

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

### Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* Prevent All Cigarette Trafficking (PACT) Act Registration Form.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: ATF F 5070.1.

*Component:* Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

*Primary:* Business or other for-profit.  
*Other:* None.

*Abstract:* The form is required for any person who sells, transfers, or ships for profit cigarettes or smokeless tobacco in interstate commerce, whereby such cigarettes or smokeless tobacco are shipped into a State, locality, or Indian country of an Indian tribe taxing the sale or use of cigarettes or smokeless tobacco, or who advertises or offers cigarettes or smokeless tobacco for such a sale, transfer, or shipment, shall file first with the Attorney General of the United States.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 400 respondents will utilize the form, and it will take each respondent approximately 1 hour to complete the form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 400 hours, which is equal to (400 (# of respondents) \* 1 (hourly rate to complete the form)).

(7) *An Explanation of the Change in Estimates:* This revision is due to ATF's most recent figures regarding the

number of affected businesses annually, which have resulted in a decrease of respondents from 3,000 to 400, and a reduction in burden hours from 3,000 to 400. The wage rate is also updated to the September 2016 BLS wage rate, and also reflects a reduction in the burden costs for this collection from \$42,000 to \$9,396.

*If additional information is required contact:* Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: May 19, 2017

**Melody Braswell,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. James F. Jerge, Jr.*, Case Number 1:17-cv-00428, was lodged with the United States District Court for the Western District of New York on May 17, 2017.

This proposed Consent Decree concerns a complaint filed by the United States against James F. Jerge, Jr., pursuant to Sections 301(a) and 404 of the Clean Water Act, 33 U.S.C. 1311(a) and 1344, to obtain injunctive relief from and impose civil penalties against the Defendant for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States and failing to comply with the terms and conditions of a permit issued by the Department of the Army. The proposed Consent Decree resolves these allegations by requiring the Defendant to restore impacted areas, perform mitigation, and pay a civil penalty.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Amy N. Okereke, Assistant United States Attorney, United States Attorney's Office for the Western District of New York, 138 Delaware Avenue, Buffalo, NY 14202 and refer to *United States v. James F. Jerge, Jr.*, DJ # 90-5-1-1-20429.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Western District of New York, 2 Niagara Square, Buffalo, NY 14202. In addition, the proposed Consent Decree may be examined electronically at <http://www.justice.gov/enrd/consent-decrees>.

**Cherie L. Rogers,**

*Assistant Section Chief, Environmental Defense Section, Environment and Natural Resources Division.*

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## OFFICE OF MANAGEMENT AND BUDGET

### OMB Final Sequestration Report to the President and Congress for Fiscal Year 2017

**AGENCY:** Executive Office of the President, Office of Management and Budget.

**ACTION:** Notice of availability of the OMB Final Sequestration Report to the President and Congress for FY 2017.

**SUMMARY:** OMB is issuing its Final Sequestration Report to the President and Congress for FY 2017 to report on compliance of enacted 2017 discretionary appropriations legislation with the discretionary caps. The report finds that enacted appropriations are within the current law defense and non-defense discretionary limits for 2017; therefore, a sequestration of discretionary budget authority is not required. The report also finds that enacted supplemental appropriations for 2016 are within the 2016 caps.

**DATES:** *Effective* May 22, 2016. Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, requires the Office of Management and Budget (OMB) to issue its Final Sequestration Report 15 calendar days after the end of a congressional session. With regard to this final report and to each of the three required sequestration reports, section 254(b) specifically states the following:

**SUBMISSION AND AVAILABILITY OF REPORTS.**—Each report required by this section shall be submitted, in the case of CBO, to the House of Representatives, the Senate and OMB and, in the case of OMB, to the House of Representatives, the Senate, and the President on the day it is issued. On the following day a notice of the report shall be printed in the **Federal Register**.

However, a provision in the 2017 Continuing Resolution, which was in place until May 5, 2017, delayed the release of this report until 15 days after