

index for 2015 (\$48,098.63) to that for 1992 (\$22,935.42) produces \$94,370.99. We round this amount to \$94,500. Because \$94,500 exceeds the current amount of \$88,200, the old-law contribution and benefit base is \$94,500 for 2017.

### Substantial Gainful Activity Amounts

#### General

A finding of disability under titles II and XVI of the Act requires that a person, except for a title XVI disabled child, be unable to engage in SGA. A person who is earning more than a certain monthly amount is ordinarily considered to be engaging in SGA. The monthly earnings considered as SGA depends on the nature of a person's disability. Section 223(d)(4)(A) of the Act specifies the SGA amount for statutorily blind individuals under title II while our regulations (20 CFR 404.1574 and 416.974) specify the SGA amount for non-blind individuals.

#### Computation

The monthly SGA amount for statutorily blind individuals under title II for 2017 is the larger of: (1) The amount for 1994 multiplied by the ratio of the national average wage index for 2015 to that for 1992; or (2) the amount for 2016. The monthly SGA amount for non-blind disabled individuals for 2017 is the larger of: (1) The amount for 2000 multiplied by the ratio of the national average wage index for 2015 to that for 1998; or (2) the amount for 2016. In either case, if the resulting amount is not a multiple of \$10, we round it to the nearest multiple of \$10.

#### SGA Amount for Statutorily Blind Individuals

Multiplying the 1994 monthly SGA amount for statutorily blind individuals (\$930) by the ratio of the national average wage index for 2015 (\$48,098.63) to that for 1992 (\$22,935.42) produces \$1,950.33. We then round this amount to \$1,950. Because \$1,950 exceeds the current amount of \$1,820, the monthly SGA amount for statutorily blind individuals is \$1,950 for 2017.

#### SGA Amount for Non-Blind Disabled Individuals

Multiplying the 2000 monthly SGA amount for non-blind individuals (\$700) by the ratio of the national average wage index for 2015 (\$48,098.63) to that for 1998 (\$28,861.44) produces \$1,166.58. We then round this amount to \$1,170. Because \$1,170 exceeds the current amount of \$1,130, the monthly SGA amount for non-blind disabled individuals is \$1,170 for 2017.

### Trial Work Period Earnings Threshold

#### General

During a trial work period of 9 months in a rolling 60-month period, a beneficiary receiving Social Security disability benefits may test his or her ability to work and still receive monthly benefit payments. To be considered a trial work period month, earnings must be over a certain level. In 2017, any month in which earnings exceed \$840 is considered a month of services for an individual's trial work period.

#### Computation

The method used to determine the new amount is set forth in our regulations at 20 CFR 404.1592(b). Monthly earnings in 2017, used to determine whether a month is part of a trial work period, is the larger of: (1) The amount for 2001 (\$530) multiplied by the ratio of the national average wage index for 2015 to that for 1999; or (2) the amount for 2016. If the amount so calculated is not a multiple of \$10, we round it to the nearest multiple of \$10.

#### Trial Work Period Earnings Threshold Amount

Multiplying the 2001 monthly earnings threshold (\$530) by the ratio of the national average wage index for 2015 (\$48,098.63) to that for 1999 (\$30,469.84) produces \$836.64. We then round this amount to \$840. Because \$840 exceeds the current amount of \$810, the monthly earnings threshold is \$840 for 2017.

### Domestic Employee Coverage Threshold

#### General

The minimum amount a domestic worker must earn so that such earnings are covered under Social Security or Medicare is the domestic employee coverage threshold. For 2017, this threshold is \$2,000. Section 3121(x) of the Internal Revenue Code provides the formula for increasing the threshold.

#### Computation

Under the formula, the domestic employee coverage threshold for 2017 is equal to the 1995 amount of \$1,000 multiplied by the ratio of the national average wage index for 2015 to that for 1993. If the resulting amount is not a multiple of \$100, we round it to the next lower multiple of \$100.

#### Domestic Employee Coverage Threshold Amount

Multiplying the 1995 domestic employee coverage threshold (\$1,000) by the ratio of the national average wage index for 2015 (\$48,098.63) to that for

1993 (\$23,132.67) produces \$2,079.25. We then round this amount to \$2,000. Therefore, the domestic employee coverage threshold amount is \$2,000 for 2017.

### Election Official and Election Worker Coverage Threshold

#### General

The minimum amount an election official and election worker must earn so the earnings are covered under Social Security or Medicare is the election official and election worker coverage threshold. For 2017, this threshold is \$1,800. Section 218(c)(8)(B) of the Act provides the formula for increasing the threshold.

#### Computation

Under the formula, the election official and election worker coverage threshold for 2017 is equal to the 1999 amount of \$1,000 multiplied by the ratio of the national average wage index for 2015 to that for 1997. If the amount we determine is not a multiple of \$100, it we round it to the nearest multiple of \$100.

#### Election Official and Election Worker Coverage Threshold Amount

Multiplying the 1999 coverage threshold amount (\$1,000) by the ratio of the national average wage index for 2015 (\$48,098.63) to that for 1997 (\$27,426.00) produces \$1,753.76. We then round this amount to \$1,800. Therefore, the election official and election worker coverage threshold amount is \$1,800 for 2017.

(Catalog of Federal Domestic Assistance: Program Nos. 96.001 Social Security-Disability Insurance; 96.002 Social Security-Retirement Insurance; 96.004 Social Security-Survivors Insurance; 96.006 Supplemental Security Income)

**Carolyn W. Colvin,**

*Acting Commissioner of Social Security.*

[FR Doc. 2016-26026 Filed 10-26-16; 8:45 am]

**BILLING CODE 4191-02-P**

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR-2016-0021; Dispute Number WT/DS508]

### WTO Dispute Settlement Proceeding Regarding China—Export Duties on Certain Raw Materials

**AGENCY:** Office of the United States Trade Representative.

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

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**SUMMARY:** The Office of the United States Trade Representative (USTR) is providing notice that the United States has requested the establishment of a dispute settlement panel under the *Marrakesh Agreement Establishing the World Trade Organization* (WTO Agreement). That request may be found at [www.wto.org](http://www.wto.org) in a document designated as WT/DS508/6. USTR invites written comments from the public concerning the issues raised in this dispute.

**DATES:** Although USTR will accept any comments received during the course of the dispute settlement proceedings, you should submit your comment on or before December 15, 2016, to be assured of timely consideration by USTR.

**ADDRESSES:** You should submit written comments through the Federal eRulemaking Portal: <http://www.regulations.gov>, docket number USTR–2016–0021. Follow the instructions for submitting comments in section III below. For alternatives to on-line submissions, please contact Sandy McKinzy at (202) 395–9483. If (as explained below) the comment contains confidential information, then the comment should only be submitted by fax to Sandy McKinzy at (202) 395–3640.

**FOR FURTHER INFORMATION CONTACT:** Katherine Wang, Assistant General Counsel, [Katherine\\_E\\_Wang@ustr.eop.gov](mailto:Katherine_E_Wang@ustr.eop.gov), (202) 395–6214, or Leigh Bacon, Senior Associate General Counsel, [Leigh\\_Bacon@ustr.eop.gov](mailto:Leigh_Bacon@ustr.eop.gov), (202) 395–5859.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 127(b)(1) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)) requires notice and opportunity for comment after the United States submits or receives a request for the establishment of a WTO dispute settlement panel. Pursuant to this provision, USTR is providing notice that the United States has requested a dispute settlement panel pursuant to the *WTO Understanding on Rules and Procedures Governing the Settlement of Disputes* (DSU). Once the WTO establishes a dispute settlement panel, the panel will hold its meetings in Geneva, Switzerland.

##### II. Major Issues Raised by the United States

On October 13, 2016, the United States requested the establishment of a WTO dispute settlement panel regarding China's restrictions on the export of various forms of antimony, chromium, cobalt, copper, graphite, indium, lead,

magnesia, talc, tantalum, and tin identified in the *State Council Customs Tariff Commission Notice on Issuing the 2016 Tariff Adjustment Plan* (State Council Customs Tariff Commission, Shui Wei Hui [2015] No. 23, issued December 4, 2015, effective January 1, 2016) and the *Ministry of Commerce and General Administration of Customs 2015 Public Notice No. 76 on Announcing the 2016 Export Licensing Management Commodities Catalogue* (Ministry of Commerce and General Administration of Customs 2015 Public Notice No. 76, issued December 29, 2015, effective January 1, 2016).<sup>1</sup> These export restrictions include export duties on the materials; quantitative restrictions such as quotas on the export of the materials; and additional requirements that impose restrictions on the trading rights of enterprises seeking to export various forms of the materials, such as prior export performance requirements.

China's export restraints appear to be inconsistent with Article XI:1 of the *General Agreement on Tariffs and Trade 1994* (GATT 1994), Paragraphs 5.1 and 11.3 of Part I of the *Protocol on the Accession of the People's Republic of China* (Accession Protocol), and Paragraph 1.2 of Part I of the *Accession Protocol* (which incorporates paragraphs 83, 84, 162, and 165 of the Working Party Report on the Accession of China).

##### III. Public Comments: Requirements for Submissions

USTR invites written comments concerning the issues raised in this dispute. You should submit your comment electronically to [www.regulations.gov](http://www.regulations.gov), docket number USTR–2016–0021. For alternatives to electronic submissions, contact Sandy McKinzy at (202) 395–9483.

To submit comments via [www.regulations.gov](http://www.regulations.gov), enter docket number USTR–2016–0021 on the home page and click “search.” The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting Notice under Document Type on the left side of the search-results page, and click on the link entitled “Comment Now!” For further information on using the [www.regulations.gov](http://www.regulations.gov) Web site, please consult the resources provided on the Web site by clicking on “How to Use Regulations.gov” on the bottom of the home page.

<sup>1</sup> The forms of these materials subject to export duties and quotas include, but are not limited to, the items falling under the Chinese Customs Commodity Codes listed in the panel request.

The [www.regulations.gov](http://www.regulations.gov) Web site allows users to provide comments by filling in a “Type Comment” field, or by attaching a document using an “Upload File” field. USTR prefers that comments be provided in an attached document. If a document is attached, it is sufficient to type “See attached” in the “Type Comment” field. USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If the submission is in an application other than those two, please indicate the name of the application in the “Type Comment” field.

Submit any comments containing business confidential information by fax to Sandy McKinzy at (202) 395–3640. A person requesting that information contained in a comment be treated as confidential business information must certify that s/he would not customarily release the information to the public. Any page containing business confidential information must be clearly marked “BUSINESS CONFIDENTIAL” on the top and bottom of that page. Filers of submissions containing business confidential information also must submit a public version of their comments electronically through [www.regulations.gov](http://www.regulations.gov). The non-confidential summary will be placed in the docket and will be open to public inspection.

USTR may determine that information or advice contained in a comment, other than business confidential information, is confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If a submitter believes that information or advice is confidential, s/he must clearly designate the information or advice as confidential and mark it as “SUBMITTED IN CONFIDENCE” at the top and bottom of the cover page and each succeeding page, and provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a docket on this dispute settlement proceeding, docket number USTR–2016–0021, accessible to the public at [www.regulations.gov](http://www.regulations.gov). The public file will include non-confidential public comments USTR receives regarding the dispute. If a dispute settlement panel is convened, or in the event of an appeal from a panel, USTR will make the following documents publicly available at [www.ustr.gov](http://www.ustr.gov): The U.S. submissions and any non-confidential summaries of submissions received from other participants in the dispute. If a dispute settlement panel is convened, or in the event of an appeal from a panel, the report of the panel, and, if applicable, the report of the

Appellate Body, will also be available on the Web site of the World Trade Organization, at [www.wto.org](http://www.wto.org).

**Juan A. Millán,**

*Acting Assistant U.S. Trade Representative for Monitoring and Enforcement, Office of the U.S. Trade Representative.*

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BILLING CODE 3290-F7-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2016-0130]

#### Commercial Driver's License: Application for Exemption; Missouri Department of Revenue (DOR)

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

**ACTION:** Notice of final disposition; grant of application for exemption.

**SUMMARY:** FMCSA announces its decision to grant a limited exemption to the Missouri Department of Revenue (DOR), Driver's License Bureau, and, at their option, all other State driver licensing agencies (SDLAs), from the commercial driver's license (CDL) regulations. These regulations require a driver to pass the general knowledge test before being issued a Commercial Learner's Permit (CLP). The Missouri DOR requested an exemption from the knowledge test requirement for qualified current or former military personnel who participated in training in military heavy-vehicle driving programs. The Missouri DOR contends that qualified personnel who participated in such training have already received numerous hours of classroom training, practical skills training, and one-on-one road training that are essential for safe driving.

**DATES:** The exemption is effective from October 27, 2016 through October 29, 2018.

**ADDRESSES:** *Docket:* For access to the docket to read background documents or comments, go to [www.regulations.gov](http://www.regulations.gov) at any time or visit Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. The on-line FDMS is available 24 hours each day, 365 days each year.

*Privacy Act:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any

personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**FOR FURTHER INFORMATION CONTACT:** For information concerning this notice, contact Mr. Tom Yager, Chief, FMCSA Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; Telephone: 614-942-6477. Email: [MCPSD@dot.gov](mailto:MCPSD@dot.gov). If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366-9826.

#### SUPPLEMENTARY INFORMATION:

##### I. Public Participation

###### *Viewing Comments and Documents*

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov) and insert the docket number, "FMCSA-2016-0130" in the "Keyword" box, and click "Search." Next, click the "Open Docket Folder" button and choose the document to review. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

##### II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315 to grant exemptions from the Federal Motor Carrier Safety Regulations. FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must also provide an opportunity for public comment on the request.

The Agency reviews safety analyses and the public comments, and determines whether granting the exemption would likely achieve a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305). The decision of the Agency must be published in the **Federal Register** (49 CFR 381.315(b)) with the reason for the grant or denial, and, if granted, the specific person or class of persons receiving the exemption, and the regulatory provision or provisions from which the exemption is granted. The notice must also specify the effective period of the exemption, and explain its

terms and conditions. The exemption may be renewed (49 CFR 381.300(b)).

##### III. Request for Exemption

The Missouri DOR requested an exemption from 49 CFR 383.71(a)(2)(ii), which requires any person applying for a Commercial Learner's Permit (CLP) on or after July 8, 2015, to have taken and passed a general knowledge test that meets the Federal standards contained in subparts F, G and H of 49 CFR part 383 for the commercial vehicle group that person operates or expects to operate. The Missouri DOR requested an exemption from the knowledge test requirements for trained military truck drivers, in effect giving designated drivers credit for military training and experience.

The Missouri DOR provided a number of reasons for its application. It contends that qualified veterans who completed military heavy-vehicle driver training programs have already received numerous hours of classroom training, practical skills training, and one-on-one road training that are essential for safe driving. Other reasons for their request included:

- The hours of training in these military programs exceeds hours required by FMCSA's proposed entry-level driver training rule. The skill level required by military courses is comparable to that needed to pass the American Association of Motor Vehicle Administrators (AAMVA) 2005 CDL Test Model (amended 2010);
- Military personnel who complete specialized driver training are assigned duties where their driving skills are applied and used on a frequent basis, an obvious asset in civilian life; and
- The trucking industry predicts a growing shortage of new drivers. Providing this incentive will helpfully assist trained military truck drivers' transition into civilian jobs.

##### IV. Public Comments

On April 20, 2016, FMCSA published notice of this application and requested public comments (81 FR 23349). The Minnesota Department of Motor Vehicle Safety, the North Dakota Department of Transportation, and the Advocates for Highway and Auto Safety (Advocates) filed comments opposing the exemption. The North Dakota Department of Transportation stated that the exemption should not be granted until there are assurances that military training in lieu of the State knowledge test meets the requirements in 49 CFR 383.111, Required knowledge. The Minnesota Department of Motor Vehicle Safety suggested that, in lieu of granting this exemption