

another method of evaluation. FMCSA specifically requests comments on other means of validating the sustained use of the approved technology or safety programs.

#### Removal From the Program

A motor carrier would be immediately removed from the program if it received a final conditional or unsatisfactory safety rating; was declared an imminent hazard; or received an out of service or revocation order from FMCSA.

Additionally, a motor carrier would be removed from the program immediately if it was determined that the approved technology or safety program was not being used or was being used by fewer drivers/vehicles than approved.

A motor carrier would be provided a warning if an alert(s) exceeded the intervention threshold or did not maintain performance above the performance baseline specified in its application. If the SMS measure or the performance did not improve within 6 months, the motor carrier would be removed from the program.

#### SMS Display

FMCSA will design the change to SMS to show a Beyond Compliance BASIC. Information on the Beyond Compliance BASIC detail page would explain that this BASIC exists for carriers that have applied to this program and been approved. The detail page would also include a brief explanation of the technology or program and would show if the program is "Deployed" or "Improved."

#### Cost

As noted above, FMCSA has the authority to contract for a no-cost contract to provide monitoring services for this program. This means that the costs of the work performed by this third party would be paid by the motor carrier. For the monitoring that would be conducted as part of the application process, FMCSA estimates that this would take, on average, five hours per carrier. However, it is acknowledged that some programs or technologies will require significantly more resources to monitor. At a wage that is commensurate with a GS-13 Management Analyst in the Washington, DC, area, this would equate to \$44.15 per hour or \$220.

It is expected that the six month validation would be two hours, or \$88, and the annual review would take two additional hours, or an additional \$88 per year. Assuming a carrier is in the program for five years, FMCSA estimates that the fee would be approximately \$750 per motor carrier.

This would be the expected cost for a program implemented on a small number of vehicles and/or drivers. It is expected that the costs would be tiered so that larger programs requiring more monitoring would incur a higher cost. FMCSA specifically seeks data and cost information to determine the appropriate range of fees to be paid by the motor carrier under the no-cost contract.

Issued on: April 13, 2016.

**T.F. Scott Darling, III,**

*Acting Administrator.*

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**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0116]

#### Household Goods Consumer Protection Working Group: Membership Solicitation

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

**ACTION:** Notice, request for applications and nominations to the Household Goods Consumer Protection Working Group.

**SUMMARY:** FMCSA announces its intent to establish the Household Goods (HHG) Consumer Protection Working Group (Working Group). The Fixing America's Surface Transportation (FAST) Act requires FMCSA to establish this Working Group to provide recommendations on how to better educate and protect HHG moving customers (consumers) during an interstate HHG move. FMCSA solicits applications and nominations of interested persons to serve on the Working Group. As required by the FAST Act, the Working Group must be composed of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the interstate HHG moving industry. The FAST Act mandates that the Working Group make its recommendations and the U.S. Department of Transportation (DOT) publish them no later than December 4, 2016.

**DATES:** Applications/Nominations for the Working Group must be received electronically on or before May 20, 2016.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Rodgers, Chief, Commercial Enforcement and Investigations Division, Federal Motor Carrier Safety

Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590. Phone (202) 366-0073; Email [kenneth.rodgers@dot.gov](mailto:kenneth.rodgers@dot.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### *FAST Act*

Section 5503 of the FAST Act (Pub. L. 114-94) (December 4, 2015) requires the Working Group to provide recommendations to the Secretary of Transportation, through the FMCSA Administrator. The Working Group will operate in accordance with the Federal Advisory Committee Act (FACA, 5 U.S.C. App 2).

As required by Section 5503 of the FAST Act, the Working Group will make recommendations in three areas relating to "how to best convey to consumers relevant information with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier." Those areas are:

1. How to condense the FMCSA "Ready to Move?" moving tips document published in April 2006 (FMCSA-ESA-03-005) into a more consumer friendly format;
2. How best to use state-of-the-art education techniques and technologies for conveying relevant information with respect to Federal statutes and regulations concerning the interstate transportation of HHG (including how to optimize use of the Internet as an educational tool); and
3. How to reduce and simplify the paperwork required of motor carriers and shippers in interstate transportation.

Section 5503 also mandates that the Secretary of Transportation appoint a Working Group that is comprised of (i) individuals with expertise in consumer affairs; (ii) educators with expertise in how people learn most effectively; and (iii) representatives of the FMCSA regulated interstate HHG moving industry.

The working group will terminate one year after the date its recommendations are submitted to the Secretary of Transportation.

##### II. Member and Meeting Information

If members are appointed from the private sector, they will serve without pay, but the FMCSA Administrator may allow a member, when attending Working Group meetings (or sub-group meetings of such group), to be reimbursed for expenses authorized under Section 5703 of Title 5, United States Code and the Federal Travel

Regulation System (41 CFR Subtitle F), relating to per diem, travel, and transportation. Non-Federal employee Working Group members appointed as individuals with expertise in consumer affairs or as educators with expertise in how people learn most effectively also will be deemed Special Government Employees (SGEs), as defined by 18 U.S.C. 202(a). SGE status means Federal ethics rules apply, in part, to these non-Federal employee members and such members may be required to file confidential financial disclosure reports to detect and resolve any real or apparent financial conflicts of interest with the Working Group.

The Working Group members who are individuals with expertise in consumer affairs or who are educators with expertise in how people learn most effectively cannot be subject to the registration and reporting requirements of the Lobbying Disclosure Act (2 U.S.C. 1605). See 79 FR 47482 (Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions)(August 13, 2014)).

The FMCSA Designated Federal Official who will oversee the Working Group anticipates calling a series of meetings on the following dates:

- May 24, 2016
- June 28, 2016
- July 26, 2016
- August 30, 2016
- September 27, 2016

Meetings will be in person and/or via teleconference. All meetings in furtherance of this FAST Act mandate will be open to the general public, unless cause exists (albeit unlikely) to close the meeting to the public under an exception provided under the FACCA. Notice of each meeting will be published in the **Federal Register** at least 15 calendar days prior to the date of the meeting.

### III. Request for Nominations

The DOT, through FMCSA, seeks applications and nominations for membership to the Working Group. Applicants or nominees must be either: (i) Individuals with expertise in consumer affairs; (ii) educators with expertise in how people learn most effectively; or (iii) representatives of the FMCSA-regulated interstate household goods moving industry. The DOT will consider professional credentials such as experience, education, and achievements. The Department also endeavors to appoint members of diverse views and interests to ensure the committee is balanced, with appropriate consideration of background.

Qualified individuals may self-apply or be nominated by any individual or organization. To be considered, applicants and nominators should submit the following information:

(1) Name, title, and relevant contact information (including phone and email address) and a description of the interests the applicant/nominee shall represent;

(2) Any letter(s) of support from an individual, a company, union, trade association, or non-profit organization on letterhead, containing a brief description why the applicant/nominee should be considered for membership;

(3) A resume or short biography of the applicant/nominee, including professional and academic credentials; and

(4) An affirmative statement that the applicant/nominee meets all Working Group eligibility requirements.

Please do not send company, trade association, or organization brochures or any other information. Should more information be needed, DOT staff will contact the applicant/nominee, obtain information from the applicant/nominee's past affiliations, or obtain information from publicly available sources, such as the Internet.

Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical handicap, marital status, or sexual orientation. To ensure that recommendations to the Secretary take into account the needs of the diverse groups served by DOT, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

Applicants and nominators should submit the above information via electronic transmission to Kenneth Rodgers, FMCSA Office of Enforcement and Compliance, at [kenneth.rodgers@dot.gov](mailto:kenneth.rodgers@dot.gov). The submission must be received on or before May 20, 2016.

Issued on: April 13, 2016.

**T. F. Scott Darling, III,**

*Acting Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. DOT-MARAD-2016-0039]

#### Agency Requests for Renewal of a Previously Approved Information Collection(s): Capital Construction Fund and Exhibits

**AGENCY:** Maritime Administration, Department of Transportation.

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

**SUMMARY:** The Maritime Administration (MARAD) invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collected information is necessary for MARAD to determine an applicant's eligibility to enter into a CCF Agreement. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995, Public Law 104-13.

**DATES:** Written comments should be submitted by June 20, 2016.

**ADDRESSES:** You may submit comments [identified by Docket No. DOT-MARAD-2016-0039] through one of the following methods:

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

- *Fax:* 1-202-493-2251.

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Daniel Ladd, 202-366-1859, Maritime Administration, Office of Financial Approvals, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202-366-2321 or E-MAIL: [lisa.simmons@marad.dot.gov](mailto:lisa.simmons@marad.dot.gov). Copies of this collection also can be obtained from that office.

#### SUPPLEMENTARY INFORMATION:

*OMB Control Number:* 2133-0027.

*Title:* Capital Construction Fund and Exhibits.

*Form Numbers:* None.

*Type of Review:* Renewal of an information collection.

*Background:* This information collection consists of an application for a Capital Construction Fund (CCF) agreement under 46 U.S.C. Chapter 535 and annual submissions of appropriate schedules and exhibits. The Capital Construction Fund is a tax-deferred ship