

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 890

#### Access to Federal Employees Health Benefits (FEHB) for Employees of Certain Indian Tribal Employers

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Final rule; delay of the effective date.

**SUMMARY:** This rule delays the effective date of the final rule titled, *Access to Federal Employees Health Benefits (FEHB) for Employees of Certain Indian Tribal Employers*, published in the **Federal Register** on December 28, 2016, to a date 60 days from January 20, 2017. **DATES:** The effective date for the rule amending 5 CFR part 890 published at 81 FR 95397, December 28, 2016, is delayed until March 21, 2017.

**FOR FURTHER INFORMATION CONTACT:** Padma Shah, Policy Analysis Group by telephone (202) 606-0004.

**SUPPLEMENTARY INFORMATION:** On December 28, 2016, OPM published a rule, titled *Access to Federal Employees Health Benefits (FEHB) for Employees of Certain Indian Tribal Employers* (81 FR 95397), with an effective date of February 27, 2017. On January 20, 2017, the White House distributed a Memorandum for the Heads of Executive Departments and Agencies, titled *Regulatory Freeze Pending Review* (82 FR 8346, Jan. 24, 2017), from Reince Priebus, Assistant to the President and Chief of Staff. Pursuant to the memorandum, an agency was required to temporarily postpone, to a date 60 days from the date of the memorandum, the effective date of any rule, not excluded from the scope of the memorandum or otherwise excepted, that had been published in the **Federal Register** but had not yet taken effect. The rule referenced above, *Access to*

*Federal Employees Health Benefits (FEHB) for Employees of Certain Indian Tribal Employers*, falls within the scope of the January 20, 2017, memorandum. As a result, the purpose of this rule is to perform the required action of postponing the effective date of this rule to March 21, 2017.

U.S. Office of Personnel Management.

**Kathleen McGettigan,**

*Acting Director.*

[FR Doc. 2017-03305 Filed 2-17-17; 8:45 am]

**BILLING CODE 6325-39-P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### 7 CFR Parts 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 285

[FNS 2011-0008]

RIN 0584-AD87

#### Supplemental Nutrition Assistance Program (SNAP): Eligibility, Certification, and Employment and Training Provisions of the Food, Conservation and Energy Act of 2008; Extension of Effective Dates and Comment Period

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Final rule and interim final rule; delay of effective dates and extension of comment period.

**SUMMARY:** Consistent with the memorandum of January 20, 2017, to the heads of executive departments and agencies from the Assistant to the President and Chief of Staff entitled "Regulatory Freeze Pending Review", the Department of Agriculture's Food and Nutrition Service (FNS) is extending the effective dates and comment period for this rule, which was published January 6, 2017 and implements provisions of the Food, Conservation and Energy Act of 2008 (FCEA) affecting the eligibility, benefits, certification, and employment and training (E&T) requirements for applicant or participant households in the Supplemental Nutrition Assistance Program (SNAP).

**DATES:**

*Effective dates:* The effective date for the final rule published on January 6,

2017 (82 FR 2010) is delayed to May 8, 2017. The effective date for the amendments to 7 CFR 273.11(e) and 273.11(f), which were issued as an interim final rule, is delayed to June 5, 2017. The effective date for the amendments to 7 CFR 273.2(c)(1)(v) is delayed to March 9, 2018.

*Comment date:* FNS will consider comments from the public on the amendments to 7 CFR 273.11(e) and 273.11(f). Comments must be received at one of the addresses provided below. The comment date has been extended from March 7, 2017, to April 6, 2017.

**ADDRESSES:** FNS invites interested persons to submit comments on the interim rule provisions at 7 CFR 273.11(e) and 273.11(f). Comments may be submitted by one of the following methods:

- *Federal e-Rulemaking Portal:* Go to <http://www.regulations.gov>. Preferred method; follow the online instructions for submitting comments on docket FNS 2011-0008.

- *Fax:* Submit comments by facsimile transmission to: Sasha Gersten-Paal, Certification Policy Branch, Fax number 703-305-2486.

- *Mail:* Comments should be addressed to Sasha Gersten-Paal, Certification Policy Branch, 3101 Park Center Drive, Alexandria, VA 22302.

- *Hand Delivery or Courier:* Deliver comments to Sasha Gersten-Paal, Certification Policy Branch, 3101 Park Center Drive, Alexandria, VA 22302, Monday-Friday, 8:30 a.m.-5:00 p.m.

All comments submitted in response to the interim rule provision will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNS will make the comments publicly available on the Internet via <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Sasha Gersten-Paal, Branch Chief, Certification Policy Branch, Program Development Division, Food and Nutrition Service (FNS), 3101 Park Center Drive, Room 810, Alexandria, Virginia, 22302, (703) 305-2507, [sasha.gersten-paal@fns.usda.gov](mailto:sasha.gersten-paal@fns.usda.gov).

**SUPPLEMENTARY INFORMATION:** Consistent with the memorandum of January 20, 2017, to the heads of executive departments and agencies from the

Assistant to the President and Chief of Staff entitle “regulatory Freeze Pending Review”, FNS is delaying the effective dates by 60 days and extending the comment period by 30 days for this rule as noted under the **DATES** section to ensure that the public has sufficient time to review and comment on the rule.

The January 6, 2017 rule amends the SNAP regulations to: Exclude military combat pay from the income of SNAP households; raise the minimum standard deduction and the minimum benefit for small households; eliminate the cap on the deduction for dependent care expenses; index resource limits to inflation; exclude retirement and education accounts from countable resources; clarify reporting requirements under simplified reporting; permit States to provide transitional benefits to households leaving State-funded cash assistance programs; allow States to establish telephonic and gestured signature systems; permit States to use E&T funds to provide job retention services; and update requirements regarding the E&T funding cycle. These provisions are intended to more accurately reflect needs, reduce barriers to participation, and improve efficiency in the administration of the program. This rule also replaces outdated language in SNAP certification regulations with the new program name and updates procedures for accessing SNAP benefits in drug and alcohol treatment centers and group living arrangements with use of electronic benefit transfer (EBT) cards. This rule provides States with regulatory options for conducting telephone interviews in lieu of face-to-face interviews and for averaging student work hours.

Finally, the Department issued a portion of the rule as an interim final rule (with a request for additional comment) that will require that drug and alcohol treatment and group living arrangements (GLA) centers to: Submit completed change report forms to the State agency when a resident leaves the center; notify the State agency within 5 days when the center is not able to provide the resident with their EBT card at departure; and return EBT cards to residents with pro-rated benefits based up on the date of their departure.

To the extent that 5 U.S.C. 553(b)(A) applies to this action, it is exempt from notice and comment rulemaking for good cause and for reasons cited above, FNS finds that notice and solicitation of comment regarding the brief extension of the effective dates and comment period are impracticable, unnecessary, or contrary to the public interest pursuant to 5 U.S.C. 553(b)(B). FNS

believes that affected parties need to be informed as soon as possible of the extensions and their length.

Dated: February 8, 2017.

**Jessica Shahin,**

*Acting Administrator, Food and Nutrition Service.*

[FR Doc. 2017-03337 Filed 2-17-17; 8:45 am]

**BILLING CODE 3410-30-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2016-6426; Directorate Identifier 2016-NM-023-AD; Amendment 39-18791; AD 2017-02-12]**

**RIN 2120-AA64**

#### **Airworthiness Directives; The Boeing Company Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all The Boeing Company Model 737-300, -400, and -500 series airplanes. This AD was prompted by reports of intergranular cracks on the front spar chord lugs of the outboard horizontal stabilizer. This AD requires repetitive inspections of the front spar chord lugs and lug bores of the horizontal stabilizer, and repair if necessary. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective March 28, 2017.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of March 28, 2017.

**ADDRESSES:** For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H-65, Seattle, WA 98124-2207; telephone: 206-544-5000, extension 1; fax: 206-766-5680; Internet: <https://www.myboeingfleet.com>. You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-6426.

**Comments**

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA's response to each comment.

### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-6426; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800-647-5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

#### **FOR FURTHER INFORMATION CONTACT:**

Payman Soltani, Aerospace Engineer, Airframe Branch, ANM-120L, FAA, Los Angeles Aircraft Certification Office (ACO), 3960 Paramount Boulevard, Lakewood, CA 90712-4137; phone: 562-627-5313; fax: 562-627-5210; email: [Payman.Soltani@faa.gov](mailto:Payman.Soltani@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all The Boeing Company Model 737-300, -400, and -500 series airplanes. The NPRM published in the **Federal Register** on May 10, 2016 (81 FR 28774) (“the NPRM”). The NPRM was prompted by reports of intergranular cracks on the front spar chord lugs of the outboard horizontal stabilizer. The NPRM proposed to require repetitive inspections of the front spar chord lugs and lug bores of the horizontal stabilizer, and repair if necessary. We are issuing this AD to detect and correct cracking of the front spar chord lugs of the horizontal stabilizer. Such cracking could cause stabilizer instability, adversely affect controllability of the airplane, and adversely affect the structural integrity of the airplane.

#### **Comments**

We gave the public the opportunity to participate in developing this AD. The following presents the comments received on the NPRM and the FAA's response to each comment.

#### **Support for the NPRM**

Boeing had no objection to the NPRM.

#### **Effect of Winglets on Accomplishment of the Proposed Actions**

Aviation Partners Boeing stated that accomplishing Supplemental Type