

August 8, 2016 is *denied in part* to the extent described herein.

69. *It is further ordered* that, pursuant to section 1.429 of the Commission's rules, 47 CFR 1.429 the Petition for Reconsideration filed by ViaSat, Inc. on August 8, 2016 is *granted in part* to the extent described herein.

70. *It is further ordered* that the Commission shall send a copy of this Report and Order to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 2017-05468 Filed 3-20-17; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 270

[Docket No. FRA-2011-0060, Notice No. 5]

RIN 2130-AC31

#### System Safety Program

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation.

**ACTION:** Final rule; stay of regulations.

**SUMMARY:** On August 12, 2016, FRA published a final rule requiring commuter and intercity passenger railroads to develop and implement a system safety program (SSP) to improve the safety of their operations. On February 10, 2017, FRA stayed the SSP final rule's requirements until March 21, 2017. This document extends that stay until May 22, 2017.

**DATES:** Effective March 20, 2017, 49 CFR part 270 is stayed until May 22, 2017.

**FOR FURTHER INFORMATION CONTACT:** Matthew Navarrete, Trial Attorney, U.S. Department of Transportation, Federal Railroad Administration, Office of Chief Counsel; telephone: 202-493-0138; email: [Matthew.Navarrete@dot.gov](mailto:Matthew.Navarrete@dot.gov).

**SUPPLEMENTARY INFORMATION:** On August 12, 2016, FRA published a final rule requiring commuter and intercity passenger railroads to develop and implement an SSP to improve the safety of their operations. See 81 FR 53850. On February 10, 2017, FRA stayed the SSP final rule's requirements until March 21, 2017 consistent with the new Administration's guidance issued January 20, 2017, intended to provide the Administration an adequate opportunity to review new and pending

regulations. 82 FR 10443, Feb. 13, 2017. To provide time for that review, FRA needs to extend the stay until May 22, 2017.

FRA's implementation of this action without opportunity for public comment is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and 553(d)(3), in that seeking public comment is impracticable, unnecessary and contrary to the public interest. The delay in the effective date until May 22, 2017, is necessary to provide the opportunity for further review and consideration of this new regulation, consistent with the new Administration's January 20, 2017 guidance. Given the imminence of the effective date of the "System Safety Program" final rule, seeking prior public comment on this temporary delay would be impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

**Authority:** 49 U.S.C. 20103, 20106-20107, 20118-20119, 20156, 21301, 21304, 21311; 28 U.S.C. 2461, note; and 49 CFR 1.89.

Issued in Washington, DC, on March 15, 2017.

**Robert C. Lauby,**

*Associate Administrator for Railroad Safety and Chief Safety Officer.*

[FR Doc. 2017-05509 Filed 3-20-17; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### 49 CFR Parts 380, 383, and 384

[FMCSA-2007-27748]

RIN 2126-AB66

#### Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators

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

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

**SUMMARY:** In accordance with the Presidential directive as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review," this action temporarily delays, until May 22, 2017, the effective date of the final rule titled "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators," initially effective on February 6, 2017.

**DATES:** As of March 21, 2017, the effective date of the final rule published on December 8, 2016 (81 FR 88732), delayed until March 21, 2017 at 82 FR 8903 on February 1, 2017, is further delayed until May 22, 2017.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard Clemente, Driver and Carrier Operations (MC-PSD) Division, FMCSA, 1200 New Jersey Ave. SE., Washington, DC 20590-0001, by telephone at 202-366-4325, or by email at [MCPSD@dot.gov](mailto:MCPSD@dot.gov).

**SUPPLEMENTARY INFORMATION:** FMCSA bases this action on the Presidential directive as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review" (the January 20, 2017, memorandum). That memorandum directed the heads of Executive Departments and Agencies to temporarily postpone for 60 days from the date of the memorandum the effective dates of certain regulations that had been published in the **Federal Register**, but had not yet taken effect. Because the original effective date of the final rule published on December 8, 2016, fell within that 60-day window, the effective date of the rule was extended to March 21, 2017, in a final rule published on February 1, 2017 (82 FR 8903). Consistent with the memorandum of the Assistant to the President and Chief of Staff, and as stated in the February 1, 2017, final rule delaying the effective date, the Agency further delays the effective date of this regulation until May 22, 2017.

The Agency's implementation of this action without opportunity for public comment is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and 553(d)(3), in that seeking public comment is impracticable, unnecessary and contrary to the public interest. The delay in the effective date until May 22, 2017, is necessary to provide the opportunity for further review and consideration of this new regulation, consistent with the January 20, 2017, memorandum. Given the imminence of the effective date of the "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators" final rule, seeking prior public comment on this temporary delay would be impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

Issued under the authority of delegation in 49 CFR 1.87 on: March 15, 2017.

**Daphne Y. Jefferson,**  
Deputy Administrator.

[FR Doc. 2017-05525 Filed 3-20-17; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Parts 571 and 585

[Docket No. NHTSA-2016-0125]

RIN 2126-AK93

#### Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

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

**SUMMARY:** In accordance with the Presidential directive as expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” this action temporarily delays until May 22, 2017, the effective date of the final rule titled “Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles,” initially scheduled to become effective on February 13, 2017.

**DATES:** As of March 21, 2017, the effective date of the final rule published on December 14, 2016 (81 FR 90416), delayed on February 6, 2017 (82 FR 9368), is further delayed until May 22, 2017. The compliance date is September 1, 2018, with full phase in by September 1, 2019.

**FOR FURTHER INFORMATION CONTACT:** For legal issues, contact Tom Healy, Office of Chief Counsel, at (202) 366-2992. For non-legal issues, contact Mike Pyne, Office of Rulemaking, at (202) 366-4171.

**SUPPLEMENTARY INFORMATION:** NHTSA bases this action on the Presidential directive expressed in the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review” (the January 20, 2107 memorandum). That memorandum directed the heads of Executive Departments and Agencies to temporarily postpone for 60 days from the date of the memorandum the effective dates of certain regulations that had been published in the **Federal**

**Register**, but had not yet taken effect. Because the original effective date of the final rule published on December 14, 2016, fell within that 60-day window, the effective date of the rule was extended to March 21, 2017, in a final rule published on February 6, 2017 (82 FR 9368). Consistent with the memorandum of the Assistant to the President and Chief of Staff, and as stated in the February 6, 2017, final rule delaying the effective date, the Agency further delays the effective date of this regulation until May 22, 2017.

The Agency’s implementation of this action without opportunity for public comment is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and 553(d)(3), in that seeking public comment is impracticable, unnecessary and contrary to the public interest. The delay in the effective date until May 22, 2017, is necessary to provide the opportunity for further review and consideration of this new regulation, consistent with the January 20, 2017 memorandum. Given the imminence of the effective date of the “Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles” final rule, seeking prior public comment on this temporary delay would be impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

**Authority:** 49 U.S.C. 322, 30111, 30115, 30117, and 30116; delegation of authority at 49 CFR 1.95.

Issued on: March 16, 2017.

**Jack Danielson,**

Acting Deputy Administrator.

[FR Doc. 2017-05543 Filed 3-20-17; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 1206013412-2517-02]

RIN 0648-XF166

#### Reef Fish Fishery of the Gulf of Mexico; 2017 Recreational Accountability Measures and Closure for Gulf of Mexico Greater Amberjack

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; recreational quota reduction and closure.

**SUMMARY:** NMFS implements accountability measures (AMs) for the greater amberjack recreational sector in the exclusive economic zone (EEZ) of the Gulf of Mexico (Gulf) for the 2017 fishing year through this temporary rule. NMFS has determined that the 2016 recreational annual catch limit (ACL) for Gulf greater amberjack was exceeded; therefore, NMFS reduces the greater amberjack recreational ACL and annual catch target (ACT) in 2017. NMFS has also determined that the reduced recreational ACT for Gulf greater amberjack will be reached by March 24, 2017. Therefore, the greater amberjack recreational season in the Gulf EEZ will close on March 24, 2017. This closure is necessary to protect the Gulf greater amberjack resource.

**DATES:** This rule is effective from 12:01 a.m., local time, March 24, 2017, until 12:01 a.m., local time, on January 1, 2018.

**FOR FURTHER INFORMATION CONTACT:**

Kelli O’Donnell, NMFS Southeast Regional Office, telephone: 727-824-5305, email: [kelli.odonnell@noaa.gov](mailto:kelli.odonnell@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS manages the Gulf reef fish fishery, which includes greater amberjack, under the Fishery Management Plan for the Reef Fish Resources of the Gulf (FMP). The Gulf of Mexico Fishery Management Council (Council) prepared the FMP and NMFS implements the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All greater amberjack weights discussed in this temporary rule are in round weight.

The 2017 recreational ACL for Gulf greater amberjack specified in 50 CFR 622.41(a)(2)(iii) is 1,255,600 lb (569,531 kg) and the recreational ACT specified in 50 CFR 622.39(a)(2)(ii) is 1,092,372 lb (495,492 kg). However, NMFS has determined that in 2016, the recreational harvest of greater amberjack exceeded the 2016 recreational ACL by 756,631 lb (343,202 kg). Under 50 CFR 622.41(a)(2)(ii), NMFS is required to reduce the recreational ACT and the recreational ACL for greater amberjack in the year following an overage of the recreational ACL, by the amount of any recreational overage in the prior fishing year. Therefore, NMFS reduces the recreational ACL for greater amberjack in 2017 to 498,969 lb (226,329 kg) and the recreational ACT to 335,741 lb (152,290 kg).

Under 50 CFR 622.41(a)(2)(i), NMFS is required to close the recreational sector for greater amberjack when the recreational ACT is reached, or is