provides, the location of the information deleted.

(c) Denials of requests. If the NEH makes a determination to deny a request in any respect, the NEH will also notify the requester in writing of:

(1) The name and title or position of the person responsible for the denial;

(2) A brief statement of the reason(s) for the denial, including any FOIA exemption applied by the NEH in denying the request;

(3) An estimate of the volume of records or information withheld, if applicable, although such an estimate is not required if the volume is otherwise indicated through deletion on the records disclosed in part, or if providing such an estimate would harm an interest protected by an applicable exemption;

(4) The requester’s right to seek dispute resolution services from NEH’s FOIA Public Liaison or the Office of Government Information Services; and

(5) A statement that the requester may appeal the denial under §1171.10 and a description of the requirements to appeal.

5. Amend §1171.10 by revising paragraph (d)(4) to read as follows:

(d) * * *

§1171.11 Fees.

(a) Administrative appeals.

(1) The NEH may charge duplication fees, or, in the instances of requests from requesters described in paragraphs (b)(4) through (6) of this section, may charge search fees, or, in the case of requesters described in paragraphs (b)(4) through (6) of this section, may charge duplication fees, except as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) If NEH has determined that unusual circumstances, as defined by the FOIA, apply and NEH has provided timely written notice to the requester in accordance with the FOIA, a failure to comply with the time limit shall be excused for an additional ten (10) working days.

(ii) If NEH has determined that unusual circumstances, as defined by the FOIA, apply and more than 5,000 pages are necessary to respond to the request, NEH may charge search fees, or, in the case of requesters described in paragraphs (b)(4) through (6) of this section, may charge duplication fees, provided NEH provided timely written notice of unusual circumstances to the requester in accordance with the FOIA and NEH discussed with the requester via written mail, email, or telephone (or made not less than three good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with 5 U.S.C. 552(a)(6)(B)(ii).

(iii) If a court has determined that exceptional circumstances exist, as defined by the FOIA, a failure to comply with the time limits shall be excused for the length of time provided by the court order.

* * * * *


Elizabeth Voyatzis,
Deputy General Counsel.

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BILLING CODE 7535–01–P

FEDERAL MARITIME COMMISSION

46 CFR Part 502

[Docket No. 16–08]

RIN 3072–AC64

Rules of Practice and Procedure; Presentation of Evidence in Commission Proceedings; Correction of Corrections

AGENCY: Federal Maritime Commission.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the effective date of the final rule published in the Federal Register of December 22, 2016, concerning Presentation of Evidence in Commission Proceedings.


FOR FURTHER INFORMATION CONTACT: Rachel E. Dickon, Assistant Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20575–0001, Phone: (202) 523–5725, Email: secretary@fmc.gov.

SUPPLEMENTARY INFORMATION: The final rule published on December 22, 2016, 81 FR 93831, contained an incorrect effective date due to a typographical error. The correct effective date is January 27, 2017.

Corrections

In FR Rule Doc. 2016–30745, in the Federal Register of December 22, 2016 (81 FR 93831), the following correction is made:

1. On page 93831, in the first column, in the DATES section, correct “January 27, 2016” to read “January 27, 2017.”

Rachel E. Dickon,
Assistant Secretary.

[FR Doc. 2016–31412 Filed 12–30–16; 8:45 am]