

**Note:** EL stands for efficiency level, E<sub>t</sub> stands for thermal efficiency, and SL stands for standby loss.

The energy conservation standards for residential-duty commercial water heaters adopted in the December 6, 2016 conversion factor final rule (*i.e.*, denominated in UEF and translated from the existing thermal efficiency and standby loss standards) are linear equations dependent on rated volume. Therefore, the converted UEF standard equations for residential-duty gas-fired storage water heaters presented in this NODA are consistent with this equation format. DOE based its methodology for developing UEF standard equations for more-stringent thermal efficiency and standby loss levels on the “representative model” method used for determining the converted standards

equations in terms of UEF in the December 6, 2016 conversion factor final rule, as outlined below. (See Docket EERE–2015–BT–TP–0007)

DOE developed UEF standard equations corresponding to each combination of thermal efficiency and standby loss levels that DOE selected in the TSLs analyzed in the May 2016 CWH ECS NOPR. DOE converted the thermal efficiency level and standby loss value to UEF for each identified rated volume on the market and for each draw pattern using the conversion factors adopted in the December 6, 2016 conversion factor final rule. (See Docket EERE–2015–BT–TP–0007) To develop the UEF standard equation for each

draw pattern and TSL, DOE used a linear regression between volume and UEF (*see* the December 6, 2016 conversion factor final rule for more details).

Table 4 shows the thermal efficiency and standby loss levels included in each TSL in the May 2016 CWH ECS NOPR for residential-duty commercial gas-fired storage water heaters. 81 FR 34440, 34504 (May 31, 2016). Table 5 shows the updated UEF standard equations, dependent on rated volume, that were developed for each TSL and draw pattern using the conversion factors adopted in the December 6, 2016 conversion factor final rule. (See Docket EERE–2015–BT–TP–0007)

**TABLE 4—TRIAL STANDARD LEVELS FROM THE MAY 2016 CWH ECS NOPR FOR RESIDENTIAL-DUTY GAS-FIRED STORAGE WATER HEATERS BY EFFICIENCY LEVEL**

	Trial standard level				
	0	1	2	3	4
Thermal Efficiency .....	80%	82%	90%	90%	97%
Standby Loss Reduction Factor .....	1.00	0.77	0.48	0.48	0.48

**TABLE 5—UPDATED UEF EQUATIONS FOR TRIAL STANDARD LEVELS FROM THE MAY 2016 CWH ECS NOPR FOR RESIDENTIAL-DUTY GAS-FIRED STORAGE WATER HEATERS**

Draw Pattern *	TSL 0	TSL 1	TSL 2	TSL 3	TSL 4
High .....	0.6597 – (0.0009 × Vr)	0.7205 – (0.0008 × Vr)	0.8107 – (0.0008 × Vr)	0.8107 – (0.0008 × Vr)	0.8675 – (0.0009 × Vr)
Medium .....	0.6002 – (0.0011 × Vr)	0.6749 – (0.0010 × Vr)	0.7686 – (0.0010 × Vr)	0.7686 – (0.0010 × Vr)	0.8192 – (0.0011 × Vr)
Low .....	0.5362 – (0.0012 × Vr)	0.6227 – (0.0012 × Vr)	0.7192 – (0.0012 × Vr)	0.7192 – (0.0012 × Vr)	0.7631 – (0.0013 × Vr)
Very Small ....	0.2674 – (0.0009 × Vr)	0.3590 – (0.0012 × Vr)	0.4459 – (0.0014 × Vr)	0.4459 – (0.0014 × Vr)	0.4622 – (0.0015 × Vr)

\* Draw pattern is a classification of hot water use of a consumer water heater or residential-duty commercial water heater, based upon the first-hour rating. The draw pattern is determined using the Uniform Test Method for Measuring the Energy Consumption of Water Heaters in appendix E to subpart B of 10 CFR Part 430.

**Note:** TSL 0 represents the baseline, and Vr is rated volume in gallons. UEF values were determined using the conversion factors adopted in the December 6, 2016 conversion factor final rule. (See Docket EERE–2015–BT–TP–0007).

**III. Issues on Which DOE Seeks Public Comment**

DOE is interested in receiving comments on the conversion of the thermal efficiency and standby loss levels for residential-duty gas-fired storage water heaters that were considered in the May 2016 CWH ECS NOPR to UEF levels and UEF standard equations using the conversion factors adopted by DOE in its December 6, 2016 final rule.

Issued in Washington, DC, on December 7, 2016.

**Kathleen B. Hogan,**  
Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

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**BILLING CODE 6450–01–P**

**FEDERAL ELECTION COMMISSION**

**11 CFR Parts 4, 5, 100, 110, 112, 113, and 300**

[Notice 2016–14]

**Technical Amendments and Corrections**

**AGENCY:** Federal Election Commission.  
**ACTION:** Correcting amendments.

**SUMMARY:** The Commission is making technical corrections to various sections of its regulations. These are non-substantive amendments to correct typographical errors, update references, and remove provisions that no longer apply.

**DATES:** Effective December 23, 2016.

**FOR FURTHER INFORMATION CONTACT:** Mr. Eugene Lynch, Paralegal, 999 E Street

NW., Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

**SUPPLEMENTARY INFORMATION:**

**Background**

The existing rules that are the subject of these corrections are part of the continuing series of regulations that the Commission has promulgated to implement the Presidential Election Campaign Fund Act, 26 U.S.C. 9001–13, and the Presidential Primary Matching Payment Account Act, 26 U.S.C. 9031–42 (collectively, the “Funding Acts”), and the Federal Election Campaign Act, 52 U.S.C. 30101–46 (“FECA”). The Commission is promulgating these corrections without advance notice or an opportunity for comment because they fall under the “good cause” exemption of the Administrative Procedure Act. 5 U.S.C. 553(b)(B). The

Commission finds that notice and comment are unnecessary here because these corrections are merely typographical and technical; they effect no substantive changes to any rule. For the same reason, these corrections fall within the “good cause” exception to the delayed effective date provisions of the Administrative Procedure Act and the Congressional Review Act. 5 U.S.C. 553(d)(3), 808(2).

Moreover, because these corrections are exempt from the notice and comment procedure of the Administrative Procedure Act under 5 U.S.C. 553(b), the Commission is not required to conduct a regulatory flexibility analysis under 5 U.S.C. 603 or 604. *See* 5 U.S.C. 601(2), 604(a). Nor is the Commission required to submit these revisions for congressional review under FECA or the Funding Acts. *See* 52 U.S.C. 30111(d)(1), (4) (providing for congressional review when Commission “prescribe[s]” a “rule of law”); 26 U.S.C. 9009(c)(1), (4), 9039(c)(1), (4) (same). Accordingly, these corrections are effective upon publication in the **Federal Register**.

#### **Corrections to FECA and Funding Act Rules in Chapter I of Title 11 of the Code of Federal Regulations**

##### *A. Correction to 11 CFR Chapter I*

The Commission has renamed a division within the agency. As a result, throughout 11 CFR chapter I, the Commission is replacing every instance of the phrase “Public Disclosure Division” with the phrase “Public Disclosure and Media Relations Division.”

##### *B. Correction to 11 CFR 100.94*

The Commission is correcting a typographical error in paragraph (b) of this section by adding a comma after the word “maintaining”. This comma was inadvertently omitted when the Commission promulgated this paragraph.

##### *C. Correction to 11 CFR 100.155*

The Commission is correcting a typographical error in paragraph (b) of this section by adding a comma after the word “creating” and a comma after the word “maintaining”. These commas were inadvertently omitted when the Commission promulgated this paragraph.

##### *D. Correction to 11 CFR 110.6*

The Commission is revising paragraphs (c)(2)(i) and (c)(2)(ii)(C) of this section to correctly note the reporting requirements for candidates and authorized committees receiving earmarked contributions from conduits

and intermediaries. These paragraphs currently state that candidates and authorized committees are required to report a conduit or intermediary forwarding earmarked contributions which, in the aggregate, exceed \$200 in “any calendar year.” In 1999, however, Congress amended FECA to require that authorized committees aggregate and report all receipts and disbursements by election cycle, rather than by calendar year. Treasury and General Government Appropriations Act of 2000, Public Law 106–58, sec. 641, 113 Stat. 430, 477 (1999). In 2000, the Commission implemented this legislation by amending § 104.3(c) of its regulations, Election Cycle Reporting by Authorized Committees, 65 FR 42619–21 (July 11, 2000), but inadvertently failed to update paragraphs (c)(2)(i) and (c)(2)(ii)(C) of § 110.6 to conform to the statute and to revised § 104.3. To correct that oversight, the Commission is amending the relevant portions of the text in paragraphs (c)(2)(i) and (c)(2)(ii)(C).

##### *E. Corrections to 11 CFR 113.2*

The Commission is removing paragraph (f) of this section because it is no longer applicable. Paragraph (f) describes the “personal use” rules, which concern the permissible non-campaign uses of campaign funds, that applied to Members of Congress serving in the 102d or an earlier Congress. Because this paragraph does not apply to any Members serving in the 103d or a later Congress, which includes all current and future Members of Congress, the Commission is removing paragraph (f).

##### *F. Corrections to 11 CFR 300.12*

The Commission is removing and reserving this section because it contains transitional rules that no longer apply. When the Commission enacted rules concerning the use of non-federal funds in 2002, the Commission also promulgated § 300.12, which outlined how and by what date national committees of political parties were to disburse non-federal funds received before November 6, 2002. Prohibited and Excessive Contributions: Non-Federal Funds or Soft Money, 67 FR 49064, 49091–92 (July 29, 2002); *see also* Bipartisan Campaign Reform Act, Public Law 107–155, sec. 402, 116 Stat. 81, 112–13 (2002). Since the deadline for the disbursement of these funds has long passed, this section is no longer necessary. Therefore, the Commission is removing and reserving this section. The Commission is also making conforming amendments by removing from § 300.1 two references to § 300.12.

##### *G. Correction to 11 CFR 300.13*

For the reasons discussed above regarding the removal of § 300.12, the Commission is also removing paragraphs (b) and (c) of § 300.13. Paragraph (b) directs national party committees to file termination reports disclosing the disposition of funds in non-federal accounts and building fund accounts by January 31, 2003. Paragraph (c) refers to reporting requirements for receipts and disbursements from national party committee non-federal accounts and building fund accounts for activity occurring between November 6 and December 31, 2002.

#### **List of Subjects**

##### *11 CFR Part 4*

Freedom of information.

##### *11 CFR Part 5*

Archives and records.

##### *11 CFR Part 100*

Elections.

##### *11 CFR Part 110*

Campaign funds, Political committees and parties.

##### *11 CFR Part 112*

Administrative practice and procedure, Elections.

##### *11 CFR Part 113*

Campaign funds, Political candidates.

##### *11 CFR Part 300*

Campaign funds, Nonprofit organizations, Political committees and parties, Political candidates.

For the reasons set out in the preamble, the Federal Election Commission amends 11 CFR chapter I as follows:

#### **PART 4—PUBLIC RECORDS AND THE FREEDOM OF INFORMATION ACT**

- 1. The authority citation for part 4 continues to read as follows:

**Authority:** 5 U.S.C. 552, as amended.

##### **§ 4.1 [Amended]**

- 2. Amend paragraph (f) of § 4.1 to remove “Public Disclosure Division” and add, in its place, “Public Disclosure and Media Relations Division”.

#### **PART 5—ACCESS TO PUBLIC DISCLOSURE AND MEDIA RELATIONS DIVISION DOCUMENTS**

- 3. The authority citation for part 5 continues to read as follows:

**Authority:** 52 U.S.C. 30108(d), 30109(a)(4)(B)(ii), 30111(a); 31 U.S.C. 9701.

■ 4. Revise the heading of part 5 to read as set forth above.

#### § 5.1 [Amended]

■ 5. Amend paragraph (f) of § 5.1 to remove “Public Disclosure Division” and add, in its place, “Public Disclosure and Media Relations Division”.

#### § 5.4 [Amended]

■ 6. Amend § 5.4 in paragraphs (a) introductory text and (c) by removing “Public Disclosure Division” and adding, in its place, “Public Disclosure and Media Relations Division”.

#### § 5.5 [Amended]

■ 7. Amend § 5.5 in paragraphs (a) and (c) by removing “Public Disclosure Division” and adding, in its place, “Public Disclosure and Media Relations Division”.

### PART 100—SCOPE AND DEFINITIONS (52 U.S.C. 30101)

■ 8. The authority citation for part 100 continues to read as follows:

**Authority:** 52 U.S.C. 30101, 30104, 30111(a)(8), and 30114(c).

#### § 100.94 [Amended]

■ 9. Amend paragraph (b) of § 100.94 to add a comma after the word “maintaining”.

#### § 100.155 [Amended]

■ 10. Amend paragraph (b) of § 100.155 to add a comma after the word “creating” and a comma after the word “maintaining”.

### PART 110—CONTRIBUTION AND EXPENDITURE LIMITATIONS AND PROHIBITIONS

■ 11. The authority citation for part 110 continues to read as follows:

**Authority:** 52 U.S.C. 30101(8), 30101(9), 30102(c)(2), 30104(i)(3), 30111(a)(8), 30116, 30118, 30120, 30121, 30122, 30123, 30124, and 36 U.S.C. 510.

#### § 110.6 [Amended]

■ 12. Amend § 110.6 in paragraphs (c)(2)(i) and (c)(2)(ii)(C) by removing “calendar year” and adding, in its place, “election cycle”.

### PART 112—ADVISORY OPINIONS (52 U.S.C. 30108)

■ 13. The authority citation for part 112 continues to read as follows:

**Authority:** 52 U.S.C. 30108, 30111(a)(8).

#### § 112.2 [Amended]

■ 14. Amend paragraph (b) of § 112.2 to remove “Public Disclosure Division”

and add, in its place, “Public Disclosure and Media Relations Division”.

### PART 113—PERMITTED AND PROHIBITED USES OF CAMPAIGN ACCOUNTS

■ 15. The authority citation for part 113 continues to read as follows:

**Authority:** 52 U.S.C. 30102(h), 30111(a)(8), 30114, and 30116.

#### § 113.2 [Amended]

■ 16. Remove paragraph (f) of § 113.2 and redesignate paragraph (g) as paragraph (f).

### PART 300—NON-FEDERAL FUNDS

■ 17. The authority citation for part 300 continues to read as follows:

**Authority:** 52 U.S.C. 30104(e), 30111(a)(8), 30116(a), 30125, and 30143.

#### § 300.1 [Amended]

■ 18. Amend § 300.1 as follows:

■ a. In paragraph (b)(1), remove the last sentence.

■ b. In paragraph (c)(1), remove the phrase “transition rules as BCRA takes effect.”

#### § 300.12 [Removed and Reserved]

■ 19. Remove and reserve § 300.12.

#### § 300.13 [Amended]

■ 20. Amend § 300.13 as follows:

■ a. Remove paragraphs (b) and (c).

■ c. Redesignate paragraph (a) as an undesignated paragraph and remove the paragraph heading.

Dated: December 12, 2016.

On behalf of the Commission.

**Matthew S. Petersen,**

*Chairman, Federal Election Commission.*

[FR Doc. 2016-30699 Filed 12-22-16; 8:45 am]

**BILLING CODE 6715-01-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### 12 CFR Part 4

[Docket ID OCC-2016-0033]

RIN 1557-AE12

### Availability of Information Under the Freedom of Information Act

**AGENCY:** Office of the Comptroller of the Currency

**ACTION:** Interim final rule.

**SUMMARY:** The Office of the Comptroller of the Currency (OCC) is amending its regulations governing the disclosure of

information pursuant to requests made under the Freedom of Information Act (FOIA) to reflect changes to the FOIA made by the FOIA Improvement Act of 2016 and the OPEN FOIA Act of 2009 and to make other technical changes that update the OCC’s FOIA regulations.

**DATES:** The interim final rule is effective on December 23, 2016. Comments on the rule must be received by February 21, 2017.

**ADDRESSES:** You may submit comments to the OCC by any of the methods set forth below. Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments through the Federal eRulemaking Portal or email, if possible. Please use the title “Availability of Information Under the Freedom of Information Act” to facilitate the organization and distribution of the comments. You may submit comments by any of the following methods:

- *Federal eRulemaking Portal*—“*Regulations.gov*”: Go to [www.regulations.gov](http://www.regulations.gov). Enter “Docket ID OCC-2016-0033” in the Search Box and click “Search.” Click on “Comment Now” to submit public comments.

- Click on the “Help” tab on the *Regulations.gov* home page to get information on using *Regulations.gov*, including instructions for submitting public comments.

- *Email:* [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov).

- *Mail:* Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW., Suite 3E-218, mail stop 9W-11, Washington, DC 20219.

- *Hand Delivery/Courier:* 400 7th Street SW., Suite 3E-218, mail stop 9W-11, Washington, DC 20219.

- *Fax:* (571) 465-4326.

**Instructions:** You must include “OCC” as the agency name and “Docket ID OCC-2016-0033” in your comment.

In general, the OCC will enter all comments received into the docket and publish them on the *Regulations.gov* Web site without change, including any business or personal information that you provide such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

You may review comments and other related materials that pertain to this rulemaking action by any of the following methods: