

819 F.3d 1334 (2016). No petition for *certiorari* was filed with the Supreme Court.

In Align's appeal, the Federal Circuit vacated and remanded the case to the Commission "for further proceedings in light of" the *ClearCorrect* decision. *Align Tech., Inc. v. ITC*, 622 F. App'x 910 (Fed. Cir. 2015).

In view of the foregoing final decisions of the Federal Circuit, the Commission has determined to rescind the cease and desist orders issued in this investigation. The investigation is terminated with a finding of no violation of section 337.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: September 23, 2016.

**Katherine Hiner,**

*Acting Supervisory Attorney.*

[FR Doc. 2016-23454 Filed 9-28-16; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation

#### Meeting of the Compact Council for the National Crime Prevention and Privacy Compact

**AGENCY:** Federal Bureau of Investigation, Justice.

**ACTION:** Meeting notice.

**SUMMARY:** The purpose of this notice is to announce a meeting of the National Crime Prevention and Privacy Compact Council (Council) created by the National Crime Prevention and Privacy Compact Act of 1998 (Compact). Thus far, the Federal Government and 30 states are parties to the Compact which governs the exchange of criminal history records for licensing, employment, and similar purposes. The Compact also provides a legal framework for the establishment of a cooperative federal-state system to exchange such records.

The United States Attorney General appointed 15 persons from state and federal agencies to serve on the Council. The Council will prescribe system rules and procedures for the effective and proper operation of the Interstate Identification Index system for noncriminal justice purposes.

Matters for discussion are expected to include:

(1) Best Practices for Fingerprint Submissions

- (2) Update on Child Care and Development Block Grant Act  
(3) Proposed Changes to the NFF Qualification Requirements

The meeting will be open to the public on a first-come, first-seated basis. Any member of the public wishing to file a written statement with the Council or wishing to address this session of the Council should notify the Federal Bureau of Investigation (FBI) Compact Officer, Mrs. Chasity S. Anderson at (304) 625-2803, at least 24 hours prior to the start of the session. The notification should contain the individual's name and corporate designation, consumer affiliation, or government designation, along with a short statement describing the topic to be addressed and the time needed for the presentation. Individuals will ordinarily be allowed up to 15 minutes to present a topic.

**DATES AND TIMES:** The Council will meet in open session from 9 a.m. until 5 p.m., on November 2-3, 2016.

**ADDRESSES:** The meeting will take place at the Holiday Inn St. Louis Downtown—Convention Center, 811 North Ninth Street, St. Louis, Missouri, telephone (314) 421-4000.

**FOR FURTHER INFORMATION CONTACT:**

Inquiries may be addressed to Mrs. Chasity S. Anderson, FBI Compact Officer, Module D3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone (304) 625-2803, facsimile (304) 625-2868.

Dated: September 22, 2016.

**Chasity S. Anderson,**

*FBI Compact Officer, Criminal Justice Information Services Division, Federal Bureau of Investigation.*

[FR Doc. 2016-23527 Filed 9-28-16; 8:45 am]

**BILLING CODE 4410-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Response, Compensation, and Liability Act

On September 21, 2016, a proposed consent decree was lodged with the United States District Court for the District of Utah in the lawsuit entitled *United States v. Atlantic Richfield Company, Inc.*, Civil Action No. 2:16-cv-00982-DBP.

The United States filed this lawsuit against Atlantic Richfield Company ("Atlantic Richfield") pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607. The United States' complaint

seeks injunctive relief and the recovery of past and future response costs incurred and to be incurred at the International Smelting and Refining Site (the "Site") in Tooele County, Utah. The proposed consent decree requires Atlantic Richfield to pay \$560,000 in past response costs, pay future oversight costs, and undertake certain operation and maintenance activities at the Site.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Atlantic Richfield Company, Inc.*, D.J. Ref. No. 90-11-3-07569/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail in the following manner:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: [https://www.justice.gov/enrd/Consent\\_Decrees](https://www.justice.gov/enrd/Consent_Decrees). We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$9.75 (25 cents per page reproduction cost) payable to the United States Treasury.

**Robert Brook,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2016-23554 Filed 9-28-16; 8:45 am]

**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On September 22, 2016, the Department of Justice lodged a proposed consent decree with the United States

District Court for the Eastern District of Pennsylvania in the lawsuit entitled *United States v. Tank Car Corporation of America*, Civil Action No. 2:16-cv-05031-TON.

The United States filed this lawsuit under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”). The United States’ complaint seeks recovery of costs incurred and to be incurred by the Environmental Protection Agency in connection with the removal of hazardous substances at the Tank Car Corporation of America Site, a former railroad and tank car rehabilitation facility in Oreland, Montgomery County, Pennsylvania. The consent decree requires Tank Car Corporation of America to assign its rights to proceeds under its insurance policies to the United States. In return, the United States agrees not to sue Tank Car Corporation of America under sections 106 and 107 of CERCLA.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Tank Car Corporation of America*, D.J. Ref. No. 90–11–3–11173. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$8.50 (25 cents per page

reproduction cost) payable to the United States Treasury.

**Robert Brook,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 2016–23492 Filed 9–28–16; 8:45 am]

**BILLING CODE 4410–15–P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Labor Surplus Area Classification Under Executive Orders 12073 and 10582**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The purpose of this notice is to announce the annual list of labor surplus areas for Fiscal Year (FY) 2017.

**DATES:** The annual list of labor surplus areas is effective October 1, 2016, for all states, the District of Columbia, and Puerto Rico.

**FOR FURTHER INFORMATION CONTACT:** Samuel Wright, Office of Workforce Investment, Employment and Training Administration, 200 Constitution Avenue NW., Room C–4514, Washington, DC 20210. Telephone: (202) 693–2870 (This is not a toll-free number) or email [wright.samuel.e@dol.gov](mailto:wright.samuel.e@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Department of Labor’s regulations implementing Executive Orders 12073 and 10582 are set forth at 20 CFR part 654, subpart A. These regulations require the Employment and Training Administration (ETA) to classify jurisdictions as labor surplus areas pursuant to the criteria specified in the regulations, and to publish annually a list of labor surplus areas. Pursuant to those regulations, ETA is hereby publishing the annual list of labor surplus areas. In addition, the regulations provide exceptional circumstance criteria for classifying labor surplus areas when catastrophic events, such as natural disasters, plant closings, and contract cancellations are expected to have a long-term impact on labor market area conditions, discounting temporary or seasonal factors.

**Eligible Labor Surplus Areas**

A Labor Surplus Area (LSA) is a civil jurisdiction that has a civilian average annual unemployment rate during the previous two calendar years of 20

percent or more above the average annual civilian unemployment rate for all states during the same 24-month reference period. ETA uses only official unemployment estimates provided by the Bureau of Labor Statistics in making these classifications. The average unemployment rate for all states includes data for the Commonwealth of Puerto Rico. LSA classification criteria stipulate a civil jurisdiction must have a “floor unemployment rate” of 6.0% or higher to be classified a LSA. Any civil jurisdiction that has a “ceiling unemployment rate” of 10% or higher is classified a LSA.

Civil jurisdictions are defined as follows:

1. A city of at least 25,000 population on the basis of the most recently available estimates from the Bureau of the Census; or

2. A town or township in the States of Michigan, New Jersey, New York, or Pennsylvania of 25,000 or more population and which possess powers and functions similar to those of cities; or

3. All counties, except for the following:

(a) Those counties which contain any type of civil jurisdictions defined in “1” or “2” above,

(b) a county in the States of Connecticut, Massachusetts, and Rhode Island; or

4. A “balance of county” consisting of a county less any component cities and townships identified in “1” or “2” above; or

5. A county equivalent which is a town in the States of Connecticut, Massachusetts, and Rhode Island, or a municipio in the Commonwealth of Puerto Rico.

**Procedures for Classifying Labor Surplus Areas**

The Department of Labor (DOL) issues the LSA list on a fiscal year basis. The list becomes effective each October 1, and remains in effect through the following September 30. The reference period used in preparing the current list was January 2014 through December 2015. The national average unemployment rate (including Puerto Rico) during this period was rounded to 5.77 percent. Twenty percent higher than the national unemployment rate during this period is 6.93 percent. Therefore, areas included on the FY 2017 LSA list had a rounded unemployment rate for the reference period of 6.93 percent or higher. To ensure that all areas classified as labor surplus meet the requirements, when a city is part of a county and meets the unemployment qualifier as a LSA, that