procurement.
		Director, Contract Management Division.
	NASA Management Office	Director, NASA Management Office.
	Office of Safety and Mission Assurance.	
		Director, NASA Safety Center.
		Director, Mission Support Division.
		Deputy Chief Safety and Mission Assurance Officer.
		Director, Safety and Assurance Requirements Division.
		Chief, Safety and Mission Assurance Office.
	Office of the Chief Financial Officer/Comptroller.	Director, Business Integration.
		Director, Policy Division.
		Director, Financial and Budget Systems Management Division.
		Director, Strategic Management and Planning.
		Director for Performance Reporting.
		Director, Quality Assurance.
		Director, Financial Management.
		Senior Advisor to the Deputy Chief Financial Officer.

Agency	Organization	Title
		Deputy Chief Financial Officer.
		Director, Budget Division.
	Office of the Chief Information Officer.	Deputy Chief Information Officer for IT Reform.
		Chief Technology Officer for IT.
		Deputy CIO for IT Security.
		Associate Chief Information Officer for Capital Planning and Governance.
		Associate Chief Information Officer for Enterprise Service and Integration Division.
	Office of the Chief Engineer	ARMD, Chief Engineer.
		Senior Advisor.
		Exploration Systems Mission Directorate Chief Engineer.
		Science Mission Chief Engineer.
	Office of Communications	Assistant Administrator for Legislative and Intergovernmental Affairs.
		Deputy Assistant Administrator for Legislative Affairs.
		Director Media Services Division.
	Office of Program and Institutional Integration.	Deputy Director of the Office of Program and Institutional Integration.
		Director of Program and Institutional Integration Office.
	Office International and Interagency Relations.	Deputy Director, Export Control and Interagency Liaison Division.
		Director, Human Exploration and Operations Division.
		Director, Export Control and Interagency Liaison Division.
		Director, Advisory Committee Management Division.
	Office of Legislative and Intergovernmental Affairs.	Deputy Associate Administrator for Legislative Affairs.
	Office of Diversity and Equal Opportunity.	Director, Programs, Planning and Evaluation Division.
		Director, Complaints Management Division.
	Office of Small Business Programs	Associate Administrator, Small Business Programs.
	Johnson Space Center	Assistant Manager, Exploration Planning.
		Director, Performance Management Integration Office.
		Program Executive for FAA and ISS.
		Manager, Program Planning and Control, MPCV.
		Deputy Manager, Multi-Program Crew Vehicle Program.
		Manager, Strategic Analysis and Integration Office.
		Director, Human Exploration Development Support Office.
		Manager, Technology Transfer and Commercialization.
		Director, Strategic Opportunities and Partnership Development.
		Special Assistant for Program Integration, MPCV.
		Manager, Avionics, Power and Software Office.
		Manager, Crew and Service Module Office.
		Associate Director, Commercial Crew Program.
		Deputy Manager, Commercial Crew Program.
		Manager, Multi-Purpose Crew Vehicle Program.
		Manager, Vehicle Integration Office.
		Chief of Staff, Exploration Planning.
		Deputy Associate Administrator, Exploration Planning.
		Chief Knowledge Officer.
		Manager, Advanced Planning.
		Chief Financial Officer.
		Director of Human Resources.
		Associate Director (Technical).
		Assistant to the Director, Engineering.
		Associate Director (Management).
		Deputy Associate Administrator, Strategic Program Planning.
		Director, Astromaterials Research and Exploration Science.
		Chief of Staff, Office of the Director.
		Associate Director for Strategic Capabilities.
		Assistant to the Director, Innovation and Partnerships.
		Director, External Relations.
		Manager, Space Shuttle Transition and Retirement.
	Space Station Program Office	Manager, ISS Program Transportation Integration Office.
		Senior Advisor, Exploration and Space Operations.
		Deputy Manager for Utilization.
		Manager, Operations Integration.
		Director, Human Space Flight Program—Russia.
		Manager, Safety and Mission Assurance/Program Risk Office, ISSP.
		Manager, International Space Station Payloads Office.
		Manager, Vehicle Office.
		Manager, Program Planning and Control Office, International Space Station.
		Manager, International Space Station Program.

Agency	Organization	Title
		Manager, Mission Integration and Operations Office.
		Manager, Avionics and Software Office.
		Deputy Manager, International Space Station Program.
		Manager, Program Projects Integration.
	Space Shuttle Program	Manager, Space Shuttle Business Office.
		Manager, Launch Integration (Kennedy Space Center).
		Associate Manager, Space Shuttle Program.
		Manager, Space Shuttle Program.
		Manager, Safety and Mission Assurance Office.
		Manager, Space Shuttle Systems Engineering and Integration Office.
		Manager, Orbiter Project Office.
		Deputy Space Shuttle Program Manager for Kennedy Space Center.
		Deputy Manager, Space Shuttle Program.
	Mission Operations	Deputy Director, Mission Operations.
		Director, Mission Operations.
		Chief, Flight Director Office.
		Chief, Engineering Projects.
	Constellation Program Office	Assistant to the Director for Constellation.
		Constellation Program Deputy for the Orion Project.
		Deputy Manager, Orion Project.
		Associate Program Manager for Lunar Formulation.
		Director, Safety Reliability and Quality Assurance, Constellation.
		Manager, Constellation Program.
		Deputy Manager, Constellation Office.
		Director, Program Planning and Control, Constellation.
		Director, Systems Engineering and Integration, Constellation.
		Director, Operation Integration, Constellation Program.
		Assistant Orion Project Manager, Program Planning and Control, Constellation.
		Deputy Manager, Orbiter Project Office.
		Transition Manager, Operations and Test Integration Office, CX Program.
	Flight Crew Operations	Chief Astronaut Office.
		Assistant Director, Flight Crew Operations.
		Director, Flight Crew Operations.
		Chief, Aircraft Operations Division.
		Deputy Director, Flight Crew Operations.
	Engineering	Manager, Program Engineering Integration Office.
		Manager, Engineering Services and Management Integration Office.
		Manager, Systems Architecture and Integration Office.
		Associate Director for Commercial Spaceflight.
		Chief, Structural Engineering Division.
		Director, Engineering.
		Deputy Director, Engineering.
		Chief, Crew and Thermal Systems Division.
	Space and Life Sciences	Manager, Human Research Program.
		Director, Human Health and Performance.
		Deputy Director, Human Health and Performance.
	Information Resources	Director, Information Resources.
	Office of Procurement	Director, Office of Procurement.
	Center Operations	Director Center Operations.
	Safety and Mission Assurance	Director, Safety and Mission Assurance.
		Assistant to the Director, Safety and Mission Assurance.
		Deputy Director, Safety and Mission Assurance.
	White Sands Test Facility	Manager, National Aeronautics and Space Administration White Sands Test Facility.
	Eva Project Office	Manager, Eva Project Office.
	Kennedy Space Center.	21st Century Space Launch Complex Project Manager, Ground Systems Development and Operations Program.
		Manager, Commercial Crew Program.
		Special Assistant to the Deputy Director.
		Special Assistant for Engineering and Technical Operations.
		Associate Director for Engineering and Technical Operations.
		Deputy Director, Technical, Engineering and Technology Directorate.
		Director, Engineering and Technology Directorate.
		Deputy Director, Management, Engineering and Technology Directorate.
		Chief, Mechanical Division, Engineering Directorate.
		Exploration Systems Manager, Ground Systems Development and Operations Program.
		Director, Operational Systems Engineering Office, Engineering Directorate.
		Deputy Director, Engineering and Technology Directorate.

Agency	Organization	Title
		Director, International Space Station Ground Processing and Research Project Office.
		Deputy Director, Launch Vehicle Processing Directorate.
		Director, Launch Vehicle Processing Directorate.
		Chief Medical Officer.
		Deputy Manager, Ground Processing Development and Operations Program.
		Manager, Ground Systems Development and Operations Program.
		Associate Director, International Space Station and Spacecraft Processing.
		Deputy Director, Constellation Space Transportation Planning Office.
		Manager, Spacecraft Flight Hardware Project.
		Manager, Launch Vehicle Project, Constellation Space Transportation Planning Office.
		Director, Center Operations Directorate.
		Deputy Manager, Launch Services Program.
		Director, Procurement Office.
		Director, Human Resources Office.
		Chief Financial Officer.
		Associate Director, John F. Kennedy Space Center.
		Director, John F Kennedy Space Center.
		Manager, Office of the Chief Engineer, Engineering and Technology Directorate.
		Director, Ground Processing Directorate.
		Director, Public Affairs Directorate.
		KSC Associate Manager, Commercial Crew Program.
		Director, Public Affairs.
		Chairperson, Engineering Services Contract Source Evaluation Board.
		Manager, Flight and Ground Project Office, Constellation Space Transportation Planning Office.
	Information Technology and Communications Services.	Director, Information Technology and Communications Services.
	Shuttle Processing	Deputy Director, Shuttle Processing.
	Safety and Mission Assurance	Director, Safety and Mission Assurance.
		Deputy Director, Safety and Mission Assurance.
	External Relations	Deputy Director, External Relations and Business Development.
	Launch Services Program	Director, Expendable Launch Vehicle Launch Services.
		Manager, Launch Services Program.
	Office of the Director	Associate Director, Technical, Marshall Space Flight Center.
	Office of the Deputy Director	Senior Executive for Technology and Integration.
	Office of the Associate Director	Associate Director, Marshall Space Flight Center.
	Michoud Assembly Facility	Deputy Director, Michoud Assembly Facility.
		Director, Michoud Assembly Facility.
	Engineering Directorate	Deputy Manager, Office of the Chief Engineer.
		Manager, Office of the Chief Engineer.
		Associate Director for Operations.
		Chief Engineer, Space Launch System.
		Deputy Chief Engineer, Space Launch System Program.
		Manager, Office of the Chief Engineer, Engineering Directorate.
		Director, Mission Operations Laboratory.
		Deputy Director, Engineering Directorate.
		Associate Director for Technical Management.
		Deputy Director, Spacecraft and Vehicle Systems Department.
		Director, Spacecraft and Vehicle Systems Department.
		Deputy Director, Space Systems Department.
		Director, Materials and Processes Laboratory.
		Director, Space Systems Department.
		Director, Test Laboratory.
		Deputy Director, Propulsion Systems Department.
		Director, Propulsion Systems Department.
	Office of the Chief Financial Officer.	Chief Financial Officer (2).
	Office of Center Operations	Director, Office of Center Operations.
		Deputy Director, Office of Center Operations.
	Office of Procurement	Director, Office of Procurement.
	Safety and Mission Assurance Directorate.	Chief Safety Officer, Safety and Mission Assurance Directorate.
		Deputy Director, Safety and Mission Assurance Directorate.
		Director, Safety and Mission Assurance Directorate.
	Office of Strategic Analysis and Communications.	Director, Office of Strategic Analysis and Communications.
	Space Launch System Program Office.	Manager, Boosters Office, Space Launch System Program Office.

Agency	Organization	Title
		Manager, Engines Office, Space Launch System Program Office.
		Manager, Stages Office, Space Launch System Program Office.
		Manager, Space Launch System Program Office.
		Associate Program Manager, Space Launch System Program Office.
		Manager, Program Planning and Control Office, Space Launch System Program Office.
		Manager, Advanced Development Office, Space Launch System Program Office.
		Deputy Manager, Space Launch System Program Office.
	Science and Technology Office	Manager, Science and Technology Office.
		Deputy Manager, Science and Technology Office.
		Senior Science Advisor.
	Shuttle-Ares Transition Office	Manager.
	Office of Chief Information Officer	Deputy Chief Information Officer.
	Flight Programs and Partnerships Office.	Manager, Flight Programs and Partnerships.
		Deputy Manager, Flight Programs and Partnerships Office.
	Office of Human Capital	Special Assistant to Director, Office of Human Capital.
		Director, Office of Human Capital.
	Stennis Space Center	Director, Center Operations Directorate.
		Deputy Director, Stennis Space Center.
		Associate Director.
		Director, Engineering and Science Directorate.
		Chief Financial Officer.
		Director, Office of Safety and Mission Assurance.
		Director, Projects Directorate.
	Chief of Strategic Communications	Director, Business and Administration Operations.
	Ames Research Center	Director, Programs and Projects Directorate.
		Chief, Aviation Systems Division.
		Chief Counsel.
		Ames Research Center Liaison for University Affiliated Research Center.
		Procurement Officer.
		Deputy Associate Director for Institutions and Research.
		Human Capital Director.
		Chief, Flight Vehicle Research and Tech Division.
		Director of Engineering.
		Deputy Director, Exploration Technology.
		Associate Director for Institutions and Research.
		Director, New Ventures and Communications Directorate.
		Director, Aeronautics Test Program.
		Director, NASA Astrobiology Institute.
		Chief, Intelligent Systems Division.
		Chief Information Officer.
		Director, Exploration Technology Directorate.
		Associate Director for Institutional Management and Engineering.
		Director of Center Operations.
		Chief Financial Officer.
		Special Assistant to the Director.
		Deputy Director for Research.
		Deputy Director of Aeronautics.
		Deputy Director, Center Operations.
		Chief, Space Technology Division.
		Deputy Director Ames Research Center.
		Chief, Computational Sciences Division.
		Director, Office of Safety, Environment and Mission Assurance.
	Astrobiology and Space Research	Chief, Life Sciences Division.
		Director of Science.
	Dryden Flight Research Center	Assistant Director for Strategic Implementation.
		Associate Center Director.
		Director of Mission Information and Test Systems.
		Program Manager for SOFIA.
		Director for Programs.
		Chief Counsel.
		Director for Safety and Mission Assurance.
		Chief Financial Officer (Financial Manager).
		Director Flight OPS Directorate.
	Langley Research Center	Chief, Financial Officer.
		Special Assistant to the Director.
		Director, Office of Procurement.
		Deputy Director for Advanced Projects.
		Chief Information Officer.
		Deputy Director, Research and Technology Test Operations.
		Deputy Director for Program Development.

Agency	Organization	Title
		Deputy Director, National Aeronautics and Space Administration Engineering and Safety Center.
		Director, Research Services Directorate.
		Director, Systems Analysis and Advanced Concepts Directorate.
		Deputy Director, Engineering Directorate.
		Director, Aeronautics Research Directorate.
		Director, Science Directorate.
		Deputy Director, Research Directorate.
		Senior Advisor for Space Technology.
		Deputy Director, Facilities and Laboratory Operations.
		Senior Advisor for Center Revitalization.
		Deputy Director for Safety.
		Director, Ground Facilities and Testing Directorate.
		Director, Earth System Science Pathfinder Program Office.
		Director, Space Technology and Exploration Directorate.
		Director, Flight Projects Directorate.
		Deputy Director for Programs.
		Associate Director for Special Programs.
		Director, Office of Strategic Analysis, Communications, and Business Development.
		Associate Director, Langley Research Center.
		Deputy Director, Safety and Mission Assurance Office.
		Director, Research Directorate.
		Director, Center Operations Directorate.
		Director, Engineering Directorate.
		Manager, Systems Engineering Office.
		Director, Office of Human Capital Management.
		Manager, Management and Technical Support Office.
		Director, National Aeronautics and Space Administration Engineering and Safety Center.
		Director, Safety and Mission Assurance Office.
	Glenn Research Center	Deputy Director, Office of Technical Partnerships and Planning.
		Director, Space Flight Systems Directorate.
		Director of Center Operations.
		Plum Brook Station Manager.
		Chief Financial Officer.
		Chief, Office of Acquisition.
		Director, Systems Management Office.
		Director, Office of Technical Partnerships and Planning.
	Facilities and Test Directorate	Associate Director for Infrastructure Assessment.
		Deputy Director of Facilities and Test.
		Chief, Facilities and Test Engineering Division.
		Director of Facilities and Test.
	Research and Technology Directorate.	Chief, Structures and Materials Division.
		Chief, Turbo machinery and Propulsion.
		Chief, Communications, Instrumentation and Controls Division.
		Chief, Power and On-Board Propulsion Division.
	Space Flight Systems Directorate	Strategic Capability Manager.
		Deputy Director, Space Flight Systems.
	Engineering Directorate	Chief, Avionics and Electrical Systems Division.
		Director of Engineering.
		Deputy Director of Engineering and Technical Services.
		Chief, Mechanical and Fluid Systems Division.
	Director, Engineering Directorate	Chief, Systems Engineering and Analysis Division.
		Chief, Chief Engineer Office.
	Office of the Chief Information Officer.	Chief, Computer Services Division.
	Safety and Mission Assurance Directorate.	Director, Safety and Mission Assurance.
	NASA Safety Center	Director, Technical Excellence.
		Director, Audits and Assessments.
	Goddard Space Flight Center	Assistant Director for Advanced Concepts.
	Human Resources	Director of Human Capital Management.
	Comptroller	Deputy Chief Financial Officer.
		Chief Financial Officer/Comptroller.
	Management Operations	Associate Director for Acquisition.
		Deputy Director of Management Operations.
	Flight Assurance	Deputy Director of Safety and Mission Assurance.
		Director of Systems Safety and Mission Assurance.
	Flight Projects	Deputy Director for Planning and Business Management.
		Deputy Associate Director for Earth Science Projects Division.
		Associate Director for Earth Science Technology Office (ESTO).
		Associate Director for Earth Science Projects Division.

Agency	Organization	Title
		Associate Director for Space Servicing Capabilities Project.
		Associate Director for Joint Polar Satellite System (JPSS) Program.
		Deputy Associate Director for Joint Polar Satellite System (JPSS) Program.
		Deputy Associate Director for Explorers and Heliophysics Science Projects Division.
		Associate Director for Explorers and Heliophysics Projects Division.
		Associate Director for Astrophysics Projects Division.
		Director of Flight Projects.
		Deputy Director of Flight Projects.
		Associate Director for Exploration and Space Communications Projects Division.
	Applied Engineering and Technology Directorate.	Chief, Mechanical Systems Division.
		Chief, Electrical Systems Division.
		Deputy Director of Applied Engineering and Technology for Planning and Business Management.
		Chief, Instrument Systems and Technology Division.
		Chief, Software Engineering Division.
		Deputy Director of Applied Engineering and Technology.
		Chief, Mission Engineering and Systems Analysis Division.
	Sciences and Exploration	Director of Sciences and Exploration.
		Director, Astrophysics Science Division.
		Deputy Director, Earth Sciences Division.
		Chief, Laboratory for Atmospheres.
		Director, Earth Sciences Division.
		Deputy Director of Sciences and Exploration.
		Deputy Director of Sciences and Exploration for Planning and Business Management.
		Deputy Director, Solar System Exploration Division.
		Director, Solar System Exploration Division.
		Director, Heliophysics Science Division.
		Chief, Goddard Institute for Space Studies.
	Suborbital Projects and Operations	Special Assistant for Project Management Training.
	Office of Security Management and Safeguards.	Deputy Assistant Administrator for Security and Program Protection.
	Office of Chief Education Officer ...	Director, Elementary and Secondary Education Division.
		Deputy Chief Education Officer.
	Office of Security Management and Safeguards.	Assistant Administrator for Security Management.
		Deputy Assistant Administrator for Security Management and Safeguards.
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION OFFICE OF THE INSPECTOR GENERAL.	National Aeronautics and Space Administration Office of the Inspector General.	Counsel to the Inspector General.
		Assistant Inspector General for Auditing.
		Assistant Inspector General for Management and Planning.
		Deputy Inspector General.
		Assistant Inspector General for Investigations.
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.	Archivist of United States and Deputy Archivist of the United States.	Deputy Archivist of the United States.
	General Counsel	General Counsel.
	Congressional Affairs Staff	Director, Congressional and Legislative Affairs.
	Office of the Chief Operating Officer.	Chief Operating Officer.
	Agency Services	Agency Services Executive.
		Director, National Declassification Center.
		Director, Information Security Oversight Office.
		Director, Records Center Programs.
		Director, Office of Government Information Services.
		Chief Records Officer.
	Business Support Services	Chief Financial Officer.
		Business Support Services Executive.
	Research Services.	Director, Preservation Programs.
		Research Services Executive.
	Office of the Federal Register	Director of the FEDERAL REGISTER.
	Information Services	Director, Information Technology Operations.
		Information Services Executive/CIO.
	Legislative Archives, Presidential Libraries and Museum Services.	Legislative Archives, Presidential Libraries and Museum Services Executive.
	Office of Presidential Libraries	Deputy for Presidential Libraries.
	Office of Human Capital	Chief Human Capital Officer.

Agency	Organization	Title
	Office of Strategy and Communications.	Chief Strategy and Communications Officer.
	Office of Innovation	Chief Innovation Officer.
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION OFFICE OF THE INSPECTOR GENERAL.	National Archives and Records Administration Office of the Inspector General.	Inspector General.
NATIONAL CAPITAL PLANNING COMMISSION.	National Capital Planning Commission Staff.	Executive Director.
		Deputy Executive Director.
		General Counsel.
		Chief Operating Officer.
NATIONAL ENDOWMENT FOR THE ARTS.	National Endowment for the Arts	Chief Information Officer.
		Director, Research and Analysis.
		Deputy Chairman for Programs and Partnerships.
		Deputy Chairman for Management and Budget.
NATIONAL ENDOWMENT FOR THE ARTS OFFICE OF THE INSPECTOR GENERAL.	National Endowment for the Arts Office of the Inspector General.	Inspector General.
NATIONAL ENDOWMENT FOR THE HUMANITIES.	National Endowment for the Humanities.	Assistant Chairman for Planning and Operations.
NATIONAL LABOR RELATIONS BOARD.	National Labor Relations Board	Deputy Associate General Counsel, Division of Enforcement Litigation.
	Office of the Board Members	Executive Secretary.
		Chief Information Officer.
		Inspector General.
		Deputy Executive Secretary.
	Division of Enforcement Litigation	Deputy Associate General Counsel, Appellate Court Branch.
		Director, Office of Appeals.
	Division of Advice	Deputy Associate General Counsel, Division of Advice.
		Associate General Counsel, Division of Advice.
	Division of Administration	Deputy Director, Division of Administration.
		Director, Division of Administration.
	Division of Operations Management.	Deputy Associate General Counsel, Division of Operations-Management.
		Associate General Counsel, Division of Operations-Management.
		Assistant to General Counsel (2).
		Assistant General Counsel (2).
	Regional Offices	Regional Director, Region 20, San Francisco, California.
		Regional Director, Region 19, Seattle, Washington.
		Regional Director, Region 18, Minneapolis, Minnesota.
		Regional Director, Region 17, Kansas City, Kansas.
		Regional Director, Region 16, Fort Worth, Texas.
		Regional Director, Region 15, New Orleans, Louisiana.
		Regional Director, Region 14, Saint Louis, Missouri.
		Regional Director, Region 13, Chicago, Illinois.
		Regional Director, Region 12, Tampa, Florida.
		Regional Director, Region 11, Winston Salem, North Carolina.
		Regional Director, Region 8, Cleveland, Ohio.
		Regional Director, Region 7, Detroit, Michigan.
		Regional Director, Region 6, Pittsburgh, Pennsylvania.
		Regional Director, Region 5, Baltimore, Maryland.
		Regional Director, Region 4, Philadelphia, Pennsylvania.
		Regional Director, Region 3, Buffalo, New York.
		Regional Director Region 2, New York, New York.
		Regional Director, Region 1, Boston, Massachusetts.
		Regional Director, Region 10, Atlanta, Georgia.
		Regional Director, Region 34, Hartford, Connecticut.
		Regional Director, Region 31, Los Angeles, California.
		Regional Director, Region 32, Oakland, California.
		Regional Director, Region 30, Milwaukee, Wisconsin.
		Regional Director, Region 9, Cincinnati, Ohio.
		Regional Director, Region 29, Brooklyn, New York.
		Regional Director, Region 21, Los Angeles, California.
		Regional Director, Region 22, Newark, New Jersey.
		Regional Director, Region 24, Hato Rey, Puerto Rico.
		Regional Director, Region 25, Indianapolis, Indiana.
		Regional Director, Region 26, Memphis, Tennessee.
		Regional Director, Region 28, Phoenix, Arizona.
		Regional Director, Region 27, Denver, Colorado.
NATIONAL SCIENCE FOUNDATION.	Office of the Director	Chief Technology Officer.

Agency	Organization	Title
	Office of International and Integrative Activities..	Senior Advisor (Level -II). Senior Advisor (2). Senior Staff Associate. Senior Scientist. Deputy Office Head.
	Office of Diversity and Inclusion	Office Head, Office of Diversity and Inclusion.
	Office of the General Counsel	Deputy General Counsel.
	Directorate for Geosciences	Senior Facilities Advisor. Deputy Assistant Director.
	Division of Atmospheric and Geospace Sciences.	Section Head NCAR/Facilities Section.
	Division of Earth Sciences	Head, Deep Earth Processes Section.
	Division of Ocean Sciences	Section Head, Integrative Programs Section.
	Division of Polar Programs	Head, Section for Antarctic Infrastructure and Logistic.
	torate for Engineering	Senior Advisor.
	Division of Engineering Education and Centers.	Deputy Division Director. ≤Senior Staff Associate.
	Division of Civil, Mechanical, and Manufacturing Innovation.	Deputy Division Director.
	Division of Industrial Innovation and Partnerships.	Senior Advisor.
	Division of Chemical, Bioengineering, Environmental, and Transport Systems.	Deputy Division Director. Senior Advisor.
	Division of Electrical, Communication and Cyber Systems.	Deputy Division Director.
	Directorate for Biological Sciences	Deputy Assistant Director.
	Division of Environmental Biology	Deputy Division Director.
	Division of Integrative Organismal Systems.	Deputy Division Director.
	Directorate for Mathematical and Physical Sciences.	Deputy Assistant Director. Senior Advisor (2). Senior Science Associate.
	Division of Astronomical Sciences	Deputy Division Director.
	Division of Mathematical Sciences	Deputy Division Director.
	Division of Materials Research	Deputy Division Director.
	Directorate for Education and Human Resources.	Deputy Assistant Director for Integrative Activities.
	Division of Research on Learning In Formal and Informal Settings.	Senior Advisor for Research.
	Directorate for Social, Behavioral and Economic Sciences.	Deputy Assistant Director.
	National Center for Science and Engineering Statistics.	Division Director.
	Directorate for Computer and Information Science and Engineering.	Deputy Assistant Director. Executive Officer. Senior Staff Associate.
	Office of Budget, Finance and Award Management.	Deputy Director, Planning, Coordination and Analysis. Deputy Director, Management, Operations and Policy. Director, Budget, Finance and Award and Chief Financial Officer.
	Budget Division	Deputy Director. Division Director.
	Division of Financial Management	Division Director and Deputy Chief Financial Officer. Deputy Division Director, Division of Financial Management.
	Division of Grants and Agreements.	Division Director.
	Division of Acquisition and Cooperative Support.	Division Director.
	Division of Institutional and Award Support.	Division Director. Deputy Division Director
	Office of Information and Resource Management.	Deputy Director. Senior Staff Associate. Senior Advisor. Head, Office of Information and Resource Management and Chief Human Capital Officer.
	Division of Information Systems	Deputy Division Director.
	Division of Human Resource Management.	Deputy Division Director. Division Director.
	Division of Administrative Services	Division Director. Deputy Division Director.

Agency	Organization	Title
NATIONAL SCIENCE FOUNDATION OFFICE OF THE INSPECTOR GENERAL.	National Science Foundation Office of the Inspector General.	Deputy Inspector General.
		Assistant Inspector General for Legal, Legislative and External Affairs.
		Assistant Inspector General for Audit.
		Inspector General.
		Assistant Inspector General for Management, Legal and External Affairs.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Audit/Chief Information Officer to OIG.
NATIONAL TRANSPORTATION SAFETY BOARD.	Office of the Managing Director	Deputy Managing Director.
		Managing Director.
	Office of Administration	Director, Office of Administration.
	Office of Aviation Safety	Deputy Director, Regional Operations.
		Director Bureau of Accident Investigation.
		Deputy Director, Office of Aviation Safety.
	Office of Research and Engineering.	Deputy Director, Office of Research and Engineering.
		Director, Office of Research and Engineering.
	Office of Chief Financial Officer	Chief Financial Officer.
	Office of Railroad, Pipeline and Hazardous Materials Investigations.	Director, Office of Railroad, Pipeline and Hazardous Materials Investigations.
		Deputy Director, Office of Railroad, Pipeline and Hazardous Materials Safety.
	Office of Communications	Deputy Director, Office of Communications.
	Office of Highway Safety	Director, Office of Highway Safety.
	Office of Chief Information Officer	Chief Information Officer.
	Office of Marine Safety	Director, Office of Marine Safety.
NUCLEAR REGULATORY COMMISSION.	Office of the Chief Financial Officer.	Deputy Director, Division of Planning, Budget, and Analysis.
		Controller.
		Budget Director.
		Deputy Chief Financial Officer.
	Office of Commission Appellate Adjudication.	Director, Office of Commission Appellate Adjudication.
	Office of the Executive Director for Operations.	Executive Director for Transition.
	Office of Information Services	Director, Operations Division.
		Director, Information Technology/Information Management Portfolio Management and Planning Division.
		Director, Solutions Development Division.
		Director, Customer Service Division.
		Director, Information and Records Services Division.
		Director, Infrastructure and Computer Operations Division.
		Director, Program Management, Policy Development and Analysis Staff.
		Deputy Director, Office of Information Services.
		Director, Business Process Improvement and Applications Division.
	Computer Security Office	Chief Information Security Officer/Director, Computer Security Office.
	Office of Administration	Associate Director for Space Planning and Consolidation.
		Director, Acquisition Management Division.
		Director, Division of Facilities and Security.
		Director, Division of Administrative Services.
		Associate Director for Strategic Acquisitions.
		Deputy Director, Office of Administration
	Office of Nuclear Security and Incident Response.	Director, Program Management, Policy Development, and Analysis Staff.
		Deputy Director, Office of Nuclear Security and Incident Response.
	Division of Security Policy	Deputy Director, Division of Security Policy.
		Deputy Director for Reactor Security and Rulemaking.
		Deputy Director for Material Security.
		Director, Division of Security Policy.
	Division of Preparedness and Response.	Deputy Director, Division of Preparedness and Response.
		Deputy Director for Emergency Preparedness.
		Director, Division of Preparedness and Response.
		Deputy Director for Incident Response.
	Division of Security Operations	Deputy Director for Security Programs
		Deputy Director for Security Oversight.
		Deputy Director, Division of Security Operations.
		Director, Division of Security Operations.
	Cyber Security Directorate	Director, Cyber Security Directorate.
	Office of Investigations	Deputy Director, Office of Investigations.
	Office of Small Business and Civil Rights.	Director, Office of Small Business and Civil Rights.

Agency	Organization	Title
	Office of New Reactors	Director, Division of Advanced Reactors and Rulemaking.
		Deputy Director, Office of New Reactors.
		Director, Division of Program Management, Policy Development and Analysis.
	Division of New Reactor Licensing	Director, Division of New Reactor Licensing.
		Deputy Director, Division of New Reactor Licensing.
		Deputy Director, Division of New Reactor Licensing.
	Division of Site Safety and Environmental Analysis.	Deputy Director, Division of Site Safety and Environmental Analysis.
		Director, Division of Site Safety and Environmental Analysis
	Division of Safety Systems and Risk Assessment.	Director, Division of Safety Systems and Risk Assessment.
		Deputy Director, Division of Safety Systems and Risk Assessment.
	Division of Engineering	Director, Division of Engineering.
		Deputy Director, Division of Engineering.
	Division of Construction Inspection and Operational Programs.	Deputy Director, Division of Construction Inspection and Operational Programs.
		Director, Division of Construction Inspection and Operational Programs.
	Office of Nuclear Reactor Regulation.	Director, Program Management, Policy Development and Planning Staff.
		Associate Director, Japan Lessons Learned Project Directorate.
		Deputy Director for Reactor Safety Programs.
		Deputy Director for Engineering and Corporate Support.
		Director, Japan Lessons Learned Project Directorate.
	Division of Safety Systems	Director, Division of Safety Systems.
		Deputy Director, Division of Safety Systems.
	Division of Component Integrity	Deputy Director, Division of Component Integrity.
	Division of Engineering	Director, Division of Engineering.
		Deputy Director, Division of Engineering.
	Division of Risk Assessment	Director, Division of Risk Assessment.
		Deputy Director, Division of Risk Assessment.
	Deputy Director for Reactor Safety Programs.	Deputy Director for Reactor Safety Programs.
	Division of License Renewal	Director, Division of License Renewal.
		Deputy Director, Division of License Renewal.
	Division of Operating Reactor Licensing.	Deputy Director, Division of Operating Reactor Licensing.
		Director, Division of Operating Reactor Licensing.
		Deputy Director, Division of Operating Reactor Licensing.
	Division of Inspection and Regional Support.	Deputy Director, Division of Inspection and Regional Support.
		Director, Division of Inspection and Regional Support.
	Division of Policy and Rulemaking	Deputy Director, Division of Policy and Rulemaking.
		Deputy Director, Division of Policy and Rulemaking.
		Director, Division of Policy and Rulemaking.
	Office of Nuclear Material Safety and Safeguards.	Director, Program Planning, Budgeting, and Program Analysis Staff.
	Waste Confidence Directorate	Director, Waste Confidence Directorate.
	Division of Fuel Cycle Safety and Safeguards.	Deputy Director, Special Projects and Technical Support Directorate.
		Deputy Director, Fuel Facility Licensing Directorate.
		Director, Division of Fuel Cycle Safety and Safeguards.
		Deputy Director, Division of Fuel Cycle Safety and Safeguards.
	Division of Spent Fuel Alternative Strategies.	Deputy Director, Licensing and Inspection Directorate.
		Deputy Director, Division of Spent Fuel Alternative Strategies.
		Deputy Director, Technical Review Directorate.
		Director, Division of Spent Fuel Alternative Strategies.
	Division of Spent Fuel Storage and Transportation.	Deputy Director, Division of Spent Fuel Storage and Transportation.
		Director, Division of Spent Fuel Storage and Transportation.
		Deputy Director, Licensing and Inspection Directorate.
		Deputy Director, Technical Review Directorate.
	Office of Federal and State Materials and Environmental Management Programs.	Deputy Director, Office of Federal and State Materials and Environmental Management Programs.
		Director, Program Planning, Budgeting, and Program Analysis Staff.
	Division of Materials Safety and State Agreements.	Deputy Director, Division of Materials Safety and State Agreements.
		Deputy Director, National Materials Program Directorate.
		Director, Division of Materials Safety and State Agreements.
	Division of Intergovernmental Liaison and Rulemaking.	Director, Division of Intergovernmental Liaison and Rulemaking.
		Deputy Director, Division of Intergovernmental Liaison and Rulemaking.
	Division of Waste Management and Environmental Protection.	Director, Division of Waste Management and Environmental Protection.
		Deputy Director, Environmental Protection and Performance Assessment Directorate.
		Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate.
	Office of Nuclear Regulatory Research.	Director, Program Management, Policy Development and Analysis Staff.

Agency	Organization	Title
	Division of Engineering	Director, Division of Engineering.
		Deputy Director, Division of Engineering.
	Division of Systems Analysis	Deputy Director, Division of Systems Analysis (2).
		Director, Division of Systems Analysis.
		Division of Risk Analysis.
		Deputy Director, Division of Risk Analysis.
		Director, Division of Risk Analysis
	Region I	Director, Division of Reactor Projects.
		Deputy Director, Division of Reactor Projects.
		Deputy Regional Administrator.
		Director, Division of Reactor Safety.
		Director, Division of Nuclear Materials Safety.
		Deputy Director, Division of Reactor Safety.
	Region II	Director, Division of Reactor Projects.
		Deputy Director, Division of Reactor Projects.
		Director, Division of Reactor Safety.
		Deputy Regional Administrator for Construction.
		Deputy Director, Division of Fuel Facility Inspection.
		Deputy Director, Division of Construction Inspection.
		Director, Division of Construction Inspection.
		Deputy Director, Division of Construction Projects.
		Director, Division of Construction Projects.
		Deputy Director, Division of Reactor Safety.
		Deputy Regional Administrator for Operations.
		Director, Division of Fuel Facility Inspection.
	Region III	Deputy Regional Administrator.
		Director, Division of Reactor Projects.
		Deputy Director, Division of Reactor Safety.
		Deputy Director, Division of Reactor Projects.
		Director, Division of Reactor Safety.
		Director, Division of Nuclear Materials Safety.
	Region IV	Deputy Director, Division of Reactor Projects.
		Deputy Director, Division of Reactor Safety.
		Deputy Regional Administrator.
		Director, Division of Nuclear Materials Safety.
		Director, Division of Reactor Safety.
		Director Division of Reactor Projects.
NUCLEAR REGULATORY COMMISSION OFFICE OF THE INSPECTOR GENERAL.	Nuclear Regulatory Commission Office of the Inspector General.	Deputy Inspector General.
	Assistant Inspector General for Audits.	Assistant Inspector General for Audits.
	Assistant Inspector General for Investigations.	Assistant Inspector General for Investigations.
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.	Office of the Executive Director	Executive Director.
OFFICE OF GOVERNMENT ETHICS.	Office of Government Ethics	Deputy Director for Internal Operations Division.
		General Counsel for General Counsel Legal Policy Division.
		Deputy Director for Compliance.
		Deputy Director for Office of Administration.
		Assistant Director for Compliance
OFFICE OF MANAGEMENT AND BUDGET.	Office of the Director	Associate Director for Management and Operations.
		Assistant Director for Management and Operations.
		Deputy Associate Director for Economic Policy.
		Deputy Assistant Director for Management.
		Senior Advisor to the Deputy Director for Management.
	Legislative Reference Division	Assistant Director Legislative Reference.
		Chief, Resources-Defense-International Branch.
		Chief, Economics, Science and Government Branch.
		Chief, Labor, Welfare, Personnel Branch.
	Office of Federal Procurement Policy.	Associate Administrator.
		Deputy Administrator for Federal Procurement Policy.
		Associate Administrator for Procurement Law and Legislation.
		Associate Administrator (Acquisition Policy).
		Associate Administrator for Acquisition Implementation.
		Associate Administrator.
	General Counsel	Associate General Counsel for Budget.
	Office of Information and Regulatory Affairs.	Chief, Food, Health and Labor Branch.
		Chief, Statistical Policy Branch.
		Chief, Health, Transportation and General Government.
		Senior Advisor (2).
		Chief, Information Policy Branch.
		Chief, Natural Resources and Environment Branch.

Agency	Organization	Title
	Office of E-Government and Information Technology.	Deputy Administrator for E-Government and Information Technology.
		Chief Architect.
	Office of Federal Financial Management.	Chief, Federal Financial Systems Branch.
		Senior Advisor to the Director.
		Chief, Accountability, Performance, and Reporting Branch.
		Chief, Financial Standards and Grants Branch.
		Chief, Financial Integrity and Analysis Branch.
	Budget Review	Chief, Budget Concepts Branch.
		Deputy Assistant Director for Budget Analysis and Systems.
		Chief, Budget Systems Branch.
		Deputy Chief, Budget Review Branch.
		Chief, Budget Review Branch.
		Deputy Assistant Director for Budget Review.
		Assistant Director for Budget Review.
		Deputy Chief, Budget Analysis Branch.
		Chief, Budget Analysis Branch.
	International Affairs Division	Chief, Economic Affairs Branch.
		Deputy Associate Director for International Affairs.
	National Security Division	Chief, Veterans Affairs Branch.
		Deputy Associate Director for National Security.
		Chief, Operations and Support Branch.
		Chief, Command, Control, Communication, Computers, and Intelligence Branch.
		Chief, Veterans Affairs and Defense Health Branch.
		Chief, Force Structure and Investment Branch.
	Human Resource Programs	Senior Advisor.
		Chief, Income Maintenance Branch.
		Chief, Education Branch.
		Chief, Labor Branch.
		Deputy Associate Director for Education, Income Maintenance and Labor.
		Deputy Associate Director, Education and Human Resources Division.
		Chief, Personnel Policy Branch.
	Health Division	Chief, Public Health Branch.
		Chief, Health and Financing Branch.
		Chief, Medicaid Branch.
		Chief, Health Insurance and Data Analysis Branch.
		Chief, Health and Human Services Branch.
		Chief, Medicare Branch.
		Deputy Associate Director for Health.
	Transportation, Homeland, Justice and Services Division.	Deputy Associate Director, Transportation, Homeland, Justice and Services.
		Chief, Homeland Security Branch.
		Chief, Transportation/General Services Administration Branch.
		Chief, Justice Branch.
		Chief, Transportation Branch.
	Housing, Treasury and Commerce Division.	Chief, Commerce Branch.
		Chief, Housing Branch.
		Chief, Treasury Branch.
		Deputy Associate Director for Housing, Treasury and Commerce.
	Natural Resource Programs	
	Senior Advisor..	
	Natural Resources Division	Deputy Associate Director for Natural Resources.
		Chief, Interior Branch.
		Chief, Environment Branch.
		Chief, Agricultural Branch.
	Energy, Science and Water Division.	Chief, Energy Branch.
		Deputy Associate Director for Energy, Science, and Water Division.
		Chief, Water and Power Branch.
		Chief, Science and Space Programs Branch.
OFFICE OF NATIONAL DRUG CONTROL POLICY.	Office of Supply Reduction	Associate Director for Intelligence.
		Assistant Deputy Director of Supply Reduction.
	National Youth Anti-Drug Media Campaign.	Associate Deputy Director for State, Local and Tribal Affairs (National Youth Anti-Drug Media Campaign).
OFFICE OF PERSONNEL MANAGEMENT.	Planning and Policy Analysis	Deputy Director, Actuary.
	Facilities, Security and Contracting	Director, Facilities, Security and Contracting.
	Deputy Director, Facilities, Security and Contracting..	
	Healthcare and Insurance	Assistant Director, Federal Employee Insurance Operations.

Agency	Organization	Title
	Retirement Services	Associate Director, Retirement Services.
		Deputy Associate Director, Retirement Operations.
		Deputy Associate Director, Retirement Services.
	Merit System Audit and Compliance.	Deputy Associate Director, Merit System Audit and Compliance.
	Federal Investigative Services	Deputy Associate Director, Operations.
	Office of the Chief Financial Officer.	Chief Financial Officer.
		Deputy Chief Financial Officer.
		Associate Chief Financial Officer, Financial Services.
	Chief Information Officer	Chief Information Officer.
OFFICE OF PERSONNEL MANAGEMENT OFFICE OF THE INSPECTOR GENERAL.	Office of the Inspector General	Deputy Inspector General.
	Office of Investigations	Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Investigations.
	Office of Audits	Assistant Inspector General for Audits.
		Senior Advisor to the Assistant Inspector General for Audits.
		Deputy Assistant Inspector General for Audits.
		Deputy Assistant Inspector General for Audits.
	Office of Legal Affairs	Assistant Inspector General for Legal Affairs.
	Office of Policy, Resources Management, and Oversight.	Assistant Inspector General for Management.
OFFICE OF SPECIAL COUNSEL	Headquarters, Office of Special Counsel.	Associate Special Counsel for Legal Counsel and Policy.
		Associate Special Counsel for Investigation and Prosecution (2).
		Senior Associate Special Counsel for Investigation and Prosecution.
		Chief Financial Officer and Director of Administrative Services.
		Director, Office of Planning and Analysis.
		Associate Special Counsel for Investigation and Prosecution.
		Director of Management and Budget.
		Associate Special Counsel Planning and Oversight.
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.	Labor	Assistant United States Trade Representative for Labor.
	Industry, Market Access and Telecommunications.	Assistant United States Trade Representative for Industry, Market Access and Telecommunications.
	South Asian Affairs	Assistant United States Trade Representative for South Asian Affairs.
RAILROAD RETIREMENT BOARD	Board Staff	Director of Policy and Systems.
		Director of Administration.
		Assistant Inspector General for Investigations.
		Chief Actuary.
		Director of Field Service.
		Chief Financial Officer.
		Assistant Inspector General for Audit.
		Director of Operations.
		Chief of Technology Service.
		Director of Hearings and Appeals.
		Director of Fiscal Operations.
		Chief Information Officer.
		Director of Programs.
		Deputy General Counsel.
		General Counsel.
SELECTIVE SERVICE SYSTEM	Selective Service System	Associate Director for Operations.
	Office of the Director	Associate Director for Operations.
		Senior Advisor to the Director.
SMALL BUSINESS ADMINISTRATION.	Office of the General Counsel	Associate General Counsel for General Law.
		Associate General Counsel Litigation.
		Associate General Counsel for Financial Law and Lender Oversight.
		Associate General Counsel for Procurement Law.
	Office of Field Operations	District Director.
		Senior Advisor to the Deputy Associate Administrator for Field Operations.
		District Director (3).
		District Director, Washington Metro Area District Office.
	Office of Hearings and Appeals	Assistant Administrator for Hearings and Appeals.
	Office of the Chief Financial Officer.	Associate Administrator for Performance Management and Chief Financial Officer.
		Deputy Chief Financial Officer.
	Office of Capital Access	Director of Economic Opportunity.
	Office of Surety Guarantees	Director for Surety Bonds and Guarantees Programs.
	Office of Investment and Innovation.	Deputy Associate Administrator for Investment.
	Office of Entrepreneurial Development.	Deputy Associate Administrator for Entrepreneurial Development.
		Associate Administrator for Small Business Development Centers.
	Office of Human Capital Management.	Chief Human Capital Officer.

Agency	Organization	Title
	Office of the Chief Information Officer.	Deputy Chief Information Officer.
	Office of Government Contracting and Business Development.	Director for Policy Planning and Liaison.
	Office of Hub zone Empowerment Contracting.	Director of Hub zone.
	Office of Business Development ...	Associate Administrator for Business Development.
SMALL BUSINESS ADMINISTRATION OFFICE OF THE INSPECTOR GENERAL.	Small Business Administration Office of the Inspector General.	Deputy Inspector General.
		Counsel to the Inspector General.
		Assistant Inspector General for Auditing Division.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Auditing.
		Assistant Inspector General for Management and Policy.
SOCIAL SECURITY ADMINISTRATION.	Office of the Chief Information Officer.	Associate Chief Information Officer for Information Technology Investment Management.
		Deputy Chief Information Officer.
	Office of Quality Performance	Assistant Deputy Commissioner for Quality Performance.
		Deputy Commissioner for Quality Performance.
	Office of Disability Adjudication and Review.	Deputy Commissioner for Disability Adjudication and Review.
		Assistant Deputy Commissioner for Disability Adjudication and Review.
	Office of Appellate Operations	Executive Director, Office of Appellate Operations.
		Deputy Executive Director, Office of Appellate Operations.
	Office of Medical and Vocational Expertise.	Associate Commissioner for Medical and Vocational Expertise.
	Office of the Chief Actuary	Chief Actuary.
		Deputy Chief Actuary (Long-Range).
		Deputy Chief Actuary (Short-Range).
	Office of Disability Determinations	Associate Commissioner for Disability Determinations.
	Office of Personnel	Associate Commissioner for Personnel.
		Deputy Associate Commissioner for Personnel.
	Office of Civil Rights and Equal Opportunity.	Deputy Associate Commissioner for Civil Rights and Equal Opportunity.
		Associate Commissioner for Civil Rights and Equal Opportunity.
	Office of Labor-Management and Employee Relations.	Deputy Associate Commissioner for Labor-Management and Employee Relations.
		Associate Commissioner for Labor-Management and Employee Relations.
	Office of Budget, Finance and Management.	Assistant Deputy Commissioner for Budget, Finance and Management.
	Office of Financial Policy and Operations.	Associate Commissioner, Office of Finance Policy and Operations.
		Deputy Associate Commissioner, Financial Policy and Operations.
		Deputy Associate Commissioner for Financial Policy and Operations (Payments, Conference Management and Travel).
	Office of Budget	Deputy Associate Commissioner for Budget.
		Associate Commissioner for Budget.
	Office of Acquisition and Grants ...	Deputy Associate Commissioner for Acquisition and Grants.
		Associate Commissioner for Acquisition and Grants.
	Office of Telecommunications and Systems Operations.	Deputy Associate Commissioner for Telecommunications and Systems Operations.
		Associate Commissioner for Telecommunications and Systems Operations.
		Assistant Associate Commissioner for Enterprise Information Technology Services Management.
Office of Information Security	Associate Commissioner for Information Security.	
	Office of General Law	Deputy Associate General Counsel for General Law.
		Associate General Counsel for General Law.
	Office of Program Law	Deputy Associate General Counsel for Program Law.
	Office of Public Disclosure	Executive Director for Public Disclosure.
SOCIAL SECURITY ADMINISTRATION OFFICE OF THE INSPECTOR GENERAL.	Immediate Office of the Inspector General.	Deputy Inspector General.
	Office of Counsel to the Inspector General.	Counsel to the Inspector General.
	Office of External Relations	Assistant Inspector General for External Relations (2).
	Office of Audit	Deputy Assistant Inspector General for Audit (Program Audit and Evaluations).
		Deputy Assistant Inspector General for Audit (Financial Systems and Operations Audits).
		Assistant Inspector General for Audit.

Agency	Organization	Title
	Office of Investigations	Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Investigations (Intelligence and Administration).
		Deputy Assistant Inspector General for Investigations (Field Operations).
	Office of Technology and Resource Management.	Deputy Assistant Inspector General for Technology and Resource Management.
		Assistant Inspector General for Technology and Resource Management.
DEPARTMENT OF STATE	Office of Civil Rights	Deputy Director.
	Office to Monitor and Combat Trafficking In Persons.	Principal Deputy Director.
	Office of the Under Secretary for Management.	Managing Director.
		Ombudsman.
	Bureau of Administration	Procurement Executive.
		Director, Office of Acquisitions.
	Bureau of Human Resources	Principal Deputy Assistant Secretary.
		Human Resources Officer.
	Bureau of Consular Affairs	Director for Consular Systems and Technology.
	Bureau of International Security and Nonproliferation.	Office Director (2).
	Bureau of Political and Military Affairs.	Managing Director.
	Bureau of Arms Control, Verification, and Compliance.	Director, Office of Strategic Negotiations and Implementation.
DEPARTMENT OF STATE OFFICE OF THE INSPECTOR GENERAL.	Office of Inspector General	Deputy Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Audits.
		Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Middle East Regional Office.
		Deputy Inspector General.
		Assistant Inspector General for Management.
		General Counsel to the Inspector General.
		Assistant Inspector General for Audits.
TRADE AND DEVELOPMENT AGENCY.	Office of the Director	Assistant Director for Policy and Programs.
DEPARTMENT OF TRANSPORTATION.	Secretary	Executive Director for the Office of the Under Secretary of Transportation for Policy.
	Office of Intelligence, Security and Emergency Response.	Director, Office of Intelligence, Security and Emergency Response.
		Deputy Director.
	Chief Information Officer	Chief Information Security Officer.
	Office of Safety, Energy and Environment.	Director.
	Assistant Secretary for Budget and Programs.	Deputy Chief Financial Officer.
		Chief Financial Officer.
	Office of the Senior Procurement Executive.	Senior Procurement Executive.
	Administrator	Executive Director (3).
		Chief Financial Officer (2).
		Director of Innovative Program Delivery.
		Assistant Administrator/Chief Safety Officer.
	Associate Administrator for Railroad Safety.	Associate Administrator for Railroad Safety/Chief Safety Officer.
	Associate Administrator for Environment and Compliance.	Associate Administrator for Environment and Compliance
		Deputy Associate Administrator for Environment and Compliance.
	Office of the Chief Financial Officer.	Deputy Chief Financial Officer and Chief Budget Officer.
		Chief Financial Officer.
	Office of Real Estate Services	Director, Office of Real Estate Services.
	Associate Administrator for Safety	Associate Administrator for Safety.
	Office of Acquisition Management	Director, Office of Acquisition Management.
	Office of Safety Research and Development.	Director, Office of Safety Research, Development and Technology.
	Office of Licensing and Safety Information.	Director, Office for Licensing and Safety Information.
	Office of Bus and Truck Standards and Operations.	Director, Office of Bus and Truck Standards and Operations.
	Office of Enforcement and Compliance.	Director, Office of Enforcement and Compliance.
	Associate Administrator for Enforcement.	Director, Office of Vehicle Safety Compliance.
		Director, Office of Defects Investigation.
		Associate Administrator for Enforcement.
	Proceedings	Deputy Director, Legal Analysis.
	Office of the Managing Director	Managing Director.
	Office of Chief Safety Officer	Assistant Administrator and Chief Safety Officer.

Agency	Organization	Title
	Office of Pipeline Safety	Deputy Associate Administrator for Policy and Programs.
		Deputy Associate Administrator for Field Operations.
		Associate Administrator for Pipeline Safety.
DEPARTMENT OF TRANSPORTATION OFFICE OF THE INSPECTOR GENERAL.	Deputy Inspector General	Deputy Inspector General.
	Principal Assistant Inspector General for Auditing and Evaluation.	Principal Assistant Inspector General for Auditing and Evaluation.
	Assistant Inspector General for Financial and Information Technology Audits.	Assistant Inspector General for Financial and Information Technology Audits.
	Assistant Inspector General for Acquisition and Procurement Audits.	Assistant Inspector General for Acquisition and Procurement Audits.
	Assistant Inspector General for Aviation and Special Program Audits.	Assistant Inspector General for Aviation and Special Program Audits.
	Assistant Inspector General for Surface and Maritime Program Audits.	Assistant Inspector General for Highway and Transit Audits.
	Assistant Inspector General for Amtrak, High Speed Rail and Economic Analysis.	Assistant Inspector General for Amtrak, High Speed Rail and Economic Analysis.
	Deputy Assistant Inspector General for Aviation and Special Program Audits.	Deputy Assistant Inspector General for Aviation and Special Program Audits.
	Deputy Assistant Inspector General for Surface and Maritime Program Audits.	Deputy Assistant Inspector General for Highway and Transit Audits.
	Principal Assistant Inspector General for Investigations.	Principal Assistant Inspector General for Investigations.
	Assistant Inspector General for Investigations.	Deputy Assistant Inspector General for Investigations.
	Assistant Inspector General for Administration.	Assistant Inspector General for Administration.
	Assistant Inspector General for Legal, Legislative and External Affairs.	Assistant Inspector General for Legal, Legislative and External Affairs.
DEPARTMENT OF THE TREASURY.	Secretary of the Treasury	Director, Office of Small and Disadvantaged Business Utilization.
	Fiscal Assistant Secretary	Deputy Assistant Secretary (Accounting Policy).
		Deputy Assistant Secretary for Fiscal Operations and Policy.
		Fiscal Assistant Secretary.
	Financial Management Service	Assistant Commissioner, Payment Management.
		Comptroller/Deputy Chief Financial Officer.
		Director, Information Services Directorate.
		Deputy Assistant Commissioner, Governmentwide Accounting.
		Director, Cash Management Enterprise Architecture.
		Deputy Chief Information Officer.
		Assistant Commissioner, Governmentwide Accounting Operations.
		Director, Regional Financial Center (Austin).
		Assistant Commissioner, Financial Operations.
		Assistant Commissioner, Governmentwide Accounting.
		Director, Regional Financial Center (Philadelphia).
		Director, Regional Financial Center (Kansas City).
		Deputy Assistant Commissioner (Debt Management Services).
		Deputy Assistant Commissioner for Information Services.
		Commissioner, Bureau of the Fiscal Service.
		Deputy Commissioner, Financial Services and Operations.
		Senior Advisor (2).
		Director, Regional Financial Center (San Francisco).
		Assistant Commissioner, Federal Finance.
		Assistant Commissioner, Information Resources.
		Commissioner, Financial Management Service.
		Deputy Commissioner, Financial Management Service.
		Director, Revenue Collection Group.
		Assistant Commissioner, Management (Chief Financial Officer).
		Assistant Commissioner, Regional Operations.
		Assistant Commissioner, Debt Management Services.
		Director, Cash Management Infrastructure Group.
		Deputy Assistant Commissioner, Payment Management.
		Assistant Commissioner, Business Architecture.
		Director, Debt Management Services Operations, West.
	Bureau of the Public Debt	Deputy Assistant Commissioner, Office of Retail Securities.

Agency	Organization	Title
		Deputy Assistant Commissioner (Office of Information and Security Services).
		Assistant Commissioner (Office of Retail Securities).
		Deputy Assistant Commissioner (Financing).
		Deputy Executive Director, Administrative Resources Center.
		Senior Advisor.
		Assistant Commissioner (Office of Management Services).
		Executive Director (Administrative Resource Center).
		Assistant Commissioner (Financing).
		Deputy Commissioner of the Public Debt.
		Commissioner of the Public Debt.
		Executive Director, Government Securities Regulations.
		Assistant Commissioner (Office of Information Technology).
		Assistant Commissioner (Public Debt Accounting).
		Deputy Assistant Commissioner (Fiscal Accounting Operations).
		Deputy Commissioner, Finance and Administration.
		Deputy Commissioner, Accounting and Shared Services.
		Executive Director—Do Not Pay Staff.
	Assistant Secretary for Financial Institutions.	Deputy Director, Federal Insurance Office.
		Director, Federal Insurance Office.
	Assistant Secretary for Terrorist Financing.	Director, Executive Office for Asset Forfeiture.
	Financial Crimes Enforcement Network.	Associate Director, Technology Solutions and Services Division/Chief Information Officer.
		Associate Director, Regulatory Policy and Programs Division.
		Associate Director, Analysis and Liaison Division.
		Director, Financial Crimes Enforcement Network.
		Deputy Director.
		Associate Director, Management Programs Division.
		Associate Director, Enforcement Division.
		Associate Director, Intelligence Division.
		Executive Advisor.
		Deputy Associate Director, Compliance and Enforcement Programs.
		Associate Director, International.
		Chief Counsel, Financial Crimes Enforcement Network.
	Assistant Secretary for Intelligence and Analysis.	Deputy Assistant Secretary for Security.
	Inspector General	Assistant Inspector General for Management Services.
		Deputy Assistant Inspector General for Audit (Financial Management).
		Counsel to the Inspector General.
		Deputy Assistant Inspector General for Audit (Program Audits).
		Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Investigations.
		Assistant Inspector General for Audit.
		Senior Technical Advisor to the Inspector General.
	Treasury Inspector General for Tax Administration.	Deputy Inspector General.
		Associate Inspector General for Mission Support.
		Counsel to the Treasury Inspector General for Tax Administration.
		Assistant Inspector General for Audit (Wage and Investment).
		Deputy Inspector General for Investigations.
		Assistant Inspector General for Investigations (Field Operations).
		Deputy Assistant Inspector General for Investigations.
		Assistant Inspector General for Audit (Information Systems Programs).
		Deputy Inspector General for Audit.
		Assistant Inspector General for Audit (Headquarters Operations).
		Assistant Inspector General for Investigation.
		Assistant Inspector General for Audit (Small Business and Corporate Entities).
		Deputy Inspector General for Inspections and Evaluations.
	Assistant Secretary (Tax Policy) ...	Director, Economic Modeling and Computer Applications.
		Deputy Director and Chief Economist.
	Alcohol and Tobacco Tax and Trade Bureau.	Assistant Administrator, Field Operations.
		Deputy Administrator, Alcohol and Tobacco Tax and Trade Bureau.
		Assistant Administrator, Management/Chief Financial Officer.
		Assistant Administrator, Information Resources/Chief Information Officer.
		Administrator, Alcohol and Tobacco Tax and Trade Bureau.
		Assistant Administrator, Headquarter Operations.
	Assistant Secretary for Management.	Deputy Chief Financial Officer.

Agency	Organization	Title
	Internal Revenue Service	Director, Office of Procurement.
		Director, Office of Minority and Women Inclusion.
		Director, Information Technology Technical Director.
		Director, Campus Compliance Operations.
		Director, Examination Area (6).
		Director, Enterprise Collection Strategy.
		Director, Transition State 2 Program Management.
		Director, Field Operations, International Business Compliance West.
		Director, Field Operations, Field Specialists East.
		Compliance Services Field Director.
		Director, Return Preparer Office.
		Deputy Director, Pre-Filing and Technical Guidance.
		Deputy Director, Strategy and Finance.
		Director, Examination Operations Support.
		Director, Operations Service Support.
		Deputy Commissioner, Operations Support.
		Associate Chief Information Officer, Affordable Care Act—Program Management Office.
		Chief Engineer.
		Deputy Associate Chief Information Officer for Applications.
		Deputy Associate Chief Information Officer for Enterprise Networks.
		Director, Examination Policy.
		Director of Field Operations Southern Area.
		Director, Shared Support.
		Director, Field Operations, Engineering.
		Director of Field Operations, Heavy Manufacturing and Pharmaceuticals, Southeast.
		Director, Collection Strategy and Organization.
		Executive Director, Business Modernization.
		Area Director, Stakeholder, Partnership, Education, and Communication.
		Director, Business Planning and Risk Management.
		Director, Implementation and Testing.
		Director, Campus Operations.
		Director, Program Strategy and Integration.
		Director, Compliance Strategy and Policy.
		Director, Technical Services.
		Project Director (42).
		Director, Data Delivery Services.
		Deputy Associate Chief Information Officer, Affordable Care Act Program Management Office.
		Director, Examination Policy.
		Director, Strategic Supplier Management.
		Director, Transfer Pricing Operations.
		Director, Infrastructure and Portal Programs.
		Director, Collection Area—California.
		Director, Exempt Organizations Examination.
		Director, Leadership, Education and Development.
		Director, Business Relationship and Service Delivery.
		Director, Examination Area—North Atlantic.
		Executive Director, Investigative and Enforcement Services.
		Executive Director, Investigative and Enforcement Operations.
		Associate Chief Information Officer for Enterprise Operations.
		Director, Management Services.
		Director, Business Systems Planning.
		Director, Compliance Campus Operations.
		Deputy Director, Enterprise Systems Testing.
		Deputy Director, Employment, Talent, and Security.
		Associate Chief Information Officer, Strategy and Planning.
		Deputy Commissioner for Operations, Wage and Investment.
		Director, Individual Master Files.
		Director, Strategy and Capital Planning.
		Senior Advisor to the Deputy Commissioner (Operations Support).
		Director, Appeals Policy and Valuation.
		Deputy Associate Chief Information Officer for Cyber security.
		Counselor.
		Director, Capital Planning and Investment.
		Project Director, Customer Account Data Engine.
		Director, Large Systems and Storage Infrastructure Division.
		Director, Filing and Payment Compliance.
		Director, Contact Center Support Division.
		Director, Field Operations, Retail Food, Pharmaceuticals, and Healthcare—West.
		Director, Cyber security Policy and Programs.

Agency	Organization	Title
		Director, Return Integrity and Correspondence Services.
		Director, Advanced Pricing and Mutual Agreement.
		Director, Product Management.
		Associate Chief Financial Officer, Corporate Planning and Internal Control.
		Director, International Individual Compliance.
		Director, Customer Service Support.
		Director, Abusive Transactions and Technical Issues.
		Deputy Director, Office of Professional Responsibility Operations.
		Deputy Commissioner for Support, Wage and Investment.
		Director, Filing and Payment Compliance.
		Director, Tax Forms and Publications.
		Director, Customer Service and Stakeholders.
		Deputy Associate Chief Financial Officer for Financial Management.
		Director, Business Services and Management.
		Director, Portfolio Control and Performance.
		Director, Real Estate and Facilities Operations.
		Executive Director, Systems Advocacy.
		Area Director, Field Assistance (Area 1).
		Area Director, Field Assistance (Area 2).
		Director, Network Engineering.
		Director, Enforcement.
		Director, Program Management.
		Director, Business Modernization.
		Director, Implementation Oversight.
		Director, Campus Compliance Services.
		Project Director, Security and Law Enforcement.
		Director, Online Fraud Detection and Prevention.
		Deputy Associate Chief Information Officer, End User Equipment and Services.
		Project Director, Private Debt Collection.
		Associate Chief Information Officer, Enterprise Networks.
		Field Director, Accounts Management.
		Director, Office of Privacy, Information Protection and Data Security.
		Director, Operational Security Program.
		Senior Advisor, Operational Information.
		Director, Enterprise Networks Operations.
		Associate Chief Information Officer, Cyber security.
		Submission Processing Field Director.
		Director, Earned Income and Health Coverage Tax Credits
		Director, Office of Taxpayer Burden.
		Area Director, Stakeholder Partnership, Education, and Communication.
		Area Director, Stakeholder Partnership, Education, and Communication.
		Director, Refund Crimes.
		Area Director, Field Assistance.
		Director, Transfer Pricing Operations.
		Director, International Operations.
		Deputy Director, Research, Analysis, and Statistics.
		Director, Program Strategy and Integration.
		Director, Field Operations, Retailers, Food, Transportation and Healthcare—East.
		Director, International Business Compliance.
		Director, Collection Area (9).
		Director, Business Reengineering.
		Director, Campus Compliance Operations.
		Project Director Extension Legislation.
		Compliance Services Field Director.
		Submission Processing Field Director.
		Director, Service Delivery Management.
		Director, Detroit Program Management Office.
		Director, Privacy and Information Protection.
		Director, International Data Management.
		Director, Customer Service Support.
		Director, Strategy, Research and Program Planning.
		Area Director, Stakeholder, Partnerships, Education and Communication.
		Director, Telecommunications Center of Excellence.
		Area Director, Field Assistance.
		Director, Server, Middleware and Test Systems .Infrastructure Division.
		Director, Requirements and Demand Management.
		Field Director, Compliance Services.

Agency	Organization	Title
		Director, Headquarters Operations.
		Deputy Director, Enterprise Architecture.
		Field Director, Compliance Services (Atlanta).
		Director, Collection Area, Gulf States.
		Director, Financial Management Services.
		Deputy Chief of Staff.
		Director, Delivery Management.
		Senior Advisor to the Deputy Commissioner for Services and Enforcement.
		Deputy Director, Customer Relationships and Integration.
		Deputy Commissioner for Support, Wage and Investment.
		Director, Global High Wealth Industry.
		Business Modernization Executive.
		Accounts Management Field Director (10).
		Deputy Commissioner, Large and Mid-Size Business, International.
		Director, Field Operations (7).
		Director, Contact Center Support Division.
		Director, Network Architecture, Engineering, and Voice.
		Director, Capital Planning and Investment.
		Project Director, Technology Operations and Investigative Services.
		Director, E-File Systems (2).
		Director, Cyber Security Operations.
		Deputy Director, Field Assistance.
		Industry Director, Natural Resources and Construction.
		Director, Examination Planning and Delivery.
		Associate Chief Financial Officer for Corporate Planning and Internal Control.
		Associate Chief Financial Officer for Corporate Budget.
		Deputy Chief, Mission Assurance and Security Services.
		Director, Workforce Progression and Management.
		Director, Planning, Research and Analysis.
		Deputy Director, Submission Processing.
		Special Assistant to the Associate Chief Information Officer for Applications Development.
		Deputy Director, Program Management.
		Director, Collection Policy.
		Deputy Division Counsel #2 (Operations)/Small Business and Self Employed.
		Director, Service Delivery Management.
		Project Director, Taxpayer Communication.
		Director, Program Integration.
		Deputy Associate Chief Information Officer.
		Project Director, Workforce of Tomorrow.
		Director, Enterprise Voice Networks.
		Director, Continuity Operations.
		Director, Campus Compliance Operations.
		Director, Field Operations, Natural Resources and Construction—West.
		Field Director, Submission Processing.
		Director, Information Technology Transition Initiatives.
		Assistant Deputy Commissioner (International).
		Director, Filing and Premium Tax Credit.
		Director, Field Operations, International Business Compliance.
		Deputy Director, Return Preparer Office.
		Director, Compliance Campus Operations.
		Deputy Director, Customer Account Data Engine.
		Special Agent In Charge—Criminal Investigation.
		Director, Development Services.
		Field Director, Accounts Management.
		Director, Stakeholder, Partnerships, Education, and Communications.
		Director, Reporting Compliance.
		Director, Infrastructure Architecture and Engineering.
		Director, Data Strategy Implementation.
		Director, Cyber Security Policy and Programs.
		Associate Chief Information Officer, End User Equipment and Services.
		Deputy Associate Chief Information Officer, Enterprise Operations.
		Director, Electronic Tax Administration.
		Deputy Commissioner (Domestic), Large Business and International.
		Executive Director, Case Advocacy.
		Director, Collection Business Reengineering.
		Director, Planning and Analysis.
		Director, Collection Policy.
		Modernization Executive.

Agency	Organization	Title
		Director, Taxpayer Education and Communication Field Operations.
		Director, Criminal Investigation Technology Operations and Investigative Services.
		Director, Collection.
		Director, Workforce Relations.
		Submission Processing Field Director.
		Deputy Chief Human Capital Officer, Internal Revenue Service.
		Director, Compliance Services Campus Operations.
		Area Director of Information Technology.
		Director, Personnel Security.
		Director, Treaty Administration and Tax Advisory Services.
		Director, Office of Program Evaluation and Risk Analysis.
		Director, Information Technology Security Engineering.
		Director, Information Technology Infrastructure.
		Director, Examination Area, Boston.
		Associate Chief Information Officer, Applications Development.
		Supervisory Criminal Investigator (Project Director).
		Director, Office of Professional Responsibility.
		Deputy Associate Chief Information Officer for Enterprise Services.
		Director, Field Operations, Field Specialists West.
		Director, CADE 2 Database.
		Director, Accounts Management Services.
		Deputy Director, Portal Program Management.
		Director, Filing and Payment Compliance.
		Director, Large Systems and Storage Infrastructure Division.
		Director, Business Performance Solutions.
		Director, Earned Income Tax Credit.
		Director, Real Estate and Facilities Operations.
		Director, Customer Service.
		Deputy Commissioner, Services and Enforcement.
		Director, Enterprise Systems Testing.
		Deputy Associate Chief Information Officer, Applications Development.
		Director, Corporate Data.
		Director, Individual Master File.
		Director, Project Services.
		Director, Internal Management.
		Director, Submission Processing.
		Deputy Director, Submission Processing.
		Director, Client Services Division.
		Director, Customer Applications Development.
		Director, Earned Income and Health Coverage Tax Credits.
		Director, Centers of Excellence.
		Director, Program Control and Process Management.
		Deputy Director, Electronic Tax Administration.
		Deputy Director, Enterprise Operations Services.
		Director, Financial Management Services.
		Assistant Deputy Commissioner for Services and Enforcement.
		Director, Internal Management Systems Development Division.
		Deputy Chief Financial Officer.
		Project Director, Employee Tax Compliance.
		Director, Business Systems Planning.
		Deputy Associate Chief Information Officer, Business Systems Development.
		Project Director, Office of Professional Responsibility.
		Chief, Communications and Liaison.
		Director of Field Operations (4).
		Associate Chief Information Officer for Information Technology Services.
		Director, Employment, Talent, and Security.
		Director, Operational Readiness.
		Director, Technical Systems Software.
		Director, Tax Forms and Publications.
		Director, Development Services.
		Director, Compliance Area.
		Director, Customer Relationship and Integration.
		Director, Emergency Management Programs.
		Director, Fraud/Bank Secrecy Act.
		Director, Burden Reduction and Compliance Strategies.
		Special Agent In Charge.
		Director, Strategy, Research and Program Planning.
		Project Director, Collection.
		Director, Stakeholder Liaison Field.
		Director, Research.

Agency	Organization	Title
		Director, Communications and Stakeholder Outreach.
		Director, Correspondence Production Services.
		Area Director, Southeast.
		Deputy Director, Electronic Tax Administration and Refund Credits.
		Special Assistant to the Deputy Commissioner for Services and Enforcement.
		Deputy Chief of Staff.
		Director, Filing and Payment Compliance.
		Submission Processing Field Director.
		Director, Enforcement.
		Senior Advisor to Associate Chief Information Officer (Enterprise Network).
		Director, Business Rules and Requirements Management.
		Deputy Chief Information Officer for Operations.
		Director, Field Operations East.
		Director, Retail, Food, Pharmaceutical, and Health Care.
		Submission Processing Field Director.
		Director, Special Programs and Oversight.
		Director, Strategy and Resource Management.
		Director, Compliance Campus Operations (5).
		Director, Campus Reporting Compliance.
		Director, Specialty Programs.
		Director, Technical Services.
		Director, Abusive Transactions.
		Director, Examination Policy.
		Director, Enterprise Operations Services.
		Director, Corporate Data and Systems Management Division.
		Deputy Director, Business Systems Development Division.
		Director, Management Services.
		Director, Change Management and Release Management.
		Director, Professional Responsibility.
		Director, Strategy and Finance, Appeals.
		Compliance Service, Field Director—Atlanta.
		Director, Strategy and Finance.
		Director, Management and Support.
		Director, Product Assurance.
		Submission Processing Field Director—Austin.
		Deputy Chief, Appeals.
		Deputy Director, Submission Processing, Cincinnati—Small Business and Self Employed.
		Chief, Information Technology Services.
		Director, Strategy, Research and Performance Management.
		Area Director, Stakeholder, Partnership, Education and Communications—New Orleans.
		Director, Compliance , Detroit—Small Business and Self Employed.
		Director, Business Systems Planning—Large and Mid-Size Business.
		Submission Processing Field Director.
		Director, Media and Publications Distribution Division.
		Director, Office of Privacy and Information Protection.
		Director, Refund Crimes.
		Accounts Management Field Director.
		Director, Filing and Payment Compliance.
		Director, Joint Operations Center.
		Director, Examination Operations Support.
		Senior Advisor, Information Systems Current Processing Environment Security.
		Director, Emergency Management Programs.
		Director, Advisory, Insolvency and Quality.
		Director, Office of Communications.
		Director, Whistleblower Office.
		Director, Program Management and Technology.
		Director, Product and Partnership Development.
		Director, Portal Program Management.
		Director, Business Systems Planning.
		Special Agent In Charge (2).
		Director, International Compliance, Strategy, and Policy.
		Director, Management Services and Security.
		Director, Reporting Compliance.
		Project Director, Small Business and Self Employed.
		Director, Internet Development Services.
		Deputy Director, Office of Professional Responsibility.
		Deputy Director, Operation Standards.
		Director, Field Operations-Heavy Manufacturing and Transportation.
		Director, Product Assurance.

Agency	Organization	Title
		Compliance Service Field Director.
		Project Director (Small Business and Self Employed) Transition Executive.
		Submission Processing Field Director.
		Compliance Service Field Director.
		Director, Field Operations-Natural Resources and Construction.
		Director, Field Operations-Financial Services.
		Associate Chief Information Officer for Management and Finance.
		Area Director, Field Assistance.
		Director, Office of Information Technology Acquisition.
		Special Agent In Charge, Los Angeles.
		Commissioner, Wage and Investment.
		Director, Human Resources—Small Business and Self Employed.
		Senior Counselor to the Commissioner (Tax Administration, Practice and Professional Responsibility).
		Area Director, Stakeholder Partnership Education and Communication.
		Director, Field Specialists—Large and Mid-Size Business.
		Director, Field Operations, Special—Wage and Investment.
		Director, Real Estate and Facilities Management.
		Director of Research.
		Director, Compliance Systems Division.
		Director, Program Analysis Customer Account Services—Wage and Investment.
		Director, Compliance Area.
		Division Information Officer—Large and Mid-Size Business.
		Director, Operations.
		Area Director, Field Assistance (San Francisco)—Wage and Investment.
		Director, Exempt Organizations, Rulings and Agreements.
		Director, Detroit Computing Center.
		Director, Portfolio Management.
		Director, Compliance Area.
		Director, Technical Services.
		Area Director, Field Assistance.
		Director, Enterprise Operations Services.
		Director, Research.
		Director, Employee Plan Determination Letter Redesign.
		Director, Regulatory Compliance.
		Chief, Criminal Investigation.
		Director, Strategy, Program Management and Personnel Security.
		Chief Financial Officer, Internal Revenue Service.
		Chief, Mission Assurance and Security Services.
		Director, Operations Policy and Support.
		Director, Stakeholder, Partnership, Education and Communications.
		Director, Data Management.
		Deputy Director, Accounts Management.
		Chief, Agency-Wide Shared Services.
		Director, Employee Plans, Rulings, and Agreements.
		Director, Campus Collection Compliance.
		Chief of Staff, Internal Revenue Service.
		Field Director, Accounts Management, Wage and Investment.
		Director, Reporting Compliance.
		Deputy Director, Office of Professional Responsibility.
		Director, Accounts Management, Wage and Investment.
		Director, Media and Publications Distribution Division.
		Director, Field Operations, East, Appeals.
		Director, Field Operations West, Appeals.
		Area Director, Information Technology.
		Director, Business Systems Planning.
		Deputy Director, Taxpayer Education and Communication.
		Deputy Chief, Criminal Investigation.
		Director, Taxpayer Education Area—Los Angeles.
		Director, Customer Account Manager.
		Director, Safety and Security.
		Deputy Director, Enterprise Operations Services.
		Project Director—Appeals.
		Industry Director—Financial Services—Large and Mid-Size Business.
		Director, Performance, Quality and Innovation—Large and Mid-Size Business.
		Deputy Director, Prefilling and Technical Guidance.
		Director, Equal Employment Opportunity and Diversity.
		Director, Tax Exempt Bonds.
		Compliance Service Field Director, Austin—Wage and Investment.

Agency	Organization	Title
		Director, Taxpayer Education and Communication—Small Business and Self Employed.
		Director, Government Entities.
		Accounts Management Field Director, Austin—Wage and Investment.
		Deputy Director, Submission Processing.
		Deputy Division Commissioner, Tax Exempt and Government Entities.
		Compliance Service Field Director—Kansas City.
		Director, Personnel Services.
		Executive Director, Equity, Diversity, and Inclusion.
		Director, Legislative Affairs Division.
		Area Director, Western.
		National Director of Appeals.
		Compliance Service Field Director—Philadelphia.
		Submission Processing Field Director—Andover.
		Submission Processing Field Director—Atlanta.
		Director, Field Operations (Financial Services), Laguna Niguel.
		Director, Research, Analysis and Statistics of Income.
		Director, Field Assistance—Wage and Investment.
		Director, Strategy and Finance—Wage and Investment.
		Director, Field Assistance Area (Phoenix)—Wage and Investment.
		Director, Communication, Assistance, Research and Education.
		Director, Customer Account Services—Wage and Investment.
		Director, Submission Processing (Cincinnati)—Wage and Investment.
		Accounts Management Field Director—Andover.
		Accounts Management Field Director, Fresno.
		Submission Processing Field Director—Philadelphia.
		Deputy National Taxpayer Advocate.
		Director, Employee Support Services.
		Deputy Commissioner, Small Business/Self-Employed.
		Associate Chief Financial Officer for Revenue and Financial Management.
		Project Director (Business Requirements).
		Director, Operational Assurance.
		Deputy Division Commissioner.
		Deputy Director, Field Specialists.
		Director, Leadership and Education.
		Director, Filing Systems.
		Deputy Director, Procurement (2).
		Director, Taxpayer Education and Communication Area, St Louis—Small Business and Self Employed.
		Area Director, Stakeholder, Partnership, Education, and Communication, Dallas—Wage and Investment.
		Director, Compliance Area, Baltimore—Small Business and Self Employed.
		Director, Procurement.
		Director, Taxpayer Education Area, Chicago—Small Business and Self Employed.
		Deputy Associate Commissioner, Systems Integration.
		Director, Compliance Area, Dallas—Small Business and Self Employed.
		Director, Media and Publications.
		Director, Internet Development Services.
		Director, Strategic Services.
		Director, Compliance Area.
		Director, Compliance Area, Oakland—Small Business and Self-Employed.
		Director, Statistics of Income.
		Executive Director, Systemic Advocacy—National Taxpayer Advocate.
		Director, Mission Assurance.
		Compliance Service Field Director, Andover—Wage and Investment.
		Director, Security Policy, Support and Oversight.
		Director, Field Assistance Area.
		Accounts Management Field Director, Fresno—Wage and Investment.
		Director of Field Operations, New York—Large and Mid-Size Business.
		Associate Chief Financial Officer for Internal Financial Management—National Headquarters.
		Director, Pre-Filing and Technical Guidance.
		Director, Compliance Area—Denver, Small Business and Self Employed.
		Submission Processing Field Director—Fresno, California.

Agency	Organization	Title
		Area Director, Stakeholder, Partnership, Education and Communication.
		Associate Chief Financial Officer for Corporate Strategy.
		Director, Strategic Planning and Program Management.
		Director, Competitive Sourcing.
		Assistant Deputy Commissioner for Operations Support.
		Chief Human Capital Officer, Internal Revenue Service.
		Director, Financial Management Services.
		Director, Strategy, Criminal Investigations.
		Assistant to Director, Real Estate and Facilities Management.
		Information Technology Manager, Policy and Planning.
		Chief Information Officer.
		Commissioner, Large and Mid-Sized Business Division.
		Commissioner, Small Business and Self Employed.
		Compliance Service Field Director.
		Project Manager.
		Deputy Commissioner, Operations Support.
		Commissioner, Tax Exempt and Government Entities Division.
		Deputy Chief, Agency-wide Shared Services.
		Industry Director, Heavy Manufacturing and Pharmaceuticals.
		Chief, Management and Finance—Large and Mid-Size Business.
		Director, Exempt Organizations.
		Director, Human Resources—Wage and Investment.
		Director, Employee Plans.
		Deputy Chief, Criminal Investigation.
		Director, Exempt Organizations Examinations.
		Director, Communications, Technology and Media Industry—Large and Mid-Size Business.
		Director, Personnel Policy.
		Director, Field Operations, Communications, Technology and Media—Northwest.
		Director of Compliance, Atlanta—Wage and Investment.
	Internal Revenue Service Chief Counsel.	Deputy Associate Chief Counsel (International Field Service and Litigation).
		Senior Counsel to the Chief Counsel (Legislation).
		Director, Employee Plans Examinations.
		Special Counsel to the Chief Counsel.
		Deputy Division Counsel and Deputy Associate Chief Counsel (Tax Exempt and Government Entities).
		Deputy Associate Chief Counsel (Corporate).
		Associate Chief Counsel (Financial Institutions and Products).
		Division Counsel (Large and Mid-Size Business).
		Deputy Associate Chief Counsel #2 (Income Tax and Accounting).
		Area Counsel, Large and Mid-Size Business (Area 3) (Food, Mass Retailers, and Pharmaceuticals).
		Division Counsel (Small Business and Self Employed).
		Division Counsel/Associate Chief Counsel (Criminal Tax).
		Deputy Associate Chief Counsel #1 (Income Tax and Accounting).
		Area Counsel (Small Business and Self Employed) (Area 7).
		Deputy Associate Chief Counsel#2(Pass-through and Special Industries).
		Assistant Chief Counsel (International) (Litigation).
		Deputy Division Counsel/Deputy Associate Chief Counsel.
		Associate Chief Counsel (Finance and Management).
		Associate Chief Counsel (International).
		Deputy Chief Counsel (Operations).
		Deputy Chief Counsel (Technical).
		Associate Chief Counsel/Operating Division Counsel (Tax Exempt and Government Entities).
		Deputy Associate Chief Counsel (International Technical).
		Special Counsel to the National Taxpayer Advocate.
		Associate Chief Counsel (General Legal Services).
		Deputy Associate Chief Counsel (General Legal Services).
		Assistant Chief Counsel (Administrative Provisions and Judicial Practice).
		Associate Chief Counsel (Corporate).
		Associate Chief Counsel (Procedure and Administration).
		Assistant Chief Counsel (Disclosure and Privacy Law).
		Assistant Chief Counsel (Collection, Bankruptcy and Summonses).
		Deputy Division Counsel/Deputy Assistant Chief Counsel (Criminal Tax).
		Associate Chief Counsel (Income Tax and Accounting).
		Deputy Associate Chief Counsel (Procedure and Administration).
		Associate Chief Counsel (Pass-through and Special Industries).

Agency	Organization	Title
		Deputy Division Counsel (Large and Mid-Size Business).
		Area Counsel (Small Business and Self Employed)—Los Angeles.
		Area Counsel (Small Business and Self Employed)—Denver.
		Area Counsel (Small Business and Self Employed).
		Area Counsel (Small Business and Self Employed)—Chicago.
		Area Counsel (Small Business and Self Employed)—Jacksonville.
		Area Counsel (Small Business and Self Employed)—Philadelphia.
		Area Counsel (Small Business and Self Employed)—New York.
		Deputy Division Counsel (Small Business and Self Employed).
		Area Counsel (Large Business and International).
		Area Counsel (Large and Mid-Size Business)(Area 4)(Natural Resources).
		Area Counsel (Large and Mid-Size Business)(Area 2)(Heavy Manufacturing, Construction and Transportation).
		Deputy Associate Chief Counsel (Finance and Management).
		Deputy Associate Chief Counsel #1(Pass-through and Special Industries).
		Area Counsel (Large and Mid-Size Business)(Area 1) (Financial Services and Health Care).
		Deputy Division Counsel/Deputy Associate Chief Counsel (Tax Exempt and Government Entities).
		Deputy Associate Chief Counsel (General Legal Services) (Labor and Personnel Law).
		Deputy Associate Chief Counsel (Strategic International Programs).
		Division Counsel (Wage and Investment).
		Deputy Associate Chief Counsel (Financial Institutions and Products).
		Deputy to the Special Counsel to the Chief Counsel.
		Special Counsel to the Chief Counsel.
		Area Counsel, Small Business and Self Employed, Area 9.
		Deputy Division Counsel (Technical), Large Business and International.
	United States Mint	Chief Administrative Officer.
		Associate Director for Systems Integration.
		Associate Director for Workforce Solutions.
		Plant Manager, Philadelphia.
		Associate Director for Information Technology (Chief Information Officer).
		Senior Advisor.
		Associate Director for Manufacturing.
		Associate Director for Sales and Marketing.
		Associate Director for Financial Management/Chief Financial Officer.
		Plant Manager.
DEPARTMENT OF THE TREASURY OFFICE OF THE INSPECTOR GENERAL.	Immediate Office	Special Deputy Inspector General for Small Business Lending Fund.
		Deputy Inspector General.
	Office of Counsel	Counsel to the Inspector General.
	Office of Management	Assistant Inspector General for Management.
	Office of Audit	Deputy Assistant Inspector General for Audit (Financial Management).
		Deputy Assistant Inspector General for Audit (Program Audits).
		Assistant Inspector General for Audit.
	Office of Investigations	Deputy Assistant Inspector General for Investigations.
		Assistant Inspector General for Investigations.
DEPARTMENT OF THE TREASURY SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.	Department of the Treasury Special Inspector General for the Troubled Asset Relief Program.	Deputy Special Inspector General, Investigations.
		Chief Investigative Counsel.
		Assistant Deputy Special Inspector General for Audit and Evaluation.
		Deputy Special Inspector General Audit.
		Assistant Deputy Special Inspector General for Investigations.
		Deputy Special Inspector General Operations.
		Chief Counsel for SIGTARP.
DEPARTMENT OF THE TREASURY TAX ADMINISTRATION OFFICE OF THE INSPECTOR GENERAL.	Department of the Treasury Tax Administration Office of the Inspector General.	Deputy Counsel to the Inspector General.
		Assistant Inspector General for Investigations.
		Assistant Inspector General for Audit, Management Services and Exempt Organizations.
		Assistant Inspector General Returns Processing and Accounting Services.

Agency	Organization	Title
		Assistant Inspector General Management Planning and Workforce Development.
		Assistant Inspector General Compliance and Enforcement Operations.
		Deputy Inspector General for Investigations.
		Assistant Inspector General for Investigations (3).
		Associate Inspector General for Mission Support.
		Principal Deputy Inspector General.
		Deputy Assistant Inspector General for Investigations.
		Chief Counsel.
		Deputy Inspector General for Inspections and Evaluations.
		Chief Information Officer (2).
		Assistant Inspector General for Audit, Compliance and Enforcement Organizations.
		Deputy Assistant Inspector General for Investigations.
		Assistant Inspector General for Management, Planning and Workforce Development.
		Deputy Inspector General for Audit.
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.	United States Agency for International Development.	Assistant General Counsel for Democracy, Conflict, and Humanitarian Assistance.
	Office of Security	Director, Office of Security.
	Office of Small and Disadvantaged Business Utilization.	Director, Office of Small and Disadvantage Business Utilization.
	Office of Civil Rights and Diversity	Equal Opportunity Officer.
	Bureau for Democracy, Conflict, and Humanitarian Assistance.	Deputy Assistant Administrator.
		Deputy Director, Office of Foreign Disaster Assistance.
		Deputy Director, OMA.
	Office of Afghanistan and Pakistan Affairs.	Deputy Assistant to the Administrator.
	Bureau for Global Health	Deputy Assistant Administrator.
		Deputy Assistant Administrator for Bureau Of global Health.
	Bureau for Africa	Deputy Assistant Administrator, BFA.
	Bureau for Management	Deputy Director for OAA Policy, Support, and Evaluation.
		Deputy Director, Office of Management, Policy, Budget, and Performance.
		Deputy Controller.
		Director, Office of Administrative Service.
		Deputy Chief Financial Officer.
		Deputy Assistant Administrator.
		Chief Information Officer.
		Deputy Chief Financial Officer.
		Director, Office of Management, Policy, Budget and Performance.
		Deputy Director, Accountability, Compliance, Transparency and System Support.
	Office of Human Resources	Deputy Chief Human Capital Officer.
		Chief Human Capital Officer.
	Bureau for Foreign Assistance	Senior Coordinator.
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF THE INSPECTOR GENERAL.	United States Agency for International Development Office of the Inspector General.	Deputy Inspector General.
		Supervisory Criminal Investigator.
		Assistant Inspector General for Management.
		Assistant Inspector General for Millennium Challenge Corporation.
		Counselor to the Inspector General.
		Deputy Assistant Inspector General for Audit.
UNITED STATES INTERNATIONAL TRADE COMMISSION.	Office of External Relations	Director, Office of External Relations.
	Office of Industries	Director Office of Industries.
	Office of Investigations	Director, Office of Investigations.
	Office of the Inspector General	Inspector General.
DEPARTMENT OF VETERANS AFFAIRS.	Office of the Secretary and Deputy	Executive Director.
		Director, Office of Employment Discrimination Complaint Adjudication.
	Office of Acquisitions, Logistics and Construction.	Director, Facilities, Programs, and Plans.
		Associate Executive Director, Strategic Acquisition Center.
		Director, Facilities Acquisition Support.
		Associate Executive Director, Office of Operations.
		Associate Chief Facilities Management Officer for Resource Management.

Agency	Organization	Title
		Executive Director, Construction and Facilities Management.
		Associate Chief Facilities Management Officer for Strategic Management.
		Executive Director.
	Office of Acquisition and Materiel Management.	Deputy Assistant Secretary for Acquisition and Materiel Management.
		Associate Deputy Assistant Secretary for Acquisitions.
		Associate Deputy Assistant Secretary for Acquisition Program Support.
		Executive Director, Center for Acquisition Innovation.
	Board of Veterans' Appeals	Vice Chairman.
		Director, Management, Planning and Analysis.
		Deputy Vice Chairman (2).
		Principal Deputy Vice Chairman.
	Office of the General Counsel	Regional Counsel (22).
	Office of the Assistant Secretary for Management.	Principal Deputy Assistant Secretary for Management.
	Office of Finance	Associate Deputy Assistant Secretary for Financial Business Operations.
		Director, Financial Services Center.
		Director, Debt Management Center.
		Associate Deputy Assistant Secretary for Finance.
	Office of Acquisition and Material Management.	Associate Deputy Assistant Secretary for Acquisitions.
	Office of Asset Enterprise Management.	Deputy Director, Asset Enterprise Management.
	Office of Business Oversight	Director, Office of Business Oversight.
	Office of Human Resources Management.	Associate Deputy Assistant Secretary for Human Resources Management Policy.
	Office of Corporate Senior Executive Management.	Executive Director.
	Office of the Assistant Secretary for Information and Technology.	Executive Director, Budget and Finance.
		Executive Director for Quality and Performance.
		Director, Information Security.
		Associate Deputy Assistant Secretary for Security Operations.
		Executive Director (Enterprise Operations).
		Deputy Assistant Secretary for Information Technology Resource Management.
		Associate Deputy Assistant Secretary for Information Technology Operations.
	National Cemetery Administration	Director, Office of Finance and Planning.
	Veterans Benefits Administration ..	Deputy Chief Financial Officer.
		Chief Financial Officer.
		Deputy Director for Operations.
		Deputy Director for Policy and Procedures.
	Veterans Health Administration	Chief Compliance and Business Integrity Officer.
		Chief Financial Officer.
		Director Veterans Canteen Service.
		Deputy Chief Financial Officer.
		Deputy Chief Procurement Officer.
		Chief Operating Officer.
		Associate Chief Financial Officer for Core financial and Logistics System and Decision Support Systems.
		Chief Procurement and Logistics Officer.
		Associate Chief Financial Officer.
		Director, Acquisition Service Area Organization (West).
		Director Service Area Office.
		Financial Manager.
	Office of Emergency Management	Deputy Assistant Secretary for Emergency Management.
	Office of Operations, Security and Preparedness.	Director for Security and Law Enforcement.
DEPARTMENT OF VETERANS AFFAIRS OFFICE OF THE INSPECTOR GENERAL.	Immediate Office of the Inspector General.	Counselor to the Inspector General.
		Deputy Inspector General.
	Office of the Assistant Inspector General for Investigations.	Deputy Inspector General for Investigations (Field Operations).
		Assistant Inspector General for Investigations.
		Deputy Assistant Inspector General for Investigations (Headquarters Operations).
	Office of the Assistant Inspector General for Audits and Evaluations.	Assistant Inspector General for Audits and Evaluations.

Agency	Organization	Title
		Deputy Assistant Inspector General for Audits and Evaluations (Field Operations).
		Deputy Assistant Inspector General for Audits and Evaluations (Headquarters Management and Inspections).
	Office of the Assistant Inspector General for Management and Administration.	Assistant Inspector General for Management and Administration.
		Deputy Assistant Inspector General for Management and Administration.
	Office of the Assistant Inspector General for Healthcare Inspections.	Medical Officer (Deputy Director of Medical Consultation and Review).
		Assistant Inspector General for Healthcare Inspections.
		Deputy Assistant Inspector General for Healthcare Inspections.
		Medical Officer (Director of Medical Consultation and Review).

Authority: 5 U.S. C. 3132.

U.S. Office of Personnel Management.

Katherine Archuleta,

Director.

[FR Doc. 2014–16966 Filed 7–22–14; 8:45 am]

BILLING CODE 6325–39–P

FEDERAL REGISTER

Vol. 79 Wednesday,

No. 141 July 23, 2014

Part III

The President

Proclamation 9147—Captive Nations Week, 2014

Executive Order 13672—Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246, Equal Employment Opportunity

Federal Register
Vol. 79, No. 141
Wednesday, July 23, 2014

Presidential Documents

Title 3—

The President

Proclamation 9147 of July 18, 2014

Captive Nations Week, 2014

By the President of the United States of America

A Proclamation

As the grip of the Cold War tightened, America pledged our solidarity to every nation held captive behind the Iron Curtain and every individual who refused to accept that fate. We stood with them through a long twilight struggle until—from Europe to South America to Southeast Asia—democracy took root, a wall tumbled down, and people who had known only the blinders of fear began to taste the blessings of freedom. During Captive Nations Week, we celebrate this progress and stand with all who still seek to throw off their oppressors and embrace a brighter day.

In recent years, convulsions in the Middle East and North Africa have laid bare deep divisions within societies. Dictators have answered peaceful movements with brutality. Extremists have tried to hijack change, seeking to replace one form of tyranny with another. And around the world, authoritarian regimes continue to deprive men, women, and children of their most basic human rights.

America extends our support to all peoples seeking to build true democracy, real prosperity, and lasting security. While the road to self-determination is long and treacherous, history proves it is passable. This week, as we carry forward that age-old struggle—of liberty against oppression, of unity against intolerance—let us once again demonstrate the enduring strength of our ideals.

The Congress, by joint resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week of July of each year as ''Captive Nations Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim July 20 through July 26, 2014, as Captive Nations Week. I call upon the people of the United States to reaffirm our deep ties to all governments and people committed to freedom, dignity, and opportunity for all.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of July, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

[FR Doc. 2014–17520
Filed 7–22–14; 11:15 am]
Billing code 3295–F4

Presidential Documents

Executive Order 13672 of July 21, 2014

Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246, Equal Employment Opportunity

By the authority vested in me as President by the Constitution and the laws of the United States of America, including 40 U.S.C. 121, and in order to provide for a uniform policy for the Federal Government to prohibit discrimination and take further steps to promote economy and efficiency in Federal Government procurement by prohibiting discrimination based on sexual orientation and gender identity, it is hereby ordered as follows:

Section 1. *Amending Executive Order 11478.* The first sentence of section 1 of Executive Order 11478 of August 8, 1969, as amended, is revised by substituting ''sexual orientation, gender identity'' for ''sexual orientation''.

Sec. 2. *Amending Executive Order 11246.* Executive Order 11246 of September 24, 1965, as amended, is hereby further amended as follows:

(a) The first sentence of numbered paragraph (1) of section 202 is revised by substituting ''sex, sexual orientation, gender identity, or national origin'' for ''sex, or national origin''.

(b) The second sentence of numbered paragraph (1) of section 202 is revised by substituting ''sex, sexual orientation, gender identity, or national origin'' for ''sex or national origin''.

(c) Numbered paragraph (2) of section 202 is revised by substituting ''sex, sexual orientation, gender identity, or national origin'' for ''sex or national origin''.

(d) Paragraph (d) of section 203 is revised by substituting ''sex, sexual orientation, gender identity, or national origin'' for ''sex or national origin''.

Sec. 3. *Regulations.* Within 90 days of the date of this order, the Secretary of Labor shall prepare regulations to implement the requirements of section 2 of this order.

Sec. 4. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an agency or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 5. *Effective Date.* This order shall become effective immediately, and section 2 of this order shall apply to contracts entered into on or after the effective date of the rules promulgated by the Department of Labor under section 3 of this order.

THE WHITE HOUSE,
July 21, 2014.

[FR Doc. 2014–17522
Filed 7–22–14; 11:15 am]
Billing code 3295–F4

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