

**§ 957.15 Computation of time.**

A designated period of time under the rules in this part excludes the day the period begins, and includes the last day of the period unless the last day is a Saturday, Sunday, or legal holiday, in which event the period runs until the close of business on the next business day.

**§ 957.16 Official record.**

The transcript of testimony together with all pleadings, orders, exhibits, briefs, and other documents filed in the proceeding shall constitute the official record of the proceeding.

**§ 957.17 Public information.**

The Postal Service shall maintain for public inspection copies of all findings of fact issued under this Part, and make them available through the Postal Service Web site. The Recorder maintains the complete official record of every proceeding.

**§ 957.18 Ex parte communications.**

The provisions of 5 U.S.C. 551(14), 556(d), and 557(d) prohibiting ex parte communications are made applicable to proceedings under these rules of practice.

**Stanley F. Mires,**

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**POSTAL SERVICE****39 CFR Parts 961, 966****Rules of Practice Before the Judicial Officer**

**AGENCY:** Postal Service.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the rules of practice prescribed by the Judicial Officer relative to debt collection proceedings against current and former postal employees. These amendments are necessary to implement a new electronic filing system.

**DATES:** Comments must be received on or before July 31, 2015.

**ADDRESSES:** Postal Service Judicial Officer Department, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

**FOR FURTHER INFORMATION CONTACT:** Associate Judicial Officer Gary E. Shapiro, (703) 812-1910.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

The Judicial Officer Department recently implemented an electronic filing system. Changes to the rules of practice concerning debt collection proceedings against current and former postal employees (39 CFR parts 961 and 966, respectively) are necessary to accommodate the new system, and to establish rules relative to that system. No other changes to the rules are proposed.

**B. Explanation of Changes***Amendments to 39 CFR Part 961*

In § 961.4, concerning filing a petition:

- Paragraph (a) is amended to identify the internet address for the electronic filing system.
- Paragraph (b) is amended to indicate that a sample petition is available through the electronic filing system.

In § 961.6, concerning the filing, docketing and serving of documents, paragraph (a) is amended to indicate when documents submitted by parties are considered received, and to indicate when service of documents on the opposing party is required for purposes of the electronic filing system.

*Amendments to 39 CFR Part 966*

In § 966.4, concerning filing a petition:

- Paragraph (c) is amended to identify the internet address for the electronic filing system.
- Paragraph (d) is amended to indicate that a sample petition is available through the electronic filing system.

In § 966.6, concerning the filing, docketing and serving of documents, paragraph (a) is amended to indicate when documents submitted by parties are considered received, and to indicate when service of documents on the opposing party is required for purposes of the electronic filing system.

**List of Subjects***39 CFR Part 961*

Claims, Government employees, Wages.

*39 CFR Part 966*

Administrative practice and procedure, Claims, Government employees, Wages.

Accordingly, for the reasons stated, the Postal Service proposes to amend 39 CFR parts 961 and 966 as follows:

**PART 961—RULES OF PRACTICE IN PROCEEDINGS UNDER SECTION 5 OF THE DEBT COLLECTION ACT**

- 1. The authority citation for 39 CFR part 961 continues to read as follows:

**Authority:** 39 U.S.C. 204, 401; 5 U.S.C. 5514.

- 2. In § 961.4, revise the first sentence of paragraph (a), and add a sentence at the beginning of paragraph (b) to read as follows:

**§ 961.4 Employee petition for a hearing.**

(a) If an employee desires a hearing, prescribed by section 5 of the Debt Collection Act, to challenge the Postal Service's determination of the existence or amount of a debt, or to challenge the involuntary repayment terms proposed by the Postal Service, the employee must file a written petition electronically at <https://uspsjoe.justware.com/justiceweb>, or by mail at Recorder, Judicial Officer Department, United States Postal Service, 2101 Wilson Blvd., Suite 600, Arlington, VA 22201-3078, on or before the fifteenth (15th) calendar day following the receipt of the Postal Service's "Notice of Involuntary Administrative Salary Offsets Under the Debt Collection Act." \* \* \*

(b) A sample petition is available through the Judicial Officer Electronic Filing Web site (<https://uspsjoe.justware.com/justiceweb>). \* \* \*

\* \* \* \* \*

- 3. Revise paragraph (a) of § 961.6 to read as follows:

**§ 961.6 Filing, docketing and serving documents; computation of time; representation of parties.**

(a) *Filing.* After a petition is filed, all documents relating to the Debt Collection Act hearing proceedings must be filed using the electronic filing system unless the Hearing Official permits otherwise. Documents submitted using the electronic filing system are considered filed as of the date/time (Eastern Time) reflected in the system. Documents mailed to the Recorder are considered filed on the date mailed as evidenced by a United States Postal Service postmark. Filings by any other means are considered filed upon receipt by the Recorder of a complete copy of the filing during normal business hours (Normal Recorder office business hours are between 8:45 a.m. and 4:45 p.m., Eastern Time). If both parties are participating via the electronic filing system, separate service upon the opposing party is not required. Otherwise, documents shall be served personally or by mail on the opposing

party, noting on the document filed, or on the transmitting letter, that a copy has been so furnished.

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**PART 966—RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO ADMINISTRATIVE OFFSETS INITIATED AGAINST FORMER EMPLOYEES OF THE POSTAL SERVICE**

■ 4. The authority citation for 39 CFR part 966 continues to read as follows:

**Authority:** 31 U.S.C. 3716; 39 U.S.C. 204, 401, 2601.

■ 5. In § 966.4, revise paragraph (c), and add a sentence at the beginning of paragraph (d) to read as follows:

**§ 966.4 Petition for a hearing and supplement to petition.**

\* \* \* \* \*

(c) Within thirty (30) calendar days after the date of receipt of the Accounting Service Center’s decision upon reconsideration, after the expiration of sixty (60) calendar days after a request for reconsideration where a reconsideration determination is not made, or following an administrative offset taken without prior notice and opportunity for reconsideration pursuant to paragraph (b)(1) of this section, the former employee must file a written petition electronically at <https://uspsjoe.justware.com/justiceweb>, or by mail at Recorder, Judicial Officer Department, United States Postal Service, 2101 Wilson Blvd., Suite 600, Arlington, VA 22201–3078.

(d) A sample petition is available through the Judicial Officer Electronic Filing Web site (<https://uspsjoe.justware.com/justiceweb>). \* \* \*

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■ 6. Revise paragraph (a) of § 966.6 to read as follows:

**§ 966.6 Filing, docketing and serving documents; computation of time; representation of parties.**

(a) *Filing.* After a petition is filed, all documents required under this part must be filed using the electronic filing system unless the Hearing Official permits otherwise. Documents

submitted using the electronic filing system are considered filed as of the date/time (Eastern Time) reflected in the system. Documents mailed to the Recorder are considered filed on the date mailed as evidenced by a United States Postal Service postmark. Filings by any other means are considered filed upon receipt by the Recorder of a complete copy of the filing during normal business hours (Normal Recorder office business hours are between 8:45 a.m. and 4:45 p.m., Eastern Time). If both parties are participating via the electronic filing system, separate service upon the opposing party is not required. Otherwise, documents shall be served personally or by mail on the opposing party, noting on the document filed, or on the transmitting letter, that a copy has been so furnished.

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

[4500030115]

**Endangered and Threatened Wildlife and Plants; 90-Day Findings on 31 Petitions**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of petition findings and initiation of status reviews.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce 90-day findings on various petitions to list 30 species and one petition that describes itself as a petition to reclassify one species under the Endangered Species Act of 1973, as amended (Act). Based on our review, we find that eight petitions do not present substantial scientific or commercial information

indicating that the petitioned actions may be warranted, we find that one petition does not present substantial information that the petitioned entity may be a listable entity under the Act, and we find that one petition does not present substantial information that the petitioned entity may be a listable entity under the Act and does not present substantial scientific or commercial information indicating that the petitioned action may be warranted, and we are not initiating status reviews in response to these petitions. We refer to these as “not-substantial petition findings.” Based on our review, we find that 21 petitions present substantial scientific or commercial information indicating that the petitioned actions may be warranted. Therefore, with the publication of this document, we are initiating a review of the status of each of these species to determine if the petitioned actions are warranted. To ensure that these status reviews are comprehensive, we are requesting scientific and commercial data and other information regarding these species. Based on the status reviews, we will issue 12-month findings on the petitions, which will address whether the petitioned action is warranted, as provided in section 4(b)(3)(B) of the Act.

**DATES:** To allow us adequate time to conduct the status reviews, we request that we receive information on or before August 31, 2015. Information submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. Eastern Time on the closing date.

**ADDRESSES:** Not-substantial petition findings: The not-substantial petition findings announced in this document are available on <http://www.regulations.gov> under the appropriate docket number (see Table 1, below). Supporting information in preparing these findings is available for public inspection, by appointment, during normal business hours by contacting the appropriate person, as specified under **FOR FURTHER INFORMATION CONTACT**.

TABLE 1—NOT-SUBSTANTIAL PETITION FINDINGS

Species	Docket No.	Docket link
Blue Ridge gray-cheeked salamander.	FWS–R4–ES–2015–0042 ..	<a href="http://www.regulations.gov/#!docketDetail;D=FWS-R4-ES-2015-0042">http://www.regulations.gov/#!docketDetail;D=FWS-R4-ES-2015-0042</a>
Caddo Mountain salamander	FWS–R4–ES–2015–0043 ..	<a href="http://www.regulations.gov/#!docketDetail;D=FWS-R4-ES-2015-0043">http://www.regulations.gov/#!docketDetail;D=FWS-R4-ES-2015-0043</a>
California giant salamander	FWS–R8–ES–2015–0044 ..	<a href="http://www.regulations.gov/#!docketDetail;D=FWS-R8-ES-2015-0044">http://www.regulations.gov/#!docketDetail;D=FWS-R8-ES-2015-0044</a>
Colorado checkered whiptail	FWS–R6–ES–2015–0048 ..	<a href="http://www.regulations.gov/#!docketDetail;D=FWS-R6-ES-2015-0048">http://www.regulations.gov/#!docketDetail;D=FWS-R6-ES-2015-0048</a>
Distinct population segment of North American wild horse.	FWS–R8–ES–2015–0049 ..	<a href="http://www.regulations.gov/#!docketDetail;D=FWS-R8-ES-2015-0049">http://www.regulations.gov/#!docketDetail;D=FWS-R8-ES-2015-0049</a>