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Contents

Federal Register

Vol. 82, No. 101

Friday, May 26, 2017

Agricultural Marketing Service
PROPOSED RULES
Marketing and Referendum Orders; Amendments:
Walnuts Grown in California, 24255–24257

Agriculture Department
See Agricultural Marketing Service
See Animal and Plant Health Inspection Service
See Forest Service
See National Institute of Food and Agriculture
See Rural Housing Service

Animal and Plant Health Inspection Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
U.S. Origin Health Certificate, 24275–24276

Centers for Medicare & Medicaid Services
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24350–24351

Coast Guard
RULES
Drawbridge Operations:
Cerritos Channel, Long Beach, CA, 24249
Charles River, Boston, MA, 24248
Lake Champlain, North Hero Island, VT, 24248
Neponset River, Boston, MA, 24249

Commerce Department
See Economic Analysis Bureau
See Industry and Security Bureau
See International Trade Administration
See National Oceanic and Atmospheric Administration
See Patent and Trademark Office

Committee for Purchase From People Who Are Blind or Severely Disabled
NOTICES
Procurement List; Additions and Deletions, 24308–24310

Defense Department
See Engineers Corps
See Navy Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24310
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Service Contracts Reporting Requirements, 24349–24350
Arms Sales, 24310–24325

Economic Analysis Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Survey: Expenditures Incurred by Recipients of Biomedical Research and Development Awards from the National Institutes of Health, 24290–24291

Education Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Integrated Partner Management System, 24328–24329
National Assessment of Educational Progress 2017–2019, 24328
Applications for New Awards:
Supporting Effective Educator Development Program; Correction, 24327

Energy Department
See Energy Efficiency and Renewable Energy Office
See Federal Energy Regulatory Commission
RULES
Energy Conservation Program:
Energy Conservation Standards for Dedicated-Purpose Pool Pumps, 24218–24221
Energy Conservation Standards for Miscellaneous Refrigeration Products, 24214–24218
Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps, 24211–24214
NOTICES
Meetings:
Nuclear Energy Advisory Committee, 24329

Energy Efficiency and Renewable Energy Office
NOTICES
Petitions for Waivers:
AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc., 24330–24336

Engineers Corps
NOTICES
Environmental Impact Statements; Availability, etc.:
Ala Wai Canal Project, Oahu, HI, 24325–24326

Environmental Protection Agency
NOTICES
Environmental Impact Statements; Availability, 24345
Meetings:
Great Lakes Advisory Board, 24344–24345
Proposed Modeling Approaches for a Health-Based Benchmark for Lead in Drinking Water-Final List of Peer Reviewers, Final Charge Questions and Notice of the Public Peer Review Meeting, 24345–24346

Federal Aviation Administration
RULES
Airworthiness Directives:
Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines, 24236–24239
Stemme AG Gliders, 24239–24241
Class D Airspace; Amendments:
Kingsville, TX, 24241–24242
Special Conditions:
Airbus, Model A330–300 Series Airplanes; Non-Rechargeable Lithium Battery Installations, 24228–24230
Embraer S. A., Model EMB–550 Airplane; Non-Rechargeable Lithium Battery Installations, 24222–24224

Textron Aviation Inc., Model 680 Airplane; Non-Rechargeable Lithium Battery Installations, 24225–24227
Textron Aviation Inc., Model 700 Airplane; Non-Rechargeable Lithium Battery Installations, 24231–24233
The Boeing Company, Model 787–9 Series Airplanes; Non-Rechargeable Lithium Battery Installations, 24233–24236
PROPOSED RULES
Airworthiness Directives:
B/E Aerospace Protective Breathing Equipment Part Number 119003–11 and Part Number 119003–21, 24260–24262
Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines, 24257–24260
Rolls-Royce plc Turbofan Engines, 24262–24264
Class D and Class E Airspace; Amendments:
Fort Knox, KY, and Louisville, KY, 24269–24271
New Bern, NC, 24265–24266
Class E Airspace and Establishment of Class E Airspace; Amendments:
Midland, TX; Odessa, TX and Midland, TX, 24266–24268
Class E Airspace; Amendments:
Oskaloosa, IA, 24271–24273
Class E Airspace; Establishments:
Ashburn, GA, 24273–24274
Johnson City, TN, 24268–24269

Federal Emergency Management Agency
NOTICES
Flood Hazard Determinations; Changes, 24371–24377

Federal Energy Regulatory Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24336–24338
Applications:
Duke Energy Indiana, LLC, 24342
Texas Gas Transmission, LLC; Revision of Comment Date, 24341–24342
Combined Filings, 24338–24343
Hydroelectric Applications:
Lyonsdale Associates, LLC, 24343–24344
Meetings:
PJM Interconnection, LLC, Midcontinent Independent System Operator, Inc., PJM Transmission Owners; Workshop, 24339
Reliability Technical Conference, 24344

Federal Housing Finance Agency
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24346–24349

Federal Motor Carrier Safety Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Hazardous Materials Safety Permits, 24433–24434
Meetings:
Motor Carrier Safety Advisory Committee, 24437–24438
Qualification of Drivers; Exemption Applications:
Diabetes, 24434–24437
Diabetes Mellitus, 24438–24445
Epilepsy and Seizure Disorders, 24432–24433
Vision, 24427–24432

Fish and Wildlife Service
NOTICES
Endangered Species Permits; Applications, 24381–24383

Food and Drug Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Adverse Event Program for Medical Devices, 24356
Applications for Food and Drug Administration Approval to Market a New Drug, 24351–24356
Import Trade Auxiliary Communication System, 24357

Forest Service
NOTICES
Meetings:
Black Hills National Forest Advisory Board, 24279
Columbia County Resource Advisory Committee, 24276
Deschutes Provincial Advisory Committee, 24277–24278
Lyon-Mineral Resource Advisory Committee, 24277
New Fee Sites, 24276–24279
New Fee Sites:
Federal Lands Recreation Enhancement Act, 24276

General Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Service Contracts Reporting Requirements, 24349–24350

Health and Human Services Department
See Centers for Medicare & Medicaid Services
See Food and Drug Administration
See National Institutes of Health
See Substance Abuse and Mental Health Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24358

Homeland Security Department
See Coast Guard
See Federal Emergency Management Agency
See U.S. Customs and Border Protection
See U.S. Immigration and Customs Enforcement

Housing and Urban Development Department
NOTICES
Proposed Changes to the Methodology Used for Estimating Fair Market Rents, 24377–24381

Indian Affairs Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Home-Living Programs and School Closure and Consolidation, 24384
Job Placement and Training Services, 24383–24384

Industry and Security Bureau
RULES
Addition of Certain Persons and Revisions to Entries on the Entity List, 24242–24248

Interior Department
See Fish and Wildlife Service
See Indian Affairs Bureau
See Land Management Bureau

See National Park Service
See Ocean Energy Management Bureau

Internal Revenue Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24447–24453

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
100- To 150-Seat Large Civil Aircraft from Canada, 24292–24296
Certain Helical Spring Lock Washers from the People's Republic of China and Taiwan, 24301–24302
Certain Oil Country Tubular Goods from India, 24291–24292
Circular Welded Carbon Steel Pipes and Tubes from Turkey, 24301
Duty-Free Entry of Scientific Instruments; Applications:
University of California, Riverside, et al.; Electron Microscope, 24291
Less-Than-Fair-Value Investigations:
100- To 150-Seat Large Civil Aircraft from Canada, 24296–24301

International Trade Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery, 24398–24400
Complaints:
Certain Bar Code Readers, Scan Engines, Products Containing the Same, and Components Thereof, 24397–24398
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Krill Oil Products and Krill Meal for Production of Krill Oil Products; Termination of the Investigation, 24400

Land Management Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24389–24390
Environmental Impact Statements; Availability, etc.:
Proposed Craters of the Moon National Monument and Preserve Monument Management Plan Amendment; Idaho, 24387–24389
Realty Actions:
Competitive Sale of 17 Parcels of Public Land in Clark County, NV, 24384–24387

National Aeronautics and Space Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24400–24401
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Service Contracts Reporting Requirements, 24349–24350

National Capital Planning Commission
NOTICES
Submission Guidelines:
Development Proposals Subject to Statutorily-Mandated Plan and Project Review, 24401

National Institute of Food and Agriculture
NOTICES
Solicitation of Commodity Board Topics and Contribution of Funding Under the Agriculture and Food Research Initiative Competitive Grants Program, 24279–24281

National Institutes of Health
NOTICES
Meetings:
Center for Scientific Review, 24358–24363
National Cancer Institute, 24358
National Institute of Allergy and Infectious Diseases, 24359
National Institute of Environmental Health Sciences, 24363
National Institute of Mental Health, 24359
National Institute of Nursing Research, 24360
National Institute on Aging, 24363

National Oceanic and Atmospheric Administration
RULES
Fisheries of the Exclusive Economic Zone Off Alaska:
Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area, 24253–24254
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Processed Products Family of Forms, 24306
Endangered and Threatened Species:
Takes of Anadromous Fish, 24304–24306
Meetings:
Mid-Atlantic Fishery Management Council, 24303
New England Fishery Management Council, 24303, 24306–24307
Science Advisory Board, 24303–24304
Western Pacific Fishery Management Council, 24302

National Park Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Backcountry/Wilderness Use Permit, 24392–24393
National Capital Region Application for Public Gathering, 24395–24396
National Park Service Leasing Program, 24390–24392
The Interagency Access Pass and Senior Pass Application Processes, 24394–24395

National Science Foundation
NOTICES
Meetings:
Business and Operations Advisory Committee, 24401–24402
Proposal Review Panel for Physics, 24402

National Women's Business Council
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24402–24403

Navy Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24326–24327

Nuclear Regulatory Commission
NOTICES
Meetings; Sunshine Act, 24403

Ocean Energy Management Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Project Planning for Use of OCS Sand, Gravel, and Shell Resources in Construction Projects that Qualify for a Negotiated Noncompetitive Agreement, 24396–24397

Overseas Private Investment Corporation
NOTICES
Meetings; Sunshine Act, 24403–24404

Patent and Trademark Office
RULES
July 2017 Revision of Patent Cooperation Treaty Procedures, 24249–24253
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Trademark Trial and Appeal Board Actions, 24307–24308
Patent Term Extensions:
LOCILEX (pexiganan), 24307

Personnel Management Office
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Life Insurance Election, 24404

Postal Service
NOTICES
Product Changes:
Priority Mail Negotiated Service Agreement, 24404

Presidential Documents
ADMINISTRATIVE ORDERS
Balanced Budget and Emergency Deficit Control Act; Sequestration Order for Fiscal Year 2018 (Order of May 23, 2017), 24209

Rural Housing Service
NOTICES
Requests for Applications:
Rural Community Development Initiative for Fiscal Year 2017, 24281–24290

Securities and Exchange Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24405–24406, 24411–24412
Applications:
Corporate Capital Trust, Inc., et al., 24418–24424
TICC Capital Corp., et al., 24406–24411
Self-Regulatory Organizations; Proposed Rule Changes:
Chicago Board Options Exchange, Inc., 24417–24418
Chicago Stock Exchange, Inc., 24412–24417

Small Business Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24424

State Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Request for Advisory Opinion, 24425–24427
Culturally Significant Objects Imported for Exhibition:
Richard Gerstl Exhibition, 24425
Designations as Global Terrorists:
Hashem Safieddine, aka Hashem Safi al-Din, aka Hashem Safi a-Din, aka Hashim Safi al Din, aka Hashim Safi Al-Din, aka Hashim Safieddine, 24425
Muhammad Ahmad 'Ali al-Isawi, aka Abu Osama al-Masri, aka Abu Usamah al-Masri, 24425
Determination and Certification Under Section 40A of the Arms Export Control Act, 24424
Meetings:
U.S. National Commission for UNESCO, 24424

Substance Abuse and Mental Health Services Administration
NOTICES
Meetings:
Center for Substance Abuse Treatment, 24363

Transportation Department
See Federal Aviation Administration
See Federal Motor Carrier Safety Administration
NOTICES
Funding Availability:
University Transportation Centers Program, 24445–24447

Treasury Department
See Internal Revenue Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24453–24454

U.S. Customs and Border Protection
NOTICES
Commercial Gaugers and Laboratories; Accreditations and Approvals:
AmSpec Services, LLC, 24365–24367
Inspectorate America Corp., 24364–24365, 24367–24370
Nexeo Solutions LLC, 24366
Saybolt LP, 24364, 24368–24369
Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties, 24370–24371

U.S. Immigration and Customs Enforcement
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 24377

U.S.-China Economic and Security Review Commission
NOTICES
Hearings, 24454

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, and notice of recently enacted public laws.

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CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

Administrative Orders:

Order of May 23, 2017 24209

7 CFR

Proposed Rules:

984.....24255

10 CFR

430 (2 documents) 24211, 24214

431.....24218

14 CFR

25 (5 documents) 24222, 24225, 24228, 24231, 24233

39 (2 documents) 24236, 24239

71.....24241

Proposed Rules:

39 (3 documents) 24257, 24260, 24262

71 (6 documents) 24265, 24266, 24268, 24269, 24271, 24273

15 CFR

744.....24242

33 CFR

117 (4 documents) 24248, 24249

37 CFR

1.....24249

50 CFR

679.....24253

Federal Register
Vol. 82, No. 101
Friday, May 26, 2017

Presidential Documents

Title 3—

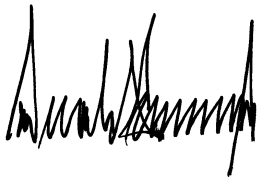
The President

Order of May 23, 2017

Sequestration Order for Fiscal Year 2018 Pursuant to Section 251A of the Balanced Budget and Emergency Deficit Control Act, as Amended

By the authority vested in me as President by the laws of the United States of America, and in accordance with section 251A of the Balanced Budget and Emergency Deficit Control Act (the ''Act''), as amended, 2 U.S.C. 901a, I hereby order that, on October 1, 2017, direct spending budgetary resources for fiscal year 2018 in each non-exempt budget account be reduced by the amount calculated by the Office of Management and Budget in its report to the Congress of May 23, 2017.

All sequestrations shall be made in strict accordance with the requirements of section 251A of the Act and the specifications of the Office of Management and Budget's report of May 23, 2017, prepared pursuant to section 251A(9) of the Act.



THE WHITE HOUSE,
May 23, 2017.

[FR Doc. 2017–11076
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Billing code 3295–F7–P

Rules and Regulations

Federal Register
Vol. 82, No. 101
Friday, May 26, 2017

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DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2014–BT–STD–0048]

RIN 1904–AD37

Energy Conservation Program: Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Confirmation of effective date and compliance date for direct final rule.

SUMMARY: On January 6, 2017, the U.S. Department of Energy (''DOE'') published in the **Federal Register** a direct final rule to establish new energy conservation standards for residential central air conditioners and heat pumps. DOE has determined that the comments received in response to that direct final rule do not provide a reasonable basis for withdrawing it. Therefore, DOE is providing notice confirming the adoption of the energy conservation standards established in that direct final rule and announces the effective dates of those standards.

DATES: The direct final rule for residential air conditioners and heat pumps published on January 6, 2017 (82 FR 1786) became effective on May 8, 2017. Compliance with the residential air conditioners and heat pumps standards in the direct final rule will be required on January 1, 2023.

ADDRESSES: The docket for this rulemaking, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket Web page can be found at *https://www.regulations.gov/docket?D=EERE-2014-BT-STD-0048.* The docket web page contains simple instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket, contact the Appliance and Equipment Standards Program staff at (202) 586–6636 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT:

Mr. Antonio Bouza, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–4563. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Ms. Johanna Jochum, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 287–6307. Email: *Johanna.Jochum@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

I. Authority

As amended by the Energy Efficiency Improvement Act of 2015, Public Law 114–11 (April 30, 2015), the Energy Policy and Conservation Act (''EPCA'' or, in context, ''the Act''), Public Law 94–163 (42 U.S.C. 6291–6309, as codified), authorizes DOE to issue a direct final rule establishing an energy conservation standard for a product on receipt of a statement submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates) as determined by the Secretary of Energy (''Secretary''). That statement must contain recommendations with respect to an energy or water conservation standard that are in accordance with the provisions of 42 U.S.C. 6295(o) or 42 U.S.C. 6313(a)(6)(B), as applicable. A notice of proposed rulemaking (''NOPR'') that proposes an identical energy efficiency standard must be published simultaneously with the direct final rule and a public comment period of at least 110 days provided. 42 U.S.C. 6295(p)(4). Not later than 120 days after issuance of the direct final rule, if DOE receives one or more adverse comments or an alternative joint recommendation is received relating to the direct final rule, the Secretary must determine whether the comments or alternative recommendation may provide a reasonable basis for withdrawal under 42 U.S.C. 6295(o) or other applicable law.

When making a determination whether to withdraw a direct final rule, DOE considers the substance, rather than the quantity, of comments. To this end, DOE weighs the substance of any adverse comment(s) received against the anticipated benefits of the consensus recommendations and the likelihood that further consideration of the comment(s) would change the results of the rulemaking. DOE notes that to the extent an adverse comment had been previously raised and addressed in the rulemaking proceeding, such a submission will not typically provide a basis for withdrawal of a direct final rule. If the Secretary makes such a determination, DOE must withdraw the direct final rule and proceed with the simultaneously published NOPR. DOE must publish in the **Federal Register** the reasons why the direct final rule was withdrawn.

DOE determined that it did not receive any adverse comments providing a basis for withdrawal as described above for the direct final rule that is the subject of this document—residential central air conditioners (''CACs'') and heat pumps (''HPs''). As such, DOE did not withdraw the direct final rule and allowed it to go final on its effective date. Although not required under EPCA, DOE customarily publishes a summary of the comments received during the 110-day comment period and its responses to those comments.[1] This document contains such a summary, as well as DOE's responses.

II. Background

During the rulemaking proceeding to consider amended energy conservation standards for CACs and HPs, DOE received a statement submitted by an Appliance Standards and Rulemaking Federal Advisory Committee

[1] *See, e.g.,* Notice of effective date and compliance dates for direct final rule, 76 FR 67037 (Oct. 31, 2011).

(''ASRAC'') that a consensus had been reached by a negotiated rulemaking working group for CACs and HPs (the ''the CAC/HP Working Group'' or, in context, the ''Working Group''). The CAC/HP Working Group consisted of 15 members, including one member from ASRAC and one DOE representative, with the balance comprising representatives of manufacturers of the covered products at issue, efficiency advocates, and utility representatives. The CAC/HP Working Group submitted to ASRAC a Term Sheet, that, in the commenters' view, would satisfy the EPCA requirements at 42 U.S.C. 6295(o), and ASRAC voted unanimously to adopt these consensus recommendations. (CAC/HP Term Sheet, Docket No. EERE–2014–BT–STD–0048, No. 0076)

After careful consideration of the Term Sheet related to amended energy conservation standards for CACs and HPs, the Secretary has determined that the recommendations contained therein are compliant with 42 U.S.C. 6295(o), and were submitted by interested persons who are fairly representative of relevant points of view on this matter, as required by 42 U.S.C. 6295(p)(4)(A)(i) for the issuance of a direct final rule.

DOE conducted separate test procedure rulemakings simultaneously with the energy conservation standard rulemaking to amend the DOE central air conditioners and heat pumps test procedure. As per the request of the CAC/HP Working Group, the analyses documented in this direct final rule are based on the DOE test procedure at the time of the 2015–2016 Negotiations. Efficiency levels selected on the basis of these analyses were then translated to efficiency levels based on the amended test procedure. This methodology was first advocated by Carrier/United Technologies Corporation (''UTC'') and adopted by stakeholders during the Negotiations. (ASRAC Public Meeting, No. 87 at p. 48) This methodology is also reflected in the CAC/HP Term Sheet. Thus, DOE notes that while amended standard levels presented in Table III–1 in this notice (and in the Table I–1 of the direct final rule) are in terms of the test procedure that was in place at the time of the CAC/HP Working Group Negotiations, the standard levels added to the regulatory text are in terms of the test procedure as amended.

Ultimately, DOE found that the standard levels recommended in the Term Sheet would result in significant energy savings and are technologically feasible and economically justified. Table II–1 documents the amended standards for central air conditioners and heat pumps based on the DOE test procedure at the time of the 2015–2016 Negotiations. The amended standards correspond to the recommended trial standard level (''TSL'') and are expressed in terms of Seasonal Energy Efficiency Ratio (''SEER''), Energy Efficiency Ratio (''EER''), and Heating Seasonal Performance Factor (''HSPF''). The amended standards are the same as those recommended by the Working Group. These amended standards will apply to all central air conditioners and heat pumps listed in Table II–1 and manufactured in, or imported into, the United States starting on January 1, 2023. The amended standards listed in Table II–1 will result in less energy consumption for these products than the current standards, which remain in effect until January 1, 2023.

TABLE II–1—AMENDED ENERGY CONSERVATION STANDARDS FOR RESIDENTIAL CENTRAL AIR CONDITIONERS AND HEAT PUMPS BASED ON THE DOE TEST PROCEDURE AT THE TIME OF THE 2015–2016 NEGOTIATIONS

[Recommended TSL]

Product class	National		Southeast *	Southwest **	
	SEER	HSPF	SEER	SEER	EER
Split-System Air Conditioners with a Certified Cooling Capacity <45,000 Btu/h	14	.....	15	15	*** 12.2/10.2
Split-System Air Conditioners with a Certified Cooling Capacity ≥45,000 Btu/h	14	.....	14.5	14.5	*** 11.7/10.2
Split-System Heat Pumps	15	8.8	.....	.....	.....
Single-Package Air Conditioners †	14	.....	.....	.....	11.0
Single-Package Heat Pumps †	14	8.0	.....	.....	.....
Space-Constrained Air Conditioners †	12	.....	.....	.....	.....
Space-Constrained Heat Pumps †	12	7.4	.....	.....	.....
Small-Duct High-Velocity Systems †	12	7.2	.....	.....	.....

* Southeast includes: The states of Alabama, Arkansas, Delaware, Florida, Georgia, Hawaii, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, Puerto Rico, South Carolina, Tennessee, Texas, Virginia, the District of Columbia, and the U.S. territories.

** Southwest includes the states of Arizona, California, Nevada, and New Mexico.

*** The 10.2 EER amended energy conservation standard applies to split-system air conditioners with a seasonal energy efficiency ratio greater than or equal to 16.

† The energy conservation standards for single-package, small-duct high-velocity and space-constrained product classes remain unchanged from current levels.

III. Comments on the CAC/HP Direct Final Rule

Of the 24 substantive comments received in response to the direct final rule, 20 were from interested parties that expressed support for the direct final rule and its outcome. (All comments are available for public viewing at *https://www.regulations.gov/docket?D=EERE-2014-BT-STD-0048.*) Among these commenters, eight manufacturers and one trade group all commented positively on finalizing the rule based on manufacturing certainty.

Three consumer groups, three utility representatives, three State representatives, and six environmental advocacy groups all commented in support of the significant economic benefits to consumers and ratepayers that the direct final rule would provide. In particular, the three consumer groups stated that that withdrawing the rule would increase the cost to taxpayers in initiating further rulemaking activity. The consumer groups also pointed out that life-cycle cost savings published in the direct final rule are realized in every region of the country and that total cost of ownership is lower with the amended standard. The utility representatives, states, and environmental advocates agreed, observing that the lower standard in the northern climate would alleviate costs to those customers, while the EER requirement in the hot

southwest would reduce stress on the grid and other reliability problems with peak demand. The environmental advocates suggested that DOE had underestimated the benefits of the rule to consumers, due to the alignment of the refrigerant phase-outs.

Other interested parties submitted comments that did not support the CAC/HP direct final rule. The following sections discuss these specific comments and DOE's determination that the comments do not provide a reasonable basis for withdrawal of the direct final rule.

A. Manufactured Housing

DOE received a comment from a manufacturer that attended many of the Working Group meetings. The manufacturer stated in its comments that it supported the rule generally but that the Working Group and the direct final rule should have excluded manufactured housing air conditioners based on the niche nature of the product and the potential inability of these products to meet the adopted efficiency levels. In response, DOE notes that the Working Group discussed this issue in detail. In recognition of the unique installation characteristics of manufactured home products that impact efficiency, the Working Group agreed to amend the accompanying test procedure to the direct final rule to require a lower default fan power value for manufactured homes (406 W/1000 CFM) compared to more conventional products addressed by the direct final rule (*i.e.* split systems). This difference will enable manufacturers of these products to obtain more representative results under the modified test procedure by accounting for the unique characteristics of these systems—the net effect of which would be to mitigate the penalizing effect of the current procedure. DOE proposed the new, unique default fan power value for manufactured home products in a related August 2016 CAC/TP test procedure supplemental notice of proposed rulemaking and received comments in support of its approach from other manufacturers of manufactured housing air conditioners, leading it to finalize it in the January 2017 CAC/HP test procedure final rule. *See* 82 FR 1426 (Jan. 5, 2017). Thus, because the comment has already been accounted for in other rulemaking proceedings, DOE does not consider this comment to provide a basis for withdrawal.

B. Cost/Benefit Analysis

Two think tanks and one individual generally commented that the costs (regulatory and consumer) published in the CAC/HP direct final rule were too high. In particular, one commenter suggested that the high conversion costs required from manufacturers could result in an INPV decline and manufacturers would move production outside the United States. Two other commenters noted that consumers could see price increases in central air conditioners due to higher installed costs; one commenter additionally noted that the percent of negatively impacted consumers did not justify the TSL levels published in the CAC/HP direct final rule. Finally, one commenter stated that DOE did not meet the rebuttable presumption laid out in EPCA.

In response, DOE notes that all of these issues were discussed in detail during the Working Group negotiations. Those discussions recognized that, although consumers in some regions would bear a higher net cost than consumers in other regions, the national average at the recommended TSL is cost-justified when examining the standard articulated in the direct final rule as a whole. DOE notes that EPCA does not require it to choose the standard level with the least consumer cost, or the least cost to manufacturers, but only to assess those, among other costs and benefits (using the 7 factors articulated at 42 U.S.C. 6295(o)) and determine whether the burdens outweigh the benefits. In this case, the recommended TSL met that standard, and DOE's analysis and conclusions would not change based on the comments received. Thus, DOE does not consider these comments to provide a basis to justify a withdrawal of this direct final rule under EPCA.

C. Consumer Groups as Interested Parties

DOE received a comment from an individual who commented that consumers and those representing consumers' interests did not have input in the rulemaking process, and thus the Working Group Term Sheet was not a ''statement submitted jointly by interested persons that are fairly representative of relevant points of view.'' In response, DOE disagrees and believes that (1) consumers' interests were represented in the rulemaking process and; (2) that the Working Group Term Sheet was a consensus recommendation made by interested persons fairly representative of relevant points of view. Although consumer groups were not direct signatories to the Term Sheet, the ASRAC Committee approving the CAC/HP Working Group's recommendations included one member representing Consumers' Union. In addition, representatives of State governments participated in the Working Group, who directly represent the consumers that live in those states. DOE also received many comments from members of the public and other consumer advocacy groups in support of the direct final rule.

IV. Department of Justice Analysis of Competitive Impacts

EPCA directs DOE to consider any lessening of competition that is likely to result from new or amended standards. It also directs the Attorney General of the United States (''Attorney General'') to determine the impact, if any, of any lessening of competition likely to result from a proposed standard and to transmit such determination to the Secretary within 60 days of the publication of a proposed rule, together with an analysis of the nature and extent of the impact. (42 U.S.C. 6295(o)(2)(B)(i)(V) and (B)(ii)) For the direct final rule discussed in this document, DOE published a NOPR containing energy conservation standards identical to those set forth the direct final rule and transmitted a copy of the direct final rule and the accompanying technical support document (''TSD'') to the Attorney General, requesting that the U.S. Department of Justice (''DOJ'') provide its determination on this issue. DOE has published DOJ's comments at the end of this document.

DOJ reviewed the new standards in the direct final rule and the direct final rule TSD discussed in this document. As a result of its analysis, DOJ concluded that the new standards issued in this direct final rule are unlikely to have a significant adverse impact on competition. DOJ further noted that the standards established in this direct final rule were the same as recommended standards submitted in the consensus recommendations signed by industry participants who believed they could meet the standards (as well as other interested parties).

V. Social Cost of Carbon

DOE notes that the direct final rule discussed in this notice preceded Executive Order 13783's requirement to revise future analyses involving carbon monetization. See 82 FR 16093 (March 31, 2017). The direct final rule included an analysis that examined the impacts associated with the social cost of carbon. These values, which were ancillary to the primary analyses that DOE conducted to determine whether the standards adopted in the rule were justified under the statutory criteria

prescribed under 42 U.S.C. 6295(o), did not change the results of DOE's analyses. Accordingly, while the inclusion of these values helped in providing additional detail regarding the impacts from the rule, those details played no role in determining the outcome of DOE's decision under EPCA.

VI. National Environmental Policy Act

Pursuant to the National Environmental Policy Act of 1969 (''NEPA''), DOE has determined that this direct final rule fits within the category of actions included in Categorical Exclusion (''CX'') B5.1 and otherwise meets the requirements for application of a CX. *See* 10 CFR part 1021, App. B, B5.1(b); 1021.410(b) and Appendix B, B(1)–(5). This rule fits within the category of actions because it is a rulemaking establishing energy conservation standards for consumer products or industrial equipment, and for which none of the exceptions identified in CX B5.1(b) apply. Therefore, DOE has made a CX determination for this rulemaking, and DOE does not need to prepare an Environmental Assessment or Environmental Impact Statement for them. DOE's CX determination that applies to this direct final rule is available at *http://energy.gov/nepa/categorical-exclusion-cx-determinations-cx.*

VII. Conclusion

In summary, based on the discussion above, DOE has determined that the comments received in response to the direct final rule for new energy conservation standards for CAC and HPs do not provide a reasonable basis for withdrawal of the direct final rule. As a result, the energy conservation standards set forth in this direct final rule became effective on May 8, 2017. Compliance with the standards articulated in this direct final rule will be required on January 1, 2023.

Issued in Washington, DC, on May 22, 2017.

Daniel R Simmons,

Acting Assistant Secretary, Energy Efficiency and Renewable Energy.

Appendix

[The following letter will not appear in the Code of Federal Regulations]

U.S. DEPARTMENT OF JUSTICE
Antitrust Division

BRENT SNYDER
Acting Assistant Attorney General
Main Justice Building
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Washington, D.C. 20530–0001
(202) 514–2401/(202) 616–2645 (Fax)

March 7, 2017

Daniel Cohen
Assistant General Counsel
Department of Energy
Washington, DC 20585

Dear Assistant General Counsel Cohen:

I am responding to your January 13, 2017, letter seeking the views of the Attorney General about the potential impact on competition of proposed energy conservation standards for residential central air conditioners and heat pumps. Your request was submitted under Section 325(o)(2)(B)(i)(V) of the Energy Policy and Conservation Act, as amended (ECPA), 42 U.S.C. 6295(o)(2)(B)(i)(V) and 43 U.S.C. 6316(a), which requires the Attorney General to make a determination of the impact of any lessening of competition that is likely to result from the imposition of proposed energy conservation standards. The Attorney General's responsibility for responding to requests from other departments about the effect of a program on competition has been delegated to the Assistant Attorney General for the Antitrust Division in 28 CFR § 0.40(g). In conducting its analysis, the Antitrust Division examines whether a proposed standard may lessen competition, for example, by substantially limiting consumer choice or increasing industry concentration. A lessening of competition could result in higher prices to manufacturers and consumers.

We have reviewed the proposed standards contained in the Direct Final Rule (82 Fed. Reg. 1786, January 6, 2017). We have also reviewed supplementary information submitted to the Attorney General by the Department of Energy. Based on this review, our conclusion is that the proposed energy conservation standards for residential central air conditioners and heat pumps are unlikely to have a significant adverse impact on competition.

Sincerely,

Brent Snyder.

[FR Doc. 2017–10869 Filed 5–25–17; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

10 CFR Part 430

[EERE–2011–BT–STD–0043]

RIN 1904–AC51

Energy Conservation Program: Energy Conservation Standards for Miscellaneous Refrigeration Products

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Confirmation of effective date and compliance date for direct final rule.

SUMMARY: On October 28, 2016, the U.S. Department of Energy (''DOE'') published in the **Federal Register** a direct final rule to establish new energy conservation standards for miscellaneous refrigeration products. DOE has determined that the comments received in response to that direct final rule do not provide a reasonable basis for withdrawing it. Therefore, DOE is providing notice confirming the adoption of the energy conservation standards established in that direct final rule and announces the effective date of those standards.

DATES: The direct final rule for miscellaneous refrigeration products published on October 28, 2016 (81 FR 75194) became effective on February 27, 2017. Compliance with the new standards in the direct final rule will be required on October 28, 2019, as set forth in Table II.1 and Table II.2 in section II of the Supplementary Information section of this document.

ADDRESSES: The docket for this rulemaking, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket Web page can be found at *http://www.regulations.gov/#!docketDetail;D=EERE-2011-BT-STD-0043.* The docket Web page contains simple instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket, contact the Appliance and Equipment Standards Program staff at (202) 586–6636 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT: Joseph Hagerman, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–4549. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

SUPPLEMENTARY INFORMATION:

I. Authority

As amended by the Energy Efficiency Improvement Act of 2015, Public Law 114–11 (April 30, 2105), the Energy Policy and Conservation Act (''EPCA'' or, in context, ''the Act''), Public Law 94–163 (42 U.S.C. 6291–6309, as codified), authorizes DOE to issue a direct final rule establishing an energy conservation standard for a product on

receipt of a statement submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates) as determined by the Secretary of Energy (''Secretary''). That statement must contain recommendations with respect to an energy or water conservation standard that are in accordance with the provisions of 42 U.S.C. 6295(o) or 42 U.S.C. 6313(a)(6)(B), as applicable. A notice of proposed rulemaking (''NOPR'') that proposes an identical energy efficiency standard must be published simultaneously with the direct final rule and a public comment period of at least 110 days provided. 42 U.S.C. 6295(p)(4). Not later than 120 days after issuance of the direct final rule, if DOE receives one or more adverse comments or an alternative joint recommendation is received relating to the direct final rule, the Secretary must determine whether the comments or alternative recommendation may provide a reasonable basis for withdrawal under 42 U.S.C. 6295(o) or other applicable law.

When making a determination whether to withdraw a direct final rule, DOE considers the substance, rather than the quantity, of comments. To this end, DOE weighs the substance of any adverse comment(s) received against the anticipated benefits of the consensus recommendations and the likelihood that further consideration of the comment(s) would change the results of the rulemaking. DOE notes that to the extent an adverse comment had been previously raised and addressed in the rulemaking proceeding, such a submission will not typically provide a basis for withdrawal of a direct final rule. If the Secretary makes such a determination, DOE must withdraw the direct final rule and proceed with the simultaneously published NOPR. DOE must publish in the **Federal Register** the reasons why the direct final rule was withdrawn.

DOE determined that it did not receive any adverse comments providing a basis for withdrawal as described above for the direct final rule that is the subject of this document—miscellaneous refrigeration products (''MREFs''). As such, DOE did not withdraw this direct final rule and allowed it to become effective. Although not required under EPCA, DOE customarily publishes a summary of the comments received during the 110-day comment period and its responses to those comments.[1] This document contains such a summary, as well as DOE's responses to those comments.

II. Miscellaneous Refrigeration Products Direct Final Rule

A. Background

During the rulemaking proceeding to consider new energy conservation standards for MREFs, DOE received a statement submitted by an Appliance Standards and Rulemaking Federal Advisory Committee (''ASRAC'') negotiated rulemaking working group for MREFs (the ''MREF Working Group'' or, in context, the ''Working Group''). The MREF Working Group consisted of 15 members, including two members from ASRAC and one DOE representative, with the balance comprising representatives of manufacturers of the covered products at issue, efficiency advocates, and a utility representative. The MREF Working Group submitted to ASRAC two Term Sheets, one of which contained recommendations with respect to new energy conservation standards for MREFs that, in the commenters' view, would satisfy the EPCA requirements at 42 U.S.C. 6295(o), and ASRAC subsequently adopted these consensus recommendations. (See ''MREF Term Sheet'', EERE–2011–BT–STD–0043–0011).

Pursuant to 42 U.S.C. 6295(p)(4), the Secretary must determine whether a jointly submitted recommendation for an energy or water conservation standard is in accordance with 42 U.S.C. 6295(o) or 42 U.S.C. 6313(a)(6)(B), as applicable. As stated in the direct final rule, this determination is exactly the type of analysis DOE conducts whenever it considers potential energy conservation standards pursuant to EPCA. DOE applies the same principles to any consensus recommendations it may receive to satisfy its statutory obligation to ensure that any energy conservation standard that it adopts achieves the maximum improvement in energy efficiency that is technologically feasible and economically justified and will result in significant conservation of energy. Upon review, the Secretary determined that the consensus recommendations submitted in the MREF Term Sheet comports with the standard-setting criteria set forth under 42 U.S.C. 6295(o). Accordingly, the consensus recommendation efficiency levels, included as trial standard level (''TSL'') 2 for coolers and TSL 1 for combination cooler refrigeration products, were adopted as the new standard levels in the direct final rule. 81 FR 75194, 75252–75256 (Oct. 28, 2016).

As the relevant statutory criteria were satisfied, the Secretary adopted the new energy conservation standards for MREFs set forth in the direct final rule. These standards, which are expressed in maximum allowable annual energy use (''AEU'') in kilowatt-hours per year (''kWh/yr'') as a function of the calculated adjusted volume (''AV'') in cubic feet (''ft^3''), are set forth in Table II.1 and Table II.2. The standards will apply to all products listed in Table II.1 and Table II.2 that are manufactured in, or imported into, the United States starting on October 28, 2019. For a detailed discussion of DOE's analysis of the benefits and burdens of the new standards pursuant to the criteria set forth in EPCA, please see the direct final rule. 81 FR 75194 (Oct. 28, 2016).

As required by EPCA, DOE also simultaneously published a NOPR proposing the identical standard levels contained in the direct final rule. 81 FR 74950 (Oct. 28, 2016). DOE considered whether any comment received during the 110-day comment period following the direct final rule was sufficiently ''adverse'' as to provide a reasonable basis for withdrawal of the direct final rule and continuation of this rulemaking under the NOPR. DOE subsequently determined that it did not receive any adverse comments that would provide a reasonable basis for withdrawal.

TABLE II.1—ENERGY CONSERVATION STANDARDS FOR COOLERS

Product class	Maximum allowable AEU (*kWh/yr*)
Built-in Compact Built-in.	7.88AV † + 155.8

[1] *See, e.g.,* Notice of effective date and compliance dates for direct final rule, 76 FR 67037 (Oct. 31, 2011).

TABLE II.1—ENERGY CONSERVATION STANDARDS FOR COOLERS—Continued

Product class	Maximum allowable AEU (*kWh/yr*)
Freestanding Compact.	
Freestanding.	

† AV = Adjusted volume, in ft^3, as calculated according to title 10 of the Code of Federal Regulations (''CFR'') part 430, subpart B, appendix A (Appendix A).

TABLE II.2—ENERGY CONSERVATION STANDARDS FOR COMBINATION COOLER REFRIGERATION PRODUCTS

Product class description	Product class designation *	Maximum allowable AEU (*kWh/yr*)
Cooler with all-refrigerator—automatic defrost	C–3A	4.57AV † + 130.4
Built-in cooler with all-refrigerator—automatic defrost	C–3A–BI	5.19AV + 147.8
Cooler with upright freezers with automatic defrost without an automatic icemaker	C–9	5.58AV + 147.7
Built-in cooler with upright freezer with automatic defrost without an automatic icemaker	C–9–BI	6.38AV + 168.8
Cooler with upright freezer with automatic defrost with an automatic icemaker	C–9I	5.58AV + 231.7
Built-in cooler with upright freezer with automatic defrost with an automatic icemaker	C–9I–BI	6.38AV + 252.8
Compact cooler with all-refrigerator—automatic defrost	C–13A	5.93AV + 193.7
Built-in compact cooler with all-refrigerator—automatic defrost	C–13A–BI ††	6.52AV + 213.1

* These product classes are consistent with the current product classes established for refrigerators, refrigerator-freezers, and freezers. 10 CFR 430.32.
† AV = Adjusted volume, in ft^3, as calculated according to 10 CFR part 430, subpart B, appendix A.
†† There is no current product class 13A–BI for refrigerators, refrigerator-freezers, or freezers.

B. Comments on the MREF Direct Final Rule

As discussed in section I of this document, not later than 120 days after issuance of the direct final rule, if DOE receives either (1) one or more adverse comments or (2) an alternative joint recommendation relating to the direct final rule within the prescribed 110-day comment period, the Secretary must determine whether the comments or alternative recommendation may provide a reasonable basis for withdrawal under 42 U.S.C. 6295(o) or other applicable law.

Of the five substantive comments received in response to the direct final rule, four were from interested parties supporting the standard levels specified in the direct final rule as well as the process used to develop those standards. (All comments are available for public viewing at *https://www.regulations.gov/docket?D=EERE-2011-BT-STD-0043*.) Among these commenters, three (two manufacturers and an industry trade group) stated that the direct final rule standards would support the industry's goal of achieving a national marketplace for MREFs, prevent a patchwork of State regulations, and allow for future harmonization with Canadian regulations.[2]

Another interested party submitted comments questioning the product classes, standards, and analysis included in the direct final rule. The following sections discuss these specific comments and DOE's determination that the comments do not provide a reasonable basis for withdrawal of the direct final rule.

1. Product Classes

The interested party who criticized the rule commented that the product class structure and corresponding standards for coolers as specified in the direct final rule are not reasonable. It stated that vapor-compression products (*i.e.* those products using a compressor/condenser-based system) differ significantly from other non-compressor refrigeration products, such as thermoelectric (*i.e.* semiconductor-based) or absorption refrigeration products, in terms of testing and energy efficiency. Accordingly, in its view, DOE's rule should have included additional product classes to account for these differences. As an example of this approach, the interested party noted that the European Union's Energy Efficiency Directive No. 643/2009 and testing standard EN 62552–2013 include separate energy efficiency requirements for vapor-compression and non-compressor refrigeration products.

As discussed in the direct final rule, DOE considered whether separate product classes for non-compressor products were appropriate throughout this rulemaking. In the preliminary analysis, DOE did not identify any unique consumer utility associated with non-compressor refrigeration systems that would justify separate product classes for these products. The MREF Working Group discussed the topic of product classes, and agreed with DOE's determination from the preliminary analysis. Following the Working Group recommendation, DOE sought additional information regarding the consideration of non-compressor products in a notice of data availability (''NODA''). 80 FR 77589 (Dec. 15, 2015). DOE did not receive any information in response to the NODA indicating that separate non-compressor product classes would be justified. Consequently, in the absence of any information supporting the creation of non-compressor-based classes, DOE adopted the approach recommended by the Working Group, which led to the creation of the specific product classes detailed in the direct final rule. See 81 FR 75194, 75196 (Oct. 28, 2016). See also id. at 75209 (explaining the basis for the specific classes adopted by DOE).

[2] DOE also received one comment from an individual that asked which two rules DOE was withdrawing to implement the direct final rule. See Docket No. EERE–2011–BT–STD–0043–0127. This comment appears to refer to a recent Executive Order that instructs Federal agencies to withdraw two regulations for each new regulation they issue. See 82 FR 9339 (Feb. 3, 2017) (Executive Order 13771—''Reducing Regulation and Controlling Regulatory Costs''). The comment seeks clarification as to which rules DOE will withdraw and generally notes the need to rein in ''regulatory overkill'' by the Federal government. Because this direct final rule had already been issued three months prior to the Executive Order's signing, this rule falls outside of its scope. This document serves solely to confirm the direct final rule's applicable compliance date.

While DOE acknowledges that non-compressor products differ from vapor-compression refrigeration products, DOE was unable to determine any basis on which separate product classes for non-compressor products would be appropriate. Under 42 U.S.C. 6295(q), DOE may establish product classes for groups of products that either: (1) Consume a different kind of energy from that consumed by other covered products; or (2) have a capacity or other performance-related feature which other covered products do not have, and such feature justifies a higher or lower standard from that which applies to other covered products. Non-compressor products consume electric energy input, as do vapor-compression products. DOE is also not aware of any performance-related feature associated with non-compressor products that vapor-compression products do not also offer. Accordingly, DOE maintains its determination in the direct final rule that separate product classes for non-compressor products are not appropriate.

2. Cooler Standard

The interested party also argued that the test methods for built-in and freestanding products should be different, with built-in products tested in an enclosure leading to higher energy consumption, and therefore a single maximum allowable AEU is not appropriate for both freestanding and built-in cooler product classes.

The MREF test procedures in 10 CFR part 430, subpart B, Appendix A (''Appendix A'') require that both freestanding and built-in products be tested in a freestanding configuration. Accordingly, Appendix A does not specifically lead to higher energy consumption for built-in products compared to freestanding products. Further, the standard levels specified in the direct final rule are consistent with those recommended by the MREF Working Group. The Working Group included multiple manufacturers, including manufacturers of built-in products, who determined that the same maximum AEU was appropriate for both built-in and freestanding coolers. Therefore, DOE has determined that the single maximum allowable AEU is appropriate for both freestanding and built-in coolers. Should DOE receive information in the future demonstrating that the test procedure requires modification to better address built-in products, DOE may revisit the test procedure at that time.

The interested party also commented that the cooler standard outlined in the direct final rule is too stringent. It compared the direct final rule standard level equation for coolers to the equation previously established by the California Energy Commission (''CEC'') for coolers sold in California, and concluded that the direct final rule standard is 50 percent more stringent than the CEC regulation. It further stated that the direct final rule standards would reduce the number of MREFs in the market.

DOE notes that the standards specified in the direct final rule and those in the CEC regulations are not directly comparable because they are based on energy consumption measured by different test procedures. Most significantly, the DOE test procedure in Appendix A applies a correction factor of 0.55 to the measured energy consumption of coolers to account for typical household usage. The test procedure used for the CEC regulations applies a usage factor of 0.85. Accounting for this difference alone, the DOE standard level from the direct final rule is equivalent to approximately 70 percent of the maximum allowable energy use in the CEC regulations. DOE observed that many coolers already achieve this efficiency level, including a non-compressor cooler tested by a third party in support of DOE's analysis, and that manufacturer recommendations from the Working Group supported a cooler standard at this level. Therefore, DOE concludes that the cooler standard is not too stringent and not likely to limit consumer purchasing options.

3. Analysis Periods

The interested party commented that for coolers at TSL 2, DOE forecasted results over the lifetime of products from 2019 to 2048, while the other TSLs considered the period from 2021 to 2050. Similarly, it noted that for combination cooler refrigeration products, DOE analyzed TSL 1 results over the lifetime of products from 2019 to 2048, and all other TSLs over the period from 2021 to 2050. The commenter noted that due to the different analysis periods used by DOE, the economic analysis and data comparing the different TSLs are unjust and unequal, leading to inaccurate economic analysis conclusions.

In the direct final rule, DOE analyzed TSLs other than TSL 2 for coolers and TSL 1 for combination cooler refrigeration products based on the 5-year compliance period typically provided when DOE establishes the first energy conservation standards for newly covered products. However, because TSL 2 for coolers and TSL 1 for combination cooler refrigeration products were based on the standard levels and compliance period recommended by the MREF Working Group, DOE analyzed a 3-year compliance period for these TSLs only. DOE's analysis for each TSL considered the 30-year period following the standards compliance date, so TSLs based on the Working Group recommendation considered the analysis period from 2019 to 2048, while the analysis period for the other TSLs was 2021 to 2050. In its analysis, DOE discounted future impacts to the year of the analysis, which allowed for a direct comparison of the projected impacts for each TSL despite the different compliance years and 30-year analysis periods. See chapter 10 of the direct final rule technical support document for a description of the national impact analysis. Therefore, DOE has determined that its conclusions are valid and provide sufficient support for the efficiency levels adopted in the direct final rule.

4. Product Lifetimes

The interested party also requested clarification regarding the lifetimes of products assumed in the national impact analysis. It commented that a 30-year product lifetime would be too long, and suggested that DOE use a lifetime of approximately 12 years for products such as wine coolers.

In the direct final rule analysis, DOE did not assume a 30-year product lifetime; rather, it analyzed products sold over a 30-year period with a distribution of lifetimes. For full-size products (both coolers and combination cooler refrigeration products), DOE estimated a 17.4-year average lifetime, consistent with the average lifetime for full-size refrigerators and freezers. For compact products, DOE estimated a 10.3-year average lifetime based on manufacturer input. See 81 FR at 75219 and chapter 8, section 8.2.2.5 of the direct final rule technical support document. DOE maintains that these lifetime estimates are appropriate because they were supported by manufacturer feedback in the MREF Working Group.

III. Department of Justice Analysis of Competitive Impacts

EPCA directs DOE to consider any lessening of competition that is likely to result from new or amended standards. It also directs the Attorney General of the United States (''Attorney General'') to determine the impact, if any, of any lessening of competition likely to result from a proposed standard and to transmit such determination to the Secretary within 60 days of the publication of a proposed rule, together

with an analysis of the nature and extent of the impact. (42 U.S.C. 6295(o)(2)(B)(i)(V) and (B)(ii)) For the direct final rule discussed in this document, DOE published a NOPR containing energy conservation standards identical to those set forth the direct final rule and transmitted a copy of the direct final rule and the accompanying technical support document (''TSD'') to the Attorney General, requesting that the U.S. Department of Justice (''DOJ'') provide its determination on this issue. DOE has published DOJ's comments at the end of this document.

DOJ reviewed the new standards in the direct final rule and the direct final rule TSD discussed in this document. As a result of its analysis, DOJ concluded that the new standards issued in the direct final rule are unlikely to have a significant adverse impact on competition. DOJ further noted that the standards established in the direct final rule were the same as recommended standards submitted in the consensus recommendations signed by industry participants who believed they could meet the standards (as well as other interested parties).

IV. Social Cost of Carbon

DOE notes that the direct final rule discussed in this document preceded Executive Order 16093's requirement to revise future analyses involving carbon monetization. See 82 FR 16093 (March 31, 2017). The direct final rule included an analysis that examined the impacts associated with the social cost of carbon. These values, which were ancillary to the primary analyses that DOE conducted to determine whether the standards adopted in the rule were justified under the statutory criteria prescribed under 42 U.S.C. 6295(o), did not change the results of DOE's analyses. Accordingly, while the inclusion of these values helped in providing additional detail regarding the impacts from the rule, those details played no role in determining the outcome of DOE's decision under EPCA.

V. National Environmental Policy Act

Pursuant to the National Environmental Policy Act of 1969 (''NEPA''), DOE has determined that this direct final rule fits within the category of actions included in Categorical Exclusion (''CX'') B5.1 and otherwise meets the requirements for application of a CX. *See* 10 CFR part 1021, App. B, B5.1(b); 1021.410(b) and Appendix B, B(1)–(5). This rule fits within the category of actions because it is a rulemaking establishing energy conservation standards for consumer products or industrial equipment, and for which none of the exceptions identified in CX B5.1(b) apply. Therefore, DOE has made a CX determination for this rulemaking, and DOE does not need to prepare an Environmental Assessment or Environmental Impact Statement for it. DOE's CX determination applying to this direct final rule is available at *http://energy.gov/nepa/categorical-exclusion-cx-determinations-cx.*

VI. Conclusion

In summary, based on the discussion above, DOE has determined that the comments received in response to the direct final rule for new energy conservation standards for MREFs do not provide a reasonable basis for withdrawal of the direct final rule. As a result, the energy conservation standards set forth in that direct final rule became effective on February 27, 2017. Compliance with the standards articulated in that direct final rule is required on October 28, 2019.

Issued in Washington, DC, on May 22, 2017.

Daniel R. Simmons,

Acting Assistant Secretary, Energy Efficiency and Renewable Energy.

Appendix

[The following letter from the Department of Justice will not appear in the Code of Federal Regulations.]

U.S. DEPARTMENT OF JUSTICE
Antitrust Division
Renata B. Hesse
Acting Assistant Attorney General
RFK Main Justice Building
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530–0001
(202)514–2401/(202)616–2645 (Fax)

December 27, 2016

Daniel Cohen
Assistant General Counsel for Legislation, Regulation and Energy Efficiency
Department of Energy
Washington, DC 20585

Re: *Docket No. EERE–2011–BT–STD–0043*

Dear Assistant General Counsel Cohen:

I am responding to your letter of October 28, 2016 seeking the views of the Attorney General about the potential impact on competition of proposed energy conservation standards for miscellaneous refrigeration products (MREFs).

Your request was submitted under Section 325(o)(2)(B)(i)(V) of the Energy Policy and Conservation Act, as amended (EPCA), 42 U.S.C. § 6295(o)(2)(B)(i)(V), which requires the Attorney General to make a determination of the impact of any lessening of competition that is likely to result from the imposition of proposed energy conservation standards. The Attorney General's responsibility for responding to requests from other departments about the effect of a program on competition has been delegated to the Assistant Attorney General for the Antitrust Division in 28 CFR § 0.40(g).

In conducting its analysis, the Antitrust Division examines whether a proposed standard may lessen competition, for example, by substantially limiting consumer choice or increasing industry concentration. A lessening of competition could result in higher prices to manufacturers and consumers.

We have reviewed the proposed standards contained in the Notice of Proposed Rulemaking and the Direct Final Rule (81 Fed. Reg. 74950 and 75194, Oct. 28, 2016), and the related Technical Support Document. We have also reviewed the transcript of the public meeting held on the proposed standards on January 9, 2015, and public comments filed with the Department of Energy, and conducted interviews with industry representatives.

Based on the information currently available, we do not believe that the proposed energy conservation standards for MREFs are likely to have a significant adverse impact on competition.

Very truly yours,

Renata B. Hesse.

[FR Doc. 2017–10867 Filed 5–25–17; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

10 CFR Part 431

[EERE–2015–BT–STD–0008]

RIN 1904–AD52

Energy Conservation Program: Energy Conservation Standards for Dedicated-Purpose Pool Pumps

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Confirmation of effective date and compliance date for direct final rule.

SUMMARY: On January 18, 2017, the U.S. Department of Energy (''DOE'') published in the **Federal Register** a direct final rule to establish new energy conservation standards for dedicated purpose pool pumps. DOE has determined that the comments received in response to that direct final rule do not provide a reasonable basis for withdrawing it. Therefore, DOE is providing notice confirming the adoption of the energy conservation standards established in that direct final rule and announces the effective date of those standards.

DATES: The direct final rule for dedicated-purpose pool pumps published on January 18, 2017 (82 FR 5650) became effective on May 18, 2017. Compliance with the dedicated-purpose pool pumps standards in the direct final rule will be required on July 19, 2021.

ADDRESSES: The docket for this rulemaking, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at *www.regulations.gov*. All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket Web page can be found at *https://www.regulations.gov/docket?D=EERE-2015-BT-STD-0008*. The docket Web page contains simple instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket, contact the Appliance and Equipment Standards Program staff at (202) 586–6636 or by email: *ApplianceStandardsQuestions@ee.doe.gov*.

FOR FURTHER INFORMATION CONTACT:

Mr. John Cymbalsky, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–9507. Email *ApplianceStandardsQuestions@ee.doe.gov*.

Ms. Johanna Jochum, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 287–6307. Email: *Johanna.Jochum@hq.doe.gov*.

SUPPLEMENTARY INFORMATION:

I. Authority

As amended by the Energy Efficiency Improvement Act of 2015, Public Law 114–11 (April 30, 2015), the Energy Policy and Conservation Act (''EPCA'' or, in context, ''the Act''), Public Law 94–163 (42 U.S.C. 6291–6309, as codified), authorizes DOE to issue a direct final rule establishing an energy conservation standard for a product on receipt of a statement submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates) as determined by the Secretary of Energy (''Secretary''). That statement must contain recommendations with respect to an energy or water conservation standard that are in accordance with the provisions of 42 U.S.C. 6295(o) or 42 U.S.C. 6316, as applicable. A notice of proposed rulemaking (''NOPR'') that proposes an identical energy efficiency standard must be published simultaneously with the direct final rule and a public comment period of at least 110 days provided. 42 U.S.C. 6295(p)(4). Not later than 120 days after issuance of the direct final rule, if DOE receives one or more adverse comments or an alternative joint recommendation is received relating to the direct final rule, the Secretary must determine whether the comments or alternative recommendation may provide a reasonable basis for withdrawal under 42 U.S.C. 6295(o) or other applicable law.

When making a determination whether to withdraw a direct final rule, DOE considers the substance, rather than the quantity, of comments. To this end, DOE weighs the substance of any adverse comment(s) received against the anticipated benefits of the consensus recommendations and the likelihood that further consideration of the comment(s) would change the results of the rulemaking. DOE notes that to the extent an adverse comment had been previously raised and addressed in the rulemaking proceeding, such a submission will not typically provide a basis for withdrawal of a direct final rule. If the Secretary makes such a determination, DOE must withdraw the direct final rule and proceed with the simultaneously published NOPR. DOE must publish in the **Federal Register** the reasons why the direct final rule was withdrawn.

DOE determined that it did not receive any adverse comments providing a basis for withdrawal as described above for the direct final rule that is the subject of this document—dedicated purpose pool pumps (''DPPPs''). As such, DOE did not withdraw this direct final rule and allowed it to become effective. Although not required under EPCA, DOE customarily publishes a summary of the comments received during the 110-day comment period and its responses to those comments.[1] This document contains such a summary, as well as DOE's responses, for DPPPs.

II. Dedicated-Purpose Pool Pumps Direct Final Rule

A. Background

Prior to May 18, 2017, no Federal energy conservation standards existed for DPPPs. DOE excluded this category of pumps from its recent consensus-based energy conservation standard final rule for general pumps. 81 FR 4368 (January 26, 2016).

On July 29, 2016, DOE received a statement submitted by ASRAC that a consensus had been reached by a negotiated rulemaking working group for DPPPs (the ''the DPPP Working Group'' or, in context, the ''Working Group''). The DPPP Working Group consisted of 13 members, including one member from ASRAC and one DOE representative, with the balance comprising representatives of manufacturers of the DPPPs, efficiency advocates, and a State representative. The DPPP Working Group submitted to ASRAC a Term Sheet, that, in the view of the Working Group, would satisfy the EPCA requirements at 42 U.S.C. 6295(o), and ASRAC voted unanimously to adopt these consensus recommendations. (DPPP Term Sheet, Docket No. EERE–2015–BT–STD–0008, No. 82)

After careful consideration of the DPPP Term Sheet related to amended energy conservation standards for DPPPs, the Secretary has determined that the recommendations contained therein are compliant with 42 U.S.C. 6295(o), and were submitted by interested persons who are fairly representative of relevant points of view on this matter, as required by 42 U.S.C. 6295(p)(4)(A)(i) for the issuance of a direct final rule.

DOE found that the standard levels recommended in the DPPP Term Sheet would result in significant energy savings and are technologically feasible and economically justified. Thus, energy conservation standards, definitions, and prescriptive requirements established in the DPPP direct final rule and articulated below in this notice directly reflect the June 2016 DPPP Working Group recommendations.

Tables II–1 and I–2 document the new standards for DPPPs established as a result of the direct final rule and the June 2016 DPPP Working Group recommendations. Standards for equipment classes in Table II–1 are performance-based, expressed in terms of weighted energy factor (''WEF''); standards in Table II–2 are prescriptive. These standards apply to all equipment listed in Tables II–1 and II–2 and manufactured in or imported into the United States starting on July 19, 2021.

[1] *See, e.g.,* Notice of effective date and compliance dates for direct final rule, 76 FR 67037 (Oct. 31, 2011).

TABLE II.1—PERFORMANCE-BASED ENERGY CONSERVATION STANDARDS FOR DEDICATED-PURPOSE POOL PUMPS

Equipment class			Minimum allowable WEF** score
Dedicated-purpose pool pump variety	Hydraulic horsepower applicability*	Motor phase	
Standard-Size Self-Priming Pool Filter Pumps	0.711 hp ≤ hhp < 2.5 hp	Single	WEF = −2.30 * ln (hhp) + 6.59.
Small-Size Self-Priming Pool Filter Pumps	hhp < 0.711 hp	Single	WEF = 5.55 for hhp ≤ 0.13 hp, −1.30 * ln (hhp) + 2.90 for hhp > 0.13 hp.
Non-Self-Priming Pool Filter Pumps	hhp < 2.5 hp	Any	WEF = 4.60 for hhp ≤ 0.13 hp, −0.85 * ln (hhp) + 2.87 for hhp > 0.13 hp.
Pressure Cleaner Booster Pumps	Any	Any	WEF = 0.42.

* All instances of hhp refer to rated hydraulic horsepower determined in accordance with the DOE test procedure at 10 CFR 431.464 and applicable sampling plans.
*** WEF is measured by kgal/kWh.

TABLE II.2—PRESCRIPTIVE ENERGY CONSERVATION STANDARDS FOR DEDICATED-PURPOSE POOL PUMPS

Equipment class			Prescriptive standard
Dedicated-purpose pool pump variety	Hydraulic horsepower applicability	Motor phase	
Integral Sand Filter Pool Pump	Any	Any	Must be distributed in commerce with a pool pump timer that is either integral to the pump or a separate component that is shipped with the pump.
Integral Cartridge Filter Pool Pump	Any	Any	Must be distributed in commerce with a pool pump timer that is either integral to the pump or a separate component that is shipped with the pump.
All Dedicated-Purpose Pool Pumps Distributed in Commerce with Freeze Protection Controls.	Any	Any	The pump must be shipped with freeze protection disabled or with the following default, user-adjustable settings: • The default dry-bulb air temperature setting is no greater than 40 °F; • The default run time setting shall be no greater than 1 hour (before the temperature is rechecked); and • The default motor speed shall not be more than ½ of the maximum available speed.

B. Comments on the DPPP Direct Final Rule

Of the 11 substantive comments received in response to the direct final rule, 9 were from parties that expressed support for the direct final rule and its outcome. (All comments are available for public viewing at *https://www.regulations.gov/docket?D=EERE-2014-BT-STD-0048.*) Among these commenters, five manufacturers and one trade group all commented positively on finalizing the rule based on manufacturing certainty. In addition, they highlighted the significant economic benefits to consumers and ratepayers that the direct final rule would provide.

Other parties submitted comments that either expressed tentative support or no support for the DPPP direct final rule. The following sections discuss these specific comments and DOE's determination that the comments do not provide a reasonable basis for withdrawal of the direct final rule.

1. Replacement Motors

Four parties commented that they hesitated to support or stated they did not support the direct final rule, despite their participation in the DPPP Working Group and unanimous consensus to the DPPP Term Sheet, because the direct final rule did not address replacement motors. Two parties further encouraged DOE to initiate a working group to address specifically replacement pool motors.

In response, DOE notes that its direct final rule and Working Group only supported the development of energy conservation standards for DPPPs. DPPP replacement motors are not the subject of in this direct final rule. DOE appreciates that stakeholders have expressed support for adoption of the direct final rule as currently drafted, and notes that affected stakeholders have four-and-a-half years to take steps toward compliance with the DPPP standards, including forming a replacement pool pump motors working group. Thus, DOE plans to hold a public meeting in the near future with the interested parties to gather data and information that could lead to the consideration of energy conservation standards for replacement pool pump motors.

2. Cost/Benefit Analysis

DOE received one substantive comment that alleged that the costs (regulatory and consumer) published in the DPPP direct final rule were too high. In particular, the commenter noted that the installation cost of a typical self-priming pool pump would increase by 77 percent, and that other pump categories will see price increases of anywhere between $9 and $66.

In response, DOE notes that all of these issues were discussed in detail during the Working Group negotiations. DOE's analysis accounted for the lower energy costs that the consumers would receive, which would add up to a lifetime cost saving of over $2,000 and an eight-month payback period. DOE also received a comment from a manufacturer that stated that 50 percent

of the self-priming pool pumps on the market are already compliant, which suggests that the direct final rule's standards are technologically feasible and economically justified.

DOE notes that EPCA does not require it to choose the standard level with the least consumer cost, or the least cost to manufacturers, but only to assess those, among other, costs and benefits (using the 7 factors articulated at 42 U.S.C. 6295(o)) and determine whether the burdens outweigh the benefits. In this case, the recommended TSL met that standard, and DOE's analysis and conclusions would not change based on the comments received. Thus, DOE does not consider these comments to provide a basis to justify a withdrawal of this direct final rule under EPCA.

3. Independent Control as Interested Parties

DOE received a comment from an independent control manufacturer who commented that the views of independent control manufacturers were not represented in the Working Group, and thus the Working Group Term Sheet did not represent a consensus agreement. The Working Group meetings were conducted transparently, and the commenter's concerns were raised by multiple Working Group members, discussed at length, and resolved.

III. Department of Justice Analysis of Competitive Impacts

EPCA directs DOE to consider any lessening of competition that is likely to result from new or amended standards. It also directs the Attorney General of the United States (''Attorney General'') to determine the impact, if any, of any lessening of competition likely to result from a proposed standard and to transmit such determination to the Secretary within 60 days of the publication of a proposed rule, together with an analysis of the nature and extent of the impact. (42 U.S.C. 6295(o)(2)(B)(i)(V) and (B)(ii)) For the direct final rule discussed in this document, DOE published a NOPR containing energy conservation standards identical to those set forth the direct final rule and transmitted a copy of the direct final rule and the accompanying technical support document (''TSD'') to the Attorney General, requesting that the U.S. Department of Justice (''DOJ'') provide its determination on this issue. DOE has published DOJ's comments at the end of this document.

DOJ reviewed the new standards in the direct final rule and the direct final rule TSD discussed in this document. As a result of its analysis, DOJ concluded that the new standards issued in the direct final rule are unlikely to have a significant adverse impact on competition. DOJ further noted that the standards established in the direct final rule were the same as recommended standards submitted in the consensus recommendations signed by industry participants who believed they could meet the standards (as well as other interested parties).

IV. Social Cost of Carbon

DOE notes that the direct final rule discussed in this document preceded Executive Order 13783's requirement to revise future analyses involving carbon monetization. See 82 FR 16093 (March 31, 2017). The direct final rule included an analysis that examined the impacts associated with the social cost of carbon. These values, which were ancillary to the primary analyses that DOE conducted to determine whether the standards adopted in the rule were justified under the statutory criteria prescribed under 42 U.S.C. 6295(o), did not change the results of DOE's analyses. Accordingly, while the inclusion of these values helped in providing additional detail regarding the impacts from the rule, those details played no role in determining the outcome of DOE's decision under EPCA.

V. National Environmental Policy Act

Pursuant to the National Environmental Policy Act of 1969 (''NEPA''), DOE has determined that this direct final rule fits within the category of actions included in Categorical Exclusion (''CX'') B5.1 and otherwise meets the requirements for application of a CX. *See* 10 CFR part 1021, App. B, B5.1(b); 1021.410(b) and Appendix B, B(1)–(5). This rule fits within the category of actions because they are rulemakings establishing energy conservation standards for consumer products or industrial equipment, and for which none of the exceptions identified in CX B5.1(b) apply. Therefore, DOE has made a CX determination for this rulemaking, and DOE does not need to prepare an Environmental Assessment or Environmental Impact Statement for it. DOE's CX determination applying to this direct final rule is available at *http://energy.gov/nepa/categorical-exclusion-cx-determinations-cx.*

VI. Conclusion

In summary, based on the discussion above, DOE has determined that the comments received in response to the direct final rule establishing new energy conservation standards for DPPPs do not provide a reasonable basis for its withdrawal. As a result, the energy conservation standards set forth in that direct final rule became effective on May 18, 2017. Compliance with the standards articulated in that direct final rule is required on July 19, 2021.

Issued in Washington, DC, on May 22, 2017.

Daniel R. Simmons,

Acting Assistant Secretary, Energy Efficiency and Renewable Energy.

Appendix

[The following letter will not appear in the Code of Federal Regulations]

U.S. DEPARTMENT OF JUSTICE
Antitrust Division

ANDREW C. FINCH
Acting Assistant Attorney General
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Washington, DC 20530–0001
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April 21, 2017

Daniel Cohen
Assistant General Counsel
U.S. Department of Energy
Washington, DC 20585

Dear Assistant General Counsel Cohen:

I am responding to your February 21, 2017, letter seeking the views of the Attorney General about the potential impact on competition of proposed energy conservation standards for dedicated-purpose pool pumps (EERE–2015–BT–STD–0008). Your request was submitted under Section 325(o)(2)(B)(i)(V) of the Energy Policy and Conservation Act, as amended (EPCA), 42 U.S.C. 6295(o)(2)(B)(i)(V) and 43 U.S.C. 6316(a), which requires the Attorney General to make a determination of the impact of any lessening of competition that is likely to result from the imposition of proposed energy conservation standards. The Attorney General's responsibility for responding to requests from other departments about the effect of a program on competition has been delegated to the Assistant Attorney General for the Antitrust Division in 28 CFR 0.40(g).

In conducting its analysis, the Antitrust Division examines whether a proposed standard may lessen competition, for example, by substantially limiting consumer choice or increasing industry concentration. A lessening of competition could result in higher prices to manufacturers and consumers.

We have reviewed the proposed standards contained in the Direct Final Rule (82 FR 5650, Jan. 18, 2017). We have also reviewed supplementary infounation submitted to the Attorney General by the Department of Energy and spoken with industry representatives. Based on this review, our conclusion is that the proposed energy conservation standards for dedicated-purpose pool pumps are unlikely to have a significant adverse impact on competition.

Sincerely,

Andrew C. Finch

[FR Doc. 2017–10868 Filed 5–25–17; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2017–0373; Special Conditions No. 25–679–SC]

Special Conditions: Embraer S. A., Model EMB–550 Airplane; Non-Rechargeable Lithium Battery Installations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comment.

SUMMARY: These special conditions are issued for non-rechargeable lithium battery installations on the Embraer S. A. (Embraer) Model EMB–550 airplane. Non-rechargeable lithium batteries are a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Embraer on May 26, 2017. We must receive your comments by July 10, 2017.

ADDRESSES: Send comments identified by docket number FAA–2017–0373 using any of the following methods:

- *Federal eRegulations Portal:* Go to *http://www.regulations.gov/* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://www.regulations.gov/,* including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov/.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nazih Khaouly, Airplane and Flight Crew Interface Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone 425–227–2432; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION:

Future Requests for Installation of Non-Rechargeable Lithium Batteries

The FAA anticipates that non-rechargeable lithium batteries will be installed in most makes and models of transport category airplanes. We intend to require special conditions for certification projects involving non-rechargeable lithium battery installations to address certain safety issues until we can revise the airworthiness requirements. Applying special conditions to these installations across the range of transport category airplanes will ensure regulatory consistency.

Typically, the FAA issues special conditions after receiving an application for type certificate approval of a novel or unusual design feature. However, the FAA has found that the presence of non-rechargeable lithium batteries in certification projects is not always immediately identifiable, since the battery itself may not be the focus of the project. Meanwhile, the inclusion of these batteries has become virtually ubiquitous on in-production transport category airplanes, which shows that there will be a need for these special conditions. Also, delaying the issuance of special conditions until after each design application is received could lead to costly certification delays. Therefore the FAA finds it necessary to issue special conditions applicable to these battery installations on particular makes and models of aircraft.

On April 22, 2016, the FAA published special conditions no. 25–612–SC in the **Federal Register** (81 FR 23573) applicable to Gulfstream Aerospace Corporation for the GVI airplane. Those were the first special conditions the FAA issued for non-rechargeable lithium battery installations. We explained in that document our decision to make those special conditions effective one year after publication in the **Federal Register**, which is April 22, 2017. In those special conditions, the FAA stated its intention to apply non-rechargeable lithium battery special conditions to design changes on other makes and models applied for after this same date.

Section 1205 of the FAA Reauthorization Act of 1996 requires the FAA to consider the extent to which Alaska is not served by transportation modes other than aviation and to establish appropriate regulatory distinctions when modifying airworthiness regulations that affect intrastate aviation in Alaska. In consideration of this requirement and the overall impact on safety, the FAA does not intend to require non-rechargeable lithium battery special conditions for design changes that only replace a 121.5 megahertz (MHz) emergency locator transmitter (ELT) with a 406 MHz ELT that meets Technical Standard Order C126b, or later revision, on transport airplanes operating only in Alaska. This will support our efforts of encouraging operators in Alaska to upgrade to a 406 MHz ELT. These ELTs provide significantly improved accuracy for lifesaving services to locate an accident site in Alaskan terrain. The FAA considers that the safety benefits from upgrading to a 406 MHz ELT for Alaskan operations will outweigh the battery fire risk.

Comments Invited

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

We invite interested people to take part in this rulemaking by sending

written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

Embraer holds type certificate no. TC00062IB, which provides the certification basis for the EMB–550 airplane. The EMB–550 is a twin engine, transport category airplane with a passenger seating capacity of 12 and a maximum takeoff weight of 38,360 pounds.

The FAA is issuing these special conditions for non-rechargeable lithium battery installations on the EMB–550 airplane. The current battery requirements in title 14, Code of Federal Regulations (14 CFR) part 25 are inadequate for addressing an airplane with non-rechargeable lithium batteries.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Embraer must show that the EMB–550 airplane meets the applicable provisions of the regulations listed in type certificate no. TC00062IB or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA. In addition, the certification basis includes certain special conditions, exemptions, or later amended sections that are not relevant to these special conditions.

If the Administrator finds that the applicable airworthiness regulations (*i.e.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the EMB–550 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the airplane model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the EMB–550 must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Feature

The novel or unusual design feature is the installation of non-rechargeable lithium batteries.

For the purpose of these special conditions, we refer to a battery and battery system as a battery. A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging.

Discussion

The FAA derived the current regulations governing installation of batteries in transport category airplanes from Civil Air Regulations (CAR) 4b.625(d) as part of the recodification of CAR 4b that established 14 CFR part 25 in February 1965. This recodification basically reworded the CAR 4b battery requirements, which are currently in § 25.1353(b)(1) through (4). Non-rechargeable lithium batteries are novel and unusual with respect to the state of technology considered when these requirements were codified. These batteries introduce higher energy levels into airplane systems through new chemical compositions in various battery cell sizes and construction. Interconnection of these cells in battery packs introduces failure modes that require unique design considerations, such as provisions for thermal management.

Recent events involving rechargeable and non-rechargeable lithium batteries prompted the FAA to initiate a broad evaluation of these energy storage technologies. In January 2013, two independent events involving rechargeable lithium-ion batteries revealed unanticipated failure modes. A National Transportation Safety Board (NTSB) letter to the FAA, dated May 22, 2014, which is available at *http://www.ntsb.gov,* filename A–14–032–036.pdf, describes these events.

On July 12, 2013, an event involving a non-rechargeable lithium battery in an emergency locator transmitter installation demonstrated unanticipated failure modes. The United Kingdom's Air Accidents Investigation Branch Bulletin S5/2013 describes this event.

Some known uses of rechargeable and non-rechargeable lithium batteries on airplanes include:

- Flight deck and avionics systems such as displays, global positioning systems, cockpit voice recorders, flight data recorders, underwater locator beacons, navigation computers, integrated avionics computers, satellite network and communication systems, communication management units, and remote-monitor electronic line-replaceable units;
- Cabin safety, entertainment, and communications equipment, including emergency locator transmitters, life rafts, escape slides, seatbelt air bags, cabin management systems, Ethernet switches, routers and media servers, wireless systems, internet and in-flight entertainment systems, satellite televisions, remotes, and handsets;
- Systems in cargo areas including door controls, sensors, video surveillance equipment, and security systems.

Some known potential hazards and failure modes associated with non-rechargeable lithium batteries are:

- Internal failures: In general, these batteries are significantly more susceptible to internal failures that can result in self-sustaining increases in temperature and pressure (*i.e.,* thermal runaway) than their nickel-cadmium or lead-acid counterparts. The metallic lithium can ignite, resulting in a self-sustaining fire or explosion.
- Fast or imbalanced discharging: Fast discharging or an imbalanced discharge of one cell of a multi-cell battery may create an overheating condition that results in an uncontrollable venting condition, which in turn leads to a thermal event or an explosion.
- Flammability: Unlike nickel-cadmium and lead-acid batteries, lithium batteries use higher energy and current in an electrochemical system that can be configured to maximize energy storage of lithium. They also use liquid electrolytes that can be extremely flammable. The electrolyte, as well as the electrodes, can serve as a source of fuel for an external fire if the battery casing is breached.

Special condition no. 1 of these special conditions requires that each individual cell within a non-rechargeable lithium battery be designed to maintain safe temperatures and pressures. Special condition no. 2 addresses these same issues but for the entire battery. Special condition no. 2 requires the battery be designed to prevent propagation of a thermal event, such as self-sustained, uncontrollable increases in temperature or pressure from one cell to adjacent cells.

Special conditions nos. 1 and 2 are intended to ensure that the non-

rechargeable lithium battery and its cells are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the battery designer. Therefore, other special conditions are intended to protect the airplane and its occupants if failure occurs.

Special conditions 3, 7, and 8 are self-explanatory.

Special condition no. 4 makes it clear that the flammable fluid fire protection requirements of § 25.863 apply to non-rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Non-rechargeable lithium batteries contain an electrolyte that is a flammable fluid.

Special condition no. 5 requires that each non-rechargeable lithium battery installation not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

While special condition no. 5 addresses corrosive fluids and gases, special condition no. 6 addresses heat. Special condition no. 6 requires that each non-rechargeable lithium battery installation have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat the battery installation can generate due to any failure of it or its individual cells. The means of meeting special conditions nos. 5 and 6 may be the same, but the requirements are independent and address different hazards.

These special conditions apply to all non-rechargeable lithium battery installations in lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments. Those regulations remain in effect for other battery installations.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

These special conditions are applicable to the EMB–550 airplane. Should Embraer apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

These special conditions are only applicable to design changes applied for after the effective date.

These special conditions are not applicable to changes to previously certified non-rechargeable lithium battery installations where the only change is either cosmetic or to relocate the installation to improve the safety of the airplane and occupants. Previously certified non-rechargeable lithium battery installations, as used in this paragraph, are those installations approved for certification projects applied for on or before the effective date of these special conditions. A cosmetic change is a change in appearance only, and does not change any function or safety characteristic of the battery installation. These special conditions are also not applicable to unchanged, previously certified non-rechargeable lithium battery installations that are affected by a change in a manner that improves the safety of its installation. The FAA determined that these exclusions are in the public interest because the need to meet all of the special conditions might otherwise deter these design changes that improve safety.

Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability.

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Embraer S.A. Model EMB–550 airplane.

Non-Rechargeable Lithium Battery Installations

In lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments, each non-rechargeable lithium battery installation must:

1. Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.

2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure.

3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.

4. Meet the requirements of § 25.863.

5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.

7. Have a failure sensing and warning system to alert the flightcrew if its failure affects safe operation of the airplane.

8. Have a means for the flightcrew or maintenance personnel to determine the battery charge state if the battery's function is required for safe operation of the airplane.

Note: A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of these special conditions, a ''battery'' and ''battery system'' are referred to as a battery.

Issued in Renton, Washington, on May 17, 2017.

Michael Kaszycki,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–10840 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2017–0376; Special Conditions No. 25–680–SC]

Special Conditions: Textron Aviation Inc., Model 680 Airplane; Non-Rechargeable Lithium Battery Installations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comment.

SUMMARY: These special conditions are issued for non-rechargeable lithium battery installations on the Textron Aviation Inc. (Textron) Model 680 airplane. Non-rechargeable lithium batteries are a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Textron on May 26, 2017. We must receive your comments by July 10, 2017.

ADDRESSES: Send comments identified by docket number FAA–2017–0376 using any of the following methods:

- *Federal eRegulations Portal:* Go to *http://www.regulations.gov/* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://www.regulations.gov/,* including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov/.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nazih Khaouly, Airplane and Flight Crew Interface Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone 425–227–2432; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION:

Future Requests for Installation of Non-Rechargeable Lithium Batteries

The FAA anticipates that non-rechargeable lithium batteries will be installed in most makes and models of transport category airplanes. We intend to require special conditions for certification projects involving non-rechargeable lithium battery installations to address certain safety issues until we can revise the airworthiness requirements. Applying special conditions to these installations across the range of transport category airplanes will ensure regulatory consistency.

Typically, the FAA issues special conditions after receiving an application for type certificate approval of a novel or unusual design feature. However, the FAA has found that the presence of non-rechargeable lithium batteries in certification projects is not always immediately identifiable, since the battery itself may not be the focus of the project. Meanwhile, the inclusion of these batteries has become virtually ubiquitous on in-production transport category airplanes, which shows that there will be a need for these special conditions. Also, delaying the issuance of special conditions until after each design application is received could lead to costly certification delays. Therefore the FAA finds it necessary to issue special conditions applicable to these battery installations on particular makes and models of aircraft.

On April 22, 2016, the FAA published special conditions no. 25–612–SC in the **Federal Register** (81 FR 23573) applicable to Gulfstream Aerospace Corporation for the GVI airplane. Those were the first special conditions the FAA issued for non-rechargeable lithium battery installations. We explained in that document our decision to make those special conditions effective one year after publication in the **Federal Register**, which is April 22, 2017. In those special conditions, the FAA stated its intention to apply non-rechargeable lithium battery special conditions to design changes on other makes and models applied for after this same date.

Section 1205 of the FAA Reauthorization Act of 1996 requires the FAA to consider the extent to which Alaska is not served by transportation modes other than aviation and to establish appropriate regulatory distinctions when modifying airworthiness regulations that affect intrastate aviation in Alaska. In consideration of this requirement and the overall impact on safety, the FAA does not intend to require non-rechargeable lithium battery special conditions for design changes that only replace a 121.5 megahertz (MHz) emergency locator transmitter (ELT) with a 406 MHz ELT that meets Technical Standard Order C126b, or later revision, on transport airplanes operating only in Alaska. This will support our efforts of encouraging operators in Alaska to upgrade to a 406 MHz ELT. These ELTs provide significantly improved accuracy for lifesaving services to locate an accident site in Alaskan terrain. The FAA considers that the safety benefits from upgrading to a 406 MHz ELT for Alaskan operations will outweigh the battery fire risk.

Comments Invited

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

We invite interested people to take part in this rulemaking by sending

written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

Textron holds type certificate no. T00012WI, which provides the certification basis for the Model 680 airplane. The Model 680 is a twin engine, transport category airplane with a passenger seating capacity of 12 and a maximum takeoff weight of 30,300 to 30,775 pounds, depending on the specific design.

The FAA is issuing these special conditions for non-rechargeable lithium battery installations on the Model 680 airplane. The current battery requirements in title 14, Code of Federal Regulations (14 CFR) part 25 are inadequate for addressing an airplane with non-rechargeable lithium batteries.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Textron must show that the Model 680 airplane meets the applicable provisions of the regulations listed in type certificate no. T00012WI or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA. In addition, the certification basis includes certain special conditions, exemptions, or later amended sections that are not relevant to these special conditions.

If the Administrator finds that the applicable airworthiness regulations (*i.e.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model 680 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the airplane model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Model 680 must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Feature

The novel or unusual design feature is the installation of non-rechargeable lithium batteries.

For the purpose of these special conditions, we refer to a battery and battery system as a battery. A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging.

Discussion

The FAA derived the current regulations governing installation of batteries in transport category airplanes from Civil Air Regulations (CAR) 4b.625(d) as part of the recodification of CAR 4b that established 14 CFR part 25 in February 1965. This recodification basically reworded the CAR 4b battery requirements, which are currently in § 25.1353(b)(1) through (4). Non-rechargeable lithium batteries are novel and unusual with respect to the state of technology considered when these requirements were codified. These batteries introduce higher energy levels into airplane systems through new chemical compositions in various battery cell sizes and construction. Interconnection of these cells in battery packs introduces failure modes that require unique design considerations, such as provisions for thermal management.

Recent events involving rechargeable and non-rechargeable lithium batteries prompted the FAA to initiate a broad evaluation of these energy storage technologies. In January 2013, two independent events involving rechargeable lithium-ion batteries revealed unanticipated failure modes. A National Transportation Safety Board (NTSB) letter to the FAA, dated May 22, 2014, which is available at *http://www.ntsb.gov,* filename A–14–032–036.pdf, describes these events.

On July 12, 2013, an event involving a non-rechargeable lithium battery in an emergency locator transmitter installation demonstrated unanticipated failure modes. The United Kingdom's Air Accidents Investigation Branch Bulletin S5/2013 describes this event.

Some known uses of rechargeable and non-rechargeable lithium batteries on airplanes include:

- Flight deck and avionics systems such as displays, global positioning systems, cockpit voice recorders, flight data recorders, underwater locator beacons, navigation computers, integrated avionics computers, satellite network and communication systems, communication management units, and remote-monitor electronic line-replaceable units;
- Cabin safety, entertainment, and communications equipment, including emergency locator transmitters, life rafts, escape slides, seatbelt air bags, cabin management systems, Ethernet switches, routers and media servers, wireless systems, internet and in-flight entertainment systems, satellite televisions, remotes, and handsets;
- Systems in cargo areas including door controls, sensors, video surveillance equipment, and security systems.

Some known potential hazards and failure modes associated with non-rechargeable lithium batteries are:

- Internal failures: In general, these batteries are significantly more susceptible to internal failures that can result in self-sustaining increases in temperature and pressure (*i.e.,* thermal runaway) than their nickel-cadmium or lead-acid counterparts. The metallic lithium can ignite, resulting in a self-sustaining fire or explosion.
- Fast or imbalanced discharging: Fast discharging or an imbalanced discharge of one cell of a multi-cell battery may create an overheating condition that results in an uncontrollable venting condition, which in turn leads to a thermal event or an explosion.
- Flammability: Unlike nickel-cadmium and lead-acid batteries, lithium batteries use higher energy and current in an electrochemical system that can be configured to maximize energy storage of lithium. They also use liquid electrolytes that can be extremely flammable. The electrolyte, as well as the electrodes, can serve as a source of fuel for an external fire if the battery casing is breached.

Special condition no. 1 of these special conditions requires that each individual cell within a non-rechargeable lithium battery be designed to maintain safe temperatures and pressures. Special condition no. 2 addresses these same issues but for the entire battery. Special condition no. 2 requires the battery be designed to prevent propagation of a thermal event, such as self-sustained, uncontrollable

increases in temperature or pressure from one cell to adjacent cells.

Special conditions nos. 1 and 2 are intended to ensure that the non-rechargeable lithium battery and its cells are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the battery designer. Therefore, other special conditions are intended to protect the airplane and its occupants if failure occurs.

Special conditions 3, 7, and 8 are self-explanatory.

Special condition no. 4 makes it clear that the flammable fluid fire protection requirements of § 25.863 apply to non-rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Non-rechargeable lithium batteries contain an electrolyte that is a flammable fluid.

Special condition no. 5 requires that each non-rechargeable lithium battery installation not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

While special condition no. 5 addresses corrosive fluids and gases, special condition no. 6 addresses heat. Special condition no. 6 requires that each non-rechargeable lithium battery installation have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat the battery installation can generate due to any failure of it or its individual cells. The means of meeting special conditions nos. 5 and 6 may be the same, but the requirements are independent and address different hazards.

These special conditions apply to all non-rechargeable lithium battery installations in lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments. Those regulations remain in effect for other battery installations.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

These special conditions are applicable to the Model 680 airplane. Should Textron apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

These special conditions are only applicable to design changes applied for after the effective date.

These special conditions are not applicable to changes to previously certified non-rechargeable lithium battery installations where the only change is either cosmetic or to relocate the installation to improve the safety of the airplane and occupants. Previously certified non-rechargeable lithium battery installations, as used in this paragraph, are those installations approved for certification projects applied for on or before the effective date of these special conditions. A cosmetic change is a change in appearance only, and does not change any function or safety characteristic of the battery installation. These special conditions are also not applicable to unchanged, previously certified non-rechargeable lithium battery installations that are affected by a change in a manner that improves the safety of its installation. The FAA determined that these exclusions are in the public interest because the need to meet all of the special conditions might otherwise deter these design changes that improve safety.

Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability.

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and record keeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Textron Model 680 airplane.

Non-Rechargeable Lithium Battery Installations

In lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments, each non-rechargeable lithium battery installation must:

1. Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.

2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure.

3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.

4. Meet the requirements of § 25.863.

5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.

7. Have a failure sensing and warning system to alert the flightcrew if its failure affects safe operation of the airplane.

8. Have a means for the flightcrew or maintenance personnel to determine the battery charge state if the battery's function is required for safe operation of the airplane.

Note: A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of these special conditions, a ''battery'' and ''battery system'' are referred to as a battery.

Issued in Renton, Washington, on May 17, 2017.

Michael Kaszycki,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–10841 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2017–0369; Special Conditions No. 25–678–SC]

Special Conditions: Airbus, Model A330–300 Series Airplanes; Non-Rechargeable Lithium Battery Installations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comment.

SUMMARY: These special conditions are issued for non-rechargeable lithium battery installations on the Airbus Model A330–300 series airplanes. Non-rechargeable lithium batteries are a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Airbus on May 26, 2017. We must receive your comments by July 10, 2017.

ADDRESSES: Send comments identified by docket number FAA–2017–0369 using any of the following methods:

- *Federal eRegulations Portal:* Go to *http://www.regulations.gov/* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://www.regulations.gov/,* including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov/.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nazih Khaouly, Airplane and Flight Crew Interface Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone 425–227–2432; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION:

Future Requests for Installation of Non-Rechargeable Lithium Batteries

The FAA anticipates that non-rechargeable lithium batteries will be installed in most makes and models of transport category airplanes. We intend to require special conditions for certification projects involving non-rechargeable lithium battery installations to address certain safety issues until we can revise the airworthiness requirements. Applying special conditions to these installations across the range of transport category airplanes will ensure regulatory consistency.

Typically, the FAA issues special conditions after receiving an application for type certificate approval of a novel or unusual design feature. However, the FAA has found that the presence of non-rechargeable lithium batteries in certification projects is not always immediately identifiable, since the battery itself may not be the focus of the project. Meanwhile, the inclusion of these batteries has become virtually ubiquitous on in-production transport category airplanes, which shows that there will be a need for these special conditions. Also, delaying the issuance of special conditions until after each design application is received could lead to costly certification delays. Therefore the FAA finds it necessary to issue special conditions applicable to these battery installations on particular makes and models of aircraft.

On April 22, 2016, the FAA published special conditions no. 25–612–SC in the **Federal Register** (81 FR 23573) applicable to Gulfstream Aerospace Corporation for the GVI airplane. Those were the first special conditions the FAA issued for non-rechargeable lithium battery installations. We explained in that document our decision to make those special conditions effective one year after publication in the **Federal Register**, which is April 22, 2017. In those special conditions, the FAA stated its intention to apply non-rechargeable lithium battery special conditions to design changes on other makes and models applied for after this same date.

Section 1205 of the FAA Reauthorization Act of 1996 requires the FAA to consider the extent to which Alaska is not served by transportation modes other than aviation and to establish appropriate regulatory distinctions when modifying airworthiness regulations that affect intrastate aviation in Alaska. In consideration of this requirement and the overall impact on safety, the FAA does not intend to require non-rechargeable lithium battery special conditions for design changes that only replace a 121.5 megahertz (MHz) emergency locator transmitter (ELT) with a 406 MHz ELT that meets Technical Standard Order C126b, or later revision, on transport airplanes operating only in Alaska. This will support our efforts of encouraging operators in Alaska to upgrade to a 406 MHz ELT. These ELTs provide significantly improved accuracy for lifesaving services to locate an accident site in Alaskan terrain. The FAA considers that the safety benefits from upgrading to a 406 MHz ELT for Alaskan operations will outweigh the battery fire risk.

Comments Invited

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

We invite interested people to take part in this rulemaking by sending

written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

Airbus holds type certificate no. A46NM, which provides the certification basis for the A330–300 series airplanes. The A330–300 series airplanes are twin engine, transport category airplanes with a passenger seating capacity of 375 to 440 and a maximum takeoff weight of 405,650 to 533,518 pounds, depending on the specific design.

The FAA is issuing these special conditions for non-rechargeable lithium battery installations on the A330–300 series airplanes. The current battery requirements in title 14, Code of Federal Regulations (14 CFR) part 25 are inadequate for addressing an airplane with non-rechargeable lithium batteries.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Airbus must show that the A330–300 series airplanes meet the applicable provisions of the regulations listed in type certificate no. A46NM or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA. In addition, the certification basis includes certain special conditions, exemptions, or later amended sections that are not relevant to these special conditions.

If the Administrator finds that the applicable airworthiness regulations (*i.e.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the A330–300 series airplanes because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the airplane model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the A330–300 series airplanes must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Feature

The novel or unusual design feature is the installation of non-rechargeable lithium batteries.

For the purpose of these special conditions, we refer to a battery and battery system as a battery. A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging.

Discussion

The FAA derived the current regulations governing installation of batteries in transport category airplanes from Civil Air Regulations (CAR) 4b.625(d) as part of the recodification of CAR 4b that established 14 CFR part 25 in February 1965. This recodification basically reworded the CAR 4b battery requirements, which are currently in § 25.1353(b)(1) through (4). Non-rechargeable lithium batteries are novel and unusual with respect to the state of technology considered when these requirements were codified. These batteries introduce higher energy levels into airplane systems through new chemical compositions in various battery cell sizes and construction. Interconnection of these cells in battery packs introduces failure modes that require unique design considerations, such as provisions for thermal management.

Recent events involving rechargeable and non-rechargeable lithium batteries prompted the FAA to initiate a broad evaluation of these energy storage technologies. In January 2013, two independent events involving rechargeable lithium-ion batteries revealed unanticipated failure modes. A National Transportation Safety Board (NTSB) letter to the FAA, dated May 22, 2014, which is available at *http://www.ntsb.gov,* filename A–14–032–036.pdf, describes these events.

On July 12, 2013, an event involving a non-rechargeable lithium battery in an emergency locator transmitter installation demonstrated unanticipated failure modes. The United Kingdom's Air Accidents Investigation Branch Bulletin S5/2013 describes this event.

Some known uses of rechargeable and non-rechargeable lithium batteries on airplanes include:

- Flight deck and avionics systems such as displays, global positioning systems, cockpit voice recorders, flight data recorders, underwater locator beacons, navigation computers, integrated avionics computers, satellite network and communication systems, communication management units, and remote-monitor electronic line-replaceable units;
- Cabin safety, entertainment, and communications equipment, including emergency locator transmitters, life rafts, escape slides, seatbelt air bags, cabin management systems, Ethernet switches, routers and media servers, wireless systems, internet and in-flight entertainment systems, satellite televisions, remotes, and handsets;
- Systems in cargo areas including door controls, sensors, video surveillance equipment, and security systems.

Some known potential hazards and failure modes associated with non-rechargeable lithium batteries are:

- Internal failures: In general, these batteries are significantly more susceptible to internal failures that can result in self-sustaining increases in temperature and pressure (*i.e.,* thermal runaway) than their nickel-cadmium or lead-acid counterparts. The metallic lithium can ignite, resulting in a self-sustaining fire or explosion.
- Fast or imbalanced discharging: Fast discharging or an imbalanced discharge of one cell of a multi-cell battery may create an overheating condition that results in an uncontrollable venting condition, which in turn leads to a thermal event or an explosion.
- Flammability: Unlike nickel-cadmium and lead-acid batteries, lithium batteries use higher energy and current in an electrochemical system that can be configured to maximize energy storage of lithium. They also use liquid electrolytes that can be extremely flammable. The electrolyte, as well as the electrodes, can serve as a source of fuel for an external fire if the battery casing is breached.

Special condition no. 1 of these special conditions requires that each individual cell within a non-rechargeable lithium battery be designed to maintain safe temperatures and pressures. Special condition no. 2 addresses these same issues but for the entire battery. Special condition no. 2 requires the battery be designed to prevent propagation of a thermal event,

such as self-sustained, uncontrollable increases in temperature or pressure from one cell to adjacent cells.

Special conditions nos. 1 and 2 are intended to ensure that the non-rechargeable lithium battery and its cells are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the battery designer. Therefore, other special conditions are intended to protect the airplane and its occupants if failure occurs.

Special conditions 3, 7, and 8 are self-explanatory.

Special condition no. 4 makes it clear that the flammable fluid fire protection requirements of § 25.863 apply to non-rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Non-rechargeable lithium batteries contain an electrolyte that is a flammable fluid.

Special condition no. 5 requires that each non-rechargeable lithium battery installation not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

While special condition no. 5 addresses corrosive fluids and gases, special condition no. 6 addresses heat. Special condition no. 6 requires that each non-rechargeable lithium battery installation have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat the battery installation can generate due to any failure of it or its individual cells. The means of meeting special conditions nos. 5 and 6 may be the same, but the requirements are independent and address different hazards.

These special conditions apply to all non-rechargeable lithium battery installations in lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments. Those regulations remain in effect for other battery installations.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

These special conditions are applicable to the A330–300 series airplanes. Should Airbus apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

These special conditions are only applicable to design changes applied for after the effective date.

These special conditions are not applicable to changes to previously certified non-rechargeable lithium battery installations where the only change is either cosmetic or to relocate the installation to improve the safety of the airplane and occupants. Previously certified non-rechargeable lithium battery installations, as used in this paragraph, are those installations approved for certification projects applied for on or before the effective date of these special conditions. A cosmetic change is a change in appearance only, and does not change any function or safety characteristic of the battery installation. These special conditions are also not applicable to unchanged, previously certified non-rechargeable lithium battery installations that are affected by a change in a manner that improves the safety of its installation. The FAA determined that these exclusions are in the public interest because the need to meet all of the special conditions might otherwise deter these design changes that improve safety.

Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability.

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and record keeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Airbus Model A330–300 series airplanes.

Non-Rechargeable Lithium Battery Installations

In lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments, each non-rechargeable lithium battery installation must:

1. Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.

2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure.

3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.

4. Meet the requirements of § 25.863.

5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.

7. Have a failure sensing and warning system to alert the flightcrew if its failure affects safe operation of the airplane.

8. Have a means for the flightcrew or maintenance personnel to determine the battery charge state if the battery's function is required for safe operation of the airplane.

Note: A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of these special conditions, a ''battery'' and ''battery system'' are referred to as a battery.

Issued in Renton, Washington, on May 17, 2017.

Michael Kaszycki

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–10839 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2017–0377; Special Conditions No. 25–681–SC]

Special Conditions: Textron Aviation Inc., Model 700 Airplane; Non-Rechargeable Lithium Battery Installations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comment.

SUMMARY: These special conditions are issued for non-rechargeable lithium battery installations on the Textron Aviation Inc. (Textron) Model 700 airplane. Non-rechargeable lithium batteries are a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on Textron on May 26, 2017. We must receive your comments by July 10, 2017.

ADDRESSES: Send comments identified by docket number FAA–2017–0377 using any of the following methods:

- *Federal eRegulations Portal:* Go to *http://www.regulations.gov/* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://www.regulations.gov/,* including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov/.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nazih Khaouly, Airplane and Flight Crew Interface Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington, 98057–3356; telephone 425–227–2432; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION:

Future Requests for Installation of Non-Rechargeable Lithium Batteries

The FAA anticipates that non-rechargeable lithium batteries will be installed in most makes and models of transport category airplanes. We intend to require special conditions for certification projects involving non-rechargeable lithium battery installations to address certain safety issues until we can revise the airworthiness requirements. Applying special conditions to these installations across the range of transport category airplanes will ensure regulatory consistency.

Typically, the FAA issues special conditions after receiving an application for type certificate approval of a novel or unusual design feature. However, the FAA has found that the presence of non-rechargeable lithium batteries in certification projects is not always immediately identifiable, since the battery itself may not be the focus of the project. Meanwhile, the inclusion of these batteries has become virtually ubiquitous on in-production transport category airplanes, which shows that there will be a need for these special conditions. Also, delaying the issuance of special conditions until after each design application is received could lead to costly certification delays. Therefore the FAA finds it necessary to issue special conditions applicable to these battery installations on particular makes and models of aircraft.

On April 22, 2016, the FAA published special conditions no. 25–612–SC in the **Federal Register** (81 FR 23573) applicable to Gulfstream Aerospace Corporation for the GVI airplane. Those were the first special conditions the FAA issued for non-rechargeable lithium battery installations. We explained in that document our decision to make those special conditions effective one year after publication in the **Federal Register**, which is April 22, 2017. In those special conditions, the FAA stated its intention to apply non-rechargeable lithium battery special conditions to design changes on other makes and models applied for after this same date.

Section 1205 of the FAA Reauthorization Act of 1996 requires the FAA to consider the extent to which Alaska is not served by transportation modes other than aviation and to establish appropriate regulatory distinctions when modifying airworthiness regulations that affect intrastate aviation in Alaska. In consideration of this requirement and the overall impact on safety, the FAA does not intend to require non-rechargeable lithium battery special conditions for design changes that only replace a 121.5 megahertz (MHz) emergency locator transmitter (ELT) with a 406 MHz ELT that meets Technical Standard Order C126b, or later revision, on transport airplanes operating only in Alaska. This will support our efforts of encouraging operators in Alaska to upgrade to a 406 MHz ELT. These ELTs provide significantly improved accuracy for lifesaving services to locate an accident site in Alaskan terrain. The FAA considers that the safety benefits from upgrading to a 406 MHz ELT for Alaskan operations will outweigh the battery fire risk.

Comments Invited

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

We invite interested people to take part in this rulemaking by sending

written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

On November 20, 2014, Textron applied for a type certificate for a new Model 700 airplane. The Model 700 is a twin engine, transport category airplane with a passenger seating capacity of 12 and a projected maximum takeoff weight of 38,514 pounds.

The FAA is issuing these special conditions for non-rechargeable lithium battery installations on the Model 700 airplane. The current battery requirements in title 14, Code of Federal Regulations (14 CFR) part 25 are inadequate for addressing an airplane with non-rechargeable lithium batteries.

Type Certification Basis

Under the provisions of 14 CFR 21.17, Textron must show that the Model 700 airplane meets the applicable provisions of part 25, as amended by Amendments 25–1 through 25–139, 25–141 and 25–143.

If the Administrator finds that the applicable airworthiness regulations (*i.e.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the Textron 700 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the airplane model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Textron Model 700 must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36, and the FAA must issue a finding of regulatory adequacy under § 611 of Public Law 92–574, the ''Noise Control Act of 1972.''

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.17.

Novel or Unusual Design Feature

The novel or unusual design feature is the installation of non-rechargeable lithium batteries.

For the purpose of these special conditions, we refer to a battery and battery system as a battery. A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging.

Discussion

The FAA derived the current regulations governing installation of batteries in transport category airplanes from Civil Air Regulations (CAR) 4b.625(d) as part of the recodification of CAR 4b that established 14 CFR part 25 in February 1965. This recodification basically reworded the CAR 4b battery requirements, which are currently in § 25.1353(b)(1) through (4). Non-rechargeable lithium batteries are novel and unusual with respect to the state of technology considered when these requirements were codified. These batteries introduce higher energy levels into airplane systems through new chemical compositions in various battery cell sizes and construction. Interconnection of these cells in battery packs introduces failure modes that require unique design considerations, such as provisions for thermal management.

Recent events involving rechargeable and non-rechargeable lithium batteries prompted the FAA to initiate a broad evaluation of these energy storage technologies. In January 2013, two independent events involving rechargeable lithium-ion batteries revealed unanticipated failure modes. A National Transportation Safety Board (NTSB) letter to the FAA, dated May 22, 2014, which is available at *http://www.ntsb.gov,* filename A–14–032–036.pdf, describes these events.

On July 12, 2013, an event involving a non-rechargeable lithium battery in an emergency locator transmitter installation demonstrated unanticipated failure modes. The United Kingdom's Air Accidents Investigation Branch Bulletin S5/2013 describes this event.

Some known uses of rechargeable and non-rechargeable lithium batteries on airplanes include:

- Flight deck and avionics systems such as displays, global positioning systems, cockpit voice recorders, flight data recorders, underwater locator beacons, navigation computers, integrated avionics computers, satellite network and communication systems, communication management units, and remote-monitor electronic line-replaceable units;
- Cabin safety, entertainment, and communications equipment, including emergency locator transmitters, life rafts, escape slides, seatbelt air bags, cabin management systems, Ethernet switches, routers and media servers, wireless systems, internet and in-flight entertainment systems, satellite televisions, remotes, and handsets;
- Systems in cargo areas including door controls, sensors, video surveillance equipment, and security systems.

Some known potential hazards and failure modes associated with non-rechargeable lithium batteries are:

- Internal failures: In general, these batteries are significantly more susceptible to internal failures that can result in self-sustaining increases in temperature and pressure (*i.e.,* thermal runaway) than their nickel-cadmium or lead-acid counterparts. The metallic lithium can ignite, resulting in a self-sustaining fire or explosion.
- Fast or imbalanced discharging: Fast discharging or an imbalanced discharge of one cell of a multi-cell battery may create an overheating condition that results in an uncontrollable venting condition, which in turn leads to a thermal event or an explosion.
- Flammability: Unlike nickel-cadmium and lead-acid batteries, lithium batteries use higher energy and current in an electrochemical system that can be configured to maximize energy storage of lithium. They also use liquid electrolytes that can be extremely flammable. The electrolyte, as well as the electrodes, can serve as a source of fuel for an external fire if the battery casing is breached.

Special condition no. 1 of these special conditions requires that each individual cell within a non-rechargeable lithium battery be designed to maintain safe temperatures and pressures. Special condition no. 2 addresses these same issues but for the entire battery. Special condition no. 2 requires the battery be designed to prevent propagation of a thermal event, such as self-sustained, uncontrollable increases in temperature or pressure from one cell to adjacent cells.

Special conditions nos. 1 and 2 are intended to ensure that the non-rechargeable lithium battery and its cells are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the battery designer. Therefore, other special conditions are

intended to protect the airplane and its occupants if failure occurs.

Special conditions 3, 7, and 8 are self-explanatory.

Special condition no. 4 makes it clear that the flammable fluid fire protection requirements of § 25.863 apply to non-rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Non-rechargeable lithium batteries contain an electrolyte that is a flammable fluid.

Special condition no. 5 requires that each non-rechargeable lithium battery installation not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

While special condition no. 5 addresses corrosive fluids and gases, special condition no. 6 addresses heat. Special condition no. 6 requires that each non-rechargeable lithium battery installation have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat the battery installation can generate due to any failure of it or its individual cells. The means of meeting special conditions nos. 5 and 6 may be the same, but the requirements are independent and address different hazards.

These special conditions apply to all non-rechargeable lithium battery installations in lieu of § 25.1353(b)(1) through (4) at Amendment 25–123. Sections 25.1353(b)(1) through (4) at Amendment 25–123 remain in effect for other battery installations.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

These special conditions are applicable to the Textron Model 700 airplane. Should Textron apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

These special conditions are only applicable to design changes applied for after the effective date.

These special conditions are not applicable to changes to previously certified non-rechargeable lithium battery installations where the only change is either cosmetic or to relocate the installation to improve the safety of the airplane and occupants. Previously certified non-rechargeable lithium battery installations, as used in this paragraph, are those installations approved for certification projects applied for on or before the effective date of these special conditions. A cosmetic change is a change in appearance only, and does not change any function or safety characteristic of the battery installation. These special conditions are also not applicable to unchanged, previously certified non-rechargeable lithium battery installations that are affected by a change in a manner that improves the safety of its installation. The FAA determined that these exclusions are in the public interest because the need to meet all of the special conditions might otherwise deter these design changes that improve safety.

Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability.

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register.** The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Textron Model 700 airplane.

Non-Rechargeable Lithium Battery Installations

In lieu of § 25.1353(b)(1) through (4) at Amendment 25–123, each non-rechargeable lithium battery installation must:

1. Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.
2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure.
3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.
4. Meet the requirements of § 25.863.
5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.
6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.
7. Have a failure sensing and warning system to alert the flightcrew if its failure affects safe operation of the airplane.
8. Have a means for the flightcrew or maintenance personnel to determine the battery charge state if the battery's function is required for safe operation of the airplane.

Note: A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of these special conditions, a ''battery'' and ''battery system'' are referred to as a battery.

Issued in Renton, Washington, on May 17, 2017.

Michael Kaszycki,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–10842 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2017–0387; Special Conditions No. 25–682–SC]

Special Conditions: The Boeing Company, Model 787–9 Series Airplanes; Non-Rechargeable Lithium Battery Installations

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comment.

SUMMARY: These special conditions are issued for non-rechargeable lithium battery installations on The Boeing Company (Boeing) Model 787–9 series airplanes. Non-rechargeable lithium batteries are a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: This action is effective on The Boeing Company May 26, 2017. We must receive your comments by July 10, 2017.

ADDRESSES: Send comments identified by docket number FAA–2017–0387 using any of the following methods:

- *Federal eRegulations Portal:* Go to *http://www.regulations.gov/* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to *http://www.regulations.gov/*, including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at *http://DocketsInfo.dot.gov/.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov/* at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Nazih Khaouly, Airplane and Flight Crew Interface Branch, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone 425–227–2432; facsimile 425–227–1149.

SUPPLEMENTARY INFORMATION:

Future Requests for Installation of Non-Rechargeable Lithium Batteries

The FAA anticipates that non-rechargeable lithium batteries will be installed in most makes and models of transport category airplanes. We intend to require special conditions for certification projects involving non-rechargeable lithium battery installations to address certain safety issues until we can revise the airworthiness requirements. Applying special conditions to these installations across the range of transport category airplanes will ensure regulatory consistency.

Typically, the FAA issues special conditions after receiving an application for type certificate approval of a novel or unusual design feature. However, the FAA has found that the presence of non-rechargeable lithium batteries in certification projects is not always immediately identifiable, since the battery itself may not be the focus of the project. Meanwhile, the inclusion of these batteries has become virtually ubiquitous on in-production transport category airplanes, which shows that there will be a need for these special conditions. Also, delaying the issuance of special conditions until after each design application is received could lead to costly certification delays. Therefore the FAA finds it necessary to issue special conditions applicable to these battery installations on particular makes and models of aircraft.

On April 22, 2016, the FAA published special conditions no. 25–612–SC in the **Federal Register** (81 FR 23573) applicable to Gulfstream Aerospace Corporation for the GVI airplane. Those were the first special conditions the FAA issued for non-rechargeable lithium battery installations. We explained in that document our decision to make those special conditions effective one year after publication in the **Federal Register**, which is April 22, 2017. In those special conditions, the FAA stated its intention to apply non-rechargeable lithium battery special conditions to design changes on other makes and models applied for after this same date.

Section 1205 of the FAA Reauthorization Act of 1996 requires the FAA to consider the extent to which Alaska is not served by transportation modes other than aviation and to establish appropriate regulatory distinctions when modifying airworthiness regulations that affect intrastate aviation in Alaska. In consideration of this requirement and the overall impact on safety, the FAA does not intend to require non-rechargeable lithium battery special conditions for design changes that only replace a 121.5 megahertz (MHz) emergency locator transmitter (ELT) with a 406 MHz ELT that meets Technical Standard Order C126b, or later revision, on transport airplanes operating only in Alaska. This will support our efforts of encouraging operators in Alaska to upgrade to a 406 MHz ELT. These ELTs provide significantly improved accuracy for lifesaving services to locate an accident site in Alaskan terrain. The FAA considers that the safety benefits from upgrading to a 406 MHz ELT for Alaskan operations will outweigh the battery fire risk.

Comments Invited

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

Boeing holds type certificate no. T00021SE, which provides the certification basis for the 787–9 series airplanes. The 787–9 is a twin engine, transport category airplane with a passenger seating capacity of 420 and a maximum takeoff weight of 557,000 pounds.

The FAA is issuing these special conditions for non-rechargeable lithium battery installations on 787–9 series airplanes. The current battery requirements in title 14, Code of Federal Regulations (14 CFR) part 25 are inadequate for addressing an airplane with non-rechargeable lithium batteries.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Boeing must show that the 787–9 series airplanes meet the applicable provisions of the regulations listed in type certificate no. T00021SE or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA. In addition, the certification basis includes certain special conditions, exemptions, or later amended sections that are not relevant to these special conditions.

If the Administrator finds that the applicable airworthiness regulations (*i.e.,* 14 CFR part 25) do not contain adequate or appropriate safety standards for the 787–9 series airplanes because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the airplane model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, or should any other model already included on the same type certificate be modified to incorporate the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the 787–9 series airplanes must comply with the fuel vent and exhaust emission requirements of 14 CFR part 34 and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.101.

Novel or Unusual Design Feature

The novel or unusual design feature is the installation of non-rechargeable lithium batteries.

For the purpose of these special conditions, we refer to a battery and battery system as a battery. A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging.

Discussion

The FAA derived the current regulations governing installation of batteries in transport category airplanes from Civil Air Regulations (CAR) 4b.625(d) as part of the recodification of CAR 4b that established 14 CFR part 25 in February 1965. This recodification basically reworded the CAR 4b battery requirements, which are currently in § 25.1353(b)(1) through (4). Non-rechargeable lithium batteries are novel and unusual with respect to the state of technology considered when these requirements were codified. These batteries introduce higher energy levels into airplane systems through new chemical compositions in various battery cell sizes and construction. Interconnection of these cells in battery packs introduces failure modes that require unique design considerations, such as provisions for thermal management.

Recent events involving rechargeable and non-rechargeable lithium batteries prompted the FAA to initiate a broad evaluation of these energy storage technologies. In January 2013, two independent events involving rechargeable lithium-ion batteries revealed unanticipated failure modes. A National Transportation Safety Board (NTSB) letter to the FAA, dated May 22, 2014, which is available at *http://www.ntsb.gov,* filename A–14–032–036.pdf, describes these events.

On July 12, 2013, an event involving a non-rechargeable lithium battery in an emergency locator transmitter installation demonstrated unanticipated failure modes. The United Kingdom's Air Accidents Investigation Branch Bulletin S5/2013 describes this event.

Some known uses of rechargeable and non-rechargeable lithium batteries on airplanes include:

- Flight deck and avionics systems such as displays, global positioning systems, cockpit voice recorders, flight data recorders, underwater locator beacons, navigation computers, integrated avionics computers, satellite network and communication systems, communication management units, and remote-monitor electronic line-replaceable units;
- Cabin safety, entertainment, and communications equipment, including emergency locator transmitters, life rafts, escape slides, seatbelt air bags, cabin management systems, Ethernet switches, routers and media servers, wireless systems, internet and in-flight entertainment systems, satellite televisions, remotes, and handsets;
- Systems in cargo areas including door controls, sensors, video surveillance equipment, and security systems.

Some known potential hazards and failure modes associated with non-rechargeable lithium batteries are:

- Internal failures: In general, these batteries are significantly more susceptible to internal failures that can result in self-sustaining increases in temperature and pressure (*i.e.,* thermal runaway) than their nickel-cadmium or lead-acid counterparts. The metallic lithium can ignite, resulting in a self-sustaining fire or explosion.
- Fast or imbalanced discharging: Fast discharging or an imbalanced discharge of one cell of a multi-cell battery may create an overheating condition that results in an uncontrollable venting condition, which in turn leads to a thermal event or an explosion.
- Flammability: Unlike nickel-cadmium and lead-acid batteries, lithium batteries use higher energy and current in an electrochemical system that can be configured to maximize energy storage of lithium. They also use liquid electrolytes that can be extremely flammable. The electrolyte, as well as the electrodes, can serve as a source of fuel for an external fire if the battery casing is breached.

Special condition no. 1 of these special conditions requires that each individual cell within a non-rechargeable lithium battery be designed to maintain safe temperatures and pressures. Special condition no. 2 addresses these same issues but for the entire battery. Special condition no. 2 requires the battery be designed to prevent propagation of a thermal event, such as self-sustained, uncontrollable increases in temperature or pressure from one cell to adjacent cells.

Special conditions nos. 1 and 2 are intended to ensure that the non-rechargeable lithium battery and its cells are designed to eliminate the potential for uncontrollable failures. However, a certain number of failures will occur due to various factors beyond the control of the battery designer. Therefore, other special conditions are

intended to protect the airplane and its occupants if failure occurs.

Special conditions 3, 7, and 8 are self-explanatory.

Special condition no. 4 makes it clear that the flammable fluid fire protection requirements of § 25.863 apply to non-rechargeable lithium battery installations. Section 25.863 is applicable to areas of the airplane that could be exposed to flammable fluid leakage from airplane systems. Non-rechargeable lithium batteries contain an electrolyte that is a flammable fluid.

Special condition no. 5 requires that each non-rechargeable lithium battery installation not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.

While special condition no. 5 addresses corrosive fluids and gases, special condition no. 6 addresses heat. Special condition no. 6 requires that each non-rechargeable lithium battery installation have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat the battery installation can generate due to any failure of it or its individual cells. The means of meeting special conditions nos. 5 and 6 may be the same, but the requirements are independent and address different hazards.

These special conditions apply to all non-rechargeable lithium battery installations in lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments. Those regulations remain in effect for other battery installations.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

These special conditions are applicable to the 787–9 series airplanes. Should Boeing apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

These special conditions are only applicable to design changes applied for after the effective date.

These special conditions are not applicable to changes to previously certified non-rechargeable lithium battery installations where the only change is either cosmetic or to relocate the installation to improve the safety of the airplane and occupants. Previously certified non-rechargeable lithium battery installations, as used in this paragraph, are those installations approved for certification projects applied for on or before the effective date of these special conditions. A cosmetic change is a change in appearance only, and does not change any function or safety characteristic of the battery installation. These special conditions are also not applicable to unchanged, previously certified non-rechargeable lithium battery installations that are affected by a change in a manner that improves the safety of its installation. The FAA determined that these exclusions are in the public interest because the need to meet all of the special conditions might otherwise deter these design changes that improve safety.

Conclusion

This action affects only a certain novel or unusual design feature on one model of airplane. It is not a rule of general applicability.

The substance of these special conditions has been subjected to the notice and comment period in prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon publication in the **Federal Register**. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Boeing Model 787–9 series airplanes.

Non-Rechargeable Lithium Battery Installations

In lieu of § 25.1353(b)(1) through (4) at Amendment 25–123 or § 25.1353(c)(1) through (4) at earlier amendments, each non-rechargeable lithium battery installation must:

1. Be designed to maintain safe cell temperatures and pressures under all foreseeable operating conditions to prevent fire and explosion.
2. Be designed to prevent the occurrence of self-sustaining, uncontrollable increases in temperature or pressure.
3. Not emit explosive or toxic gases, either in normal operation or as a result of its failure, that may accumulate in hazardous quantities within the airplane.
4. Meet the requirements of § 25.863.
5. Not damage surrounding structure or adjacent systems, equipment, or electrical wiring from corrosive fluids or gases that may escape in such a way as to cause a major or more severe failure condition.
6. Have provisions to prevent any hazardous effect on airplane structure or systems caused by the maximum amount of heat it can generate due to any failure of it or its individual cells.
7. Have a failure sensing and warning system to alert the flightcrew if its failure affects safe operation of the airplane.
8. Have a means for the flightcrew or maintenance personnel to determine the battery charge state if the battery's function is required for safe operation of the airplane.

Note: A battery system consists of the battery and any protective, monitoring, and alerting circuitry or hardware inside or outside of the battery. It also includes vents (where necessary) and packaging. For the purpose of these special conditions, a ''battery'' and ''battery system'' are referred to as a battery.

Issued in Renton, Washington, on May 17, 2017.

Michael Kaszycki,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–10843 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0186; Directorate Identifier 2017–NE–07–AD; Amendment 39–18899; AD 2017–10–25]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Rolls-Royce Deutschland Ltd & Co KG (RRD) model Spey 506–14A, Spey 555–15, Spey 555–15H, Spey 555–15N, and Spey 555–15P turbofan engines. This AD requires reducing the maximum approved life limits for certain high-pressure compressor (HPC) stage 12 rotor disks. We are issuing this AD to correct the unsafe condition on these products.

DATES: This AD becomes effective June 12, 2017.

We must receive comments on this AD by July 10, 2017.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 202–493–2251.

For service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11–15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33–7086–1944; fax: +49 0 33–7086–3276. You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7125.

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–2017–0186; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the mandatory continuing airworthiness information (MCAI), regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7754; fax: 781–238–7199; email: *robert.green@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0186; Directorate Identifier 2017–NE–07–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2017–0014, dated January 30, 2017 (referred to hereinafter as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> Based on revised stress analysis and life calculation, Rolls-Royce Deutschland (RRD) determined new provisional life limits for high pressure compressor (HPC) stage 12 rotor disks, Part Number (P/N) EU25917, P/N EU56963, P/N JR10242 and P/N JR18449, reducing the maximum approved life limits currently defined in the RRD Spey 555–15 Engine Maintenance Manual (EMM), Chapter 5–10–1, currently at the revision dated July 2015 and the Engine Overhaul Manual (EOM), Chapter 5–10, revision dated November 2014. The Spey 506–14A EMM, Chapter 5–10–1 revision dated October 1993 as well as the Spey 506–14A EOM, Chapter 5–10 revision dated November 1992 already contain the applicable life limit. Failure to replace an affected HPC stage 12 rotor disk before exceeding these limits, could lead to an uncontained engine failure, possibly resulting in damage to, and/or reduced control of, the aeroplane. To address this potential unsafe condition, RRD issued Alert Non-Modification Service Bulletin (NMSB) Sp72–A1071 to provide instructions to determine (re-calculate) the consumed and remaining service life for each part. For the reasons described above, this AD requires re-calculation of the service life (consumed and remaining) of the affected HPC stage 12 rotor disks and, depending on the results, implementation of the life limits. It is expected that the affected reduced life limits are introduced into a next revision of the RRD Spey 555–15 Engine EMM and EOM.

You may obtain further information by examining the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0186.

Related Service Information

RRD has issued Alert Non-Modification Service Bulletin (NMSB) Sp72–A1071, Revision 1, dated January 27, 2017. The Alert NMSB provides instructions to re-calculate the consumed and remaining service life for HPC stage 12 rotor disks, part number (P/N) EU25917, P/N EU56963, P/N JR10242, and P/N JR18449. This service information is available by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This AD

This product has been approved by the aviation authority of Germany, and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI. We are issuing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design. This AD requires reducing the maximum approved life limits and re-calculating the consumed and remaining service life for HPC stage 12 rotor disks P/N EU25917, P/N EU56963, P/N JR10242, and P/N JR18449.

FAA's Determination of the Effective Date

No domestic operators use this product. Therefore, we find that notice and opportunity for prior public comment are unnecessary and that good cause exists for making this amendment effective in less than 30 days.

Costs of Compliance

We estimate that this AD affects 0 engines installed on airplanes of U.S. registry. We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Pro-rated lost life	1 work-hour × $85 per hour = $85	$3,900	$3,985	$0

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2017–10–25 Rolls-Royce Deutschland Ltd & Co KG: Amendment 39–18899; Docket No. FAA–2017–0186; Directorate Identifier 2017–NE–07–AD.

(a) Effective Date

This AD is effective June 12, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Rolls-Royce Deutschland Ltd & Co KG (RRD) Spey 506–14A, Spey 555–15, Spey 555–15H, Spey 555–15N, and Spey 555–15P turbofan engines with high-pressure compressor (HPC) stage 12 rotor disks, part number (P/N) EU25917, P/N EU56963, P/N JR10242, or P/N JR18449, installed.

(d) Subject

Joint Aircraft System Component (JASC) 7230, Turbine Engine Compressor Section.

(e) Reason

This AD was prompted by RRD re-calculating the life limits for HPC stage 12 rotor disks, P/N EU25917, P/N EU56963, P/N JR10242, and P/N JR18449. We are issuing this AD to prevent failure of the HPC stage 12 rotor disk, uncontained HPC stage 12 rotor disk release, damage to the engine, and damage to the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) Within 30 days after the effective date of this AD, determine if:

(i) The affected part was ever operated in a Spey 555–15, Spey 555–15H, Spey 555–15N, or Spey 555–15P engine model, or

(ii) the affected part was operated soley in a Spey 506–14A engine.

(2) If the affected part was operated solely in a Spey 506–14A engine with no history of operating in a Spey 555–15, Spey 555–15H, Spey 555–15N, or Spey 555–15P engine, no further action is required.

(3) If the affected part was operated in in both Spey 506–14A and Spey 555–15, Spey 555–15H, Spey 555–15N, or Spey 555–15P engine models, or solely in Spey 555–15, Spey 555–15H, Spey 555–15N, or Spey 555–15P engines, re-calculate the consumed cyclic life (and remaining service life) using the Maximum Approved Life for each engine model and take-off monitoring procedure as defined in Figures 1 and 2 to paragraph (g) of this AD.

(4) After the effective date of this AD, the Maximum Approved Lives for the affected parts are as defined in Figure 2 to paragraph (g) of this AD. Calculate the consumed cyclic life (and remaining service life) using the Spey 555–15, Spey 555–15H, Spey 555–15N, or Spey 555–15P Maximum Approved Lives in Figure 2 to paragraph (g) of this AD.

(5) For Spey 506–14A engines with an affected part installed, that do not have an engine shop visit after the effective date of this AD before the re-calculated consumed cyclic life of the affected part exceeds 14,700 flight cycles (FC), remove the affected part from service before the re-calculated consumed cyclic life exceeds 14,700 FC, or 50 FC or 30 days after the effective date of this AD, whichever occurs later.

(6) For Spey 555–15, Spey 555–15H, Spey 555–15N, or Spey 555–15P engines with an affected part installed, that do not have an engine shop visit after the effective date of this AD before the re-calculated consumed cyclic life of the affected part exceeds the Maximum Approved Lives in Figure 2 to paragraph (g) of this AD, remove the affected part from service before the re-calculated consumed cyclic life exceeds the later of the following:

(i) Maximum Approved Lives in Figure 2 to paragraph (g) of this AD, or

(ii) 200 FC or 90 days after the effective date of this AD, or before exceeding the In-Service Replacement Limits defined in Figure 3 to paragraph (g) of this AD, whichever occurs first.

FIGURE 1 TO PARAGRAPH (g)—SPEY 506–14A HIGH-PRESSURE COMPRESSOR (HPC) STAGE 12 ROTOR DISK MAXIMUM APPROVED LIFE

	Flight cycles
HPC stage 12 rotor disk, P/N EU25917, EU56963, and JR10242	14,700

FIGURE 2 TO PARAGRAPH (g)—SPEY 555–15, SPEY 555–15H, SPEY 555–15N, OR SPEY 555–15P HPC STAGE 12 ROTOR DISK, P/N EU25917, EU56963, JR10242, AND JR18449, MAXIMUM APPROVED LIFE

Take-off monitoring procedure	Maximum approved lives (flight cycles)
(A) With no high-pressure (HP) revolutions per minute (RPM) monitoring	11,500
HP RPM monitoring; stated RPM not exceeded on more than 15% of occasions:	
(B) 100% N2	13,600
(C) 99% N2	17,100
(D) 98% N2	19,300
(E) 97% N2	20,500
(F) No HP RPM monitoring required Datum (Average N2 at 99.5%)	16,800

FIGURE 3 TO PARAGRAPH (g)—SPEY 555–15, SPEY 555–15H, SPEY 555–15N, OR SPEY 555–15P HPC STAGE 12 ROTOR DISK, P/N EU25917, EU56963, JR10242, AND JR18449, IN-SERVICE REPLACEMENT LIMITS

Take-off monitoring procedure	In-service replacement limits (flight cycles)
(A) With no HP RPM monitoring	13,800
HP RPM monitoring; stated RPM not exceeded on more than 15% of occasions:	
(B) 100% N2	15,600
(C) 99% N2	17,600
(D) 98% N2	19,700
(E) 97% N2	22,100
(F) No HP RPM monitoring required Datum (Average N2 at 99.5%)	17,300

(h) Installation Prohibition

After the effective date of this AD, installation of a serviceable spare engine or release to service of an engine after any shop visit is allowed, provided the affected part has not exceeded the Maximum Approved Lives in Figures 1 or 2 to paragraph (g) of this AD.

(i) Definition

For the purpose of this AD, a shop visit is the induction of an engine into the shop for maintenance or overhaul. The separation of engine flanges solely for the purpose of transporting the engine without subsequent engine maintenance does not constitute an engine shop visit.

(j) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: *ANE-AD-AMOC@faa.gov.*

(k) Related Information

(1) For more information about this AD, contact Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7754; fax: 781–238–7199; email: *robert.green@faa.gov.*

(2) Refer to MCAI European Aviation Safety Agency (EASA), AD 2017–0014, dated January 30, 2017, for more information. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2017–0186.

(3) RRD Alert Non-Modification Service Bulletin Sp72–A1071, Revision 1, dated January 27, 2017, which is not incorporated by reference in this AD, can be obtained from RRD, using the contact information in paragraph (k)(4) of this AD.

(4) For RRD service information identified in this AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11–15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33–7086–1944; fax: +49 0 33–7086–3276.

(5) You may view this service information at FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on May 9, 2017.

Robert J. Ganley,

Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2017–10437 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0451; Directorate Identifier 2017–CE–015–AD; Amendment 39–18885; AD 2017–10–11]

RIN 2120–AA64

Airworthiness Directives; Stemme AG Gliders

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for Stemme AG Model S10–VT gliders (type certificate previously held by Stemme GmbH & Co. KG). This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as certain propeller front transmission gear wheels having insufficient material strength because of improper heat treatment

during manufacturing. We are issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective June 15, 2017.

We must receive comments on this AD by July 10, 2017.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

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–2017–0451; 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 street address for the Docket Office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2017–0072–E, dated April 26, 2017 (referred to after this as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> It has been determined that, following improper heat treatment during manufacture, the material strength of an identified batch of propeller front transmission gear wheels is insufficient.
>
> This condition, if not corrected, can lead to failure of a gear wheel, with possible loss of the power transmission between the engine and the propeller and, eventually, reduced control of the sailplane.
>
> Prompted by these determinations, Stemme issued Service Bulletin (SB) P062–980010, providing instructions not to operate sailplanes equipped with affected parts.
>
> For the reasons described above, this [EASA] AD requires replacement of affected gearboxes.

You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0451.

FAA's Determination and Requirements of the AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all information provided by the State of Design Authority and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

FAA's Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because improper heat treatment of the propeller front transmission gear wheels could cause the gear wheel to fail. This failure could cause loss of power between the engine and the propeller, which could result in reduced control. Therefore, we determined that notice and opportunity for public comment before issuing this AD are impracticable and that good cause exists for making this amendment effective in fewer than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0451; Directorate Identifier 2017–CE–015–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

Costs of Compliance

There are approximately 50 Stemme AG Model S10–VT gliders of U.S. registry but only 14 serial numbers of the part number (P/N) 11AG front gearbox. Therefore, the most gliders of U.S. registry affected would be 14. According to Stemme AG, there are only 2 of the affected gearboxes installed on gliders of U.S. registery.

At the issue date of this AD, no design solution is available to restore the airworthiness of the respective type design to a level corresponding to its approved type design specifications. Therefore, the FAA cannot determine the cost of returning the affected gliders to service.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2017–10–11 Stemme AG: Amendment 39–18885; Docket No. FAA–2017–0451; Directorate Identifier 2017–CE–015–AD.

(a) Effective Date

This airworthiness directive (AD) becomes effective June 15, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Stemme AG Model S10–VT gliders (type certificate previously held by Stemme GmbH & Co. KG), all serial numbers, that are:

(1) Equipped with a front gearbox, part number (P/N) 11AG, with a serial number listed in table 1 to paragraph (c) of this AD; and

(2) are certificated in any category.

TABLE 1 TO PARAGRAPH (c) OF THIS AD—AFFECTED P/N 11AG (FRONT GEARBOX) S/NS

80058/0814	80065/0616
80059/0915	80066/0716
80060/0915	80067/0916
80061/1115	80068/1016
80062/1215	80069/0117
80063/0116	80070/0217
80064/0416	80071/0217

Note 1 to paragraph (c) of this AD: Page 2 of Stemme AG Service Bulletin No. P062–980010, dated April 21, 2017, provides a pictorial of where the serial number of the affected gearboxes are located.

(d) Subject

Air Transport Association of America (ATA) Code 61: Propellers/Propulsors.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as certain propeller front transmission gear wheels having insufficient material strength because of improper heat treatment during manufacturing. We are issuing this AD to prevent failure of the propeller front transmission gear wheels. This failure could cause loss of power between the engine and the propeller, which could result in reduced control.

(f) Actions and Compliance

Unless already done, do the following actions.

(1) Before further flight after June 15, 2017 (the effective date of this AD), replace the front gearbox following a method approved specifically for this AD by the FAA, Small Airplane Directorate. Contact the FAA using the information in paragraph (g)(1) of this AD to obtain FAA-approved repair instructions approved specifically for compliance with this AD and incorporate those instructions.

Note 2 to paragraph (f)(1) of this AD: At the issue date of this AD, no design solution is available to restore the airworthiness of the respective type design to a level corresponding to its approved type design specifications.

(2) As of June 15, 2017 (the effective date of this AD), do not install a front gear box listed in paragraph (c) of this AD.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4165; fax: (816) 329–4090; email: *jim.rutherford@faa.gov.* Before using any approved AMOC on any glider to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(h) Related Information

(1) Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2017–0072–E, dated April 26, 2017, and Stemme AG Service Bulletin No. P062–980010, dated April 21, 2017, for related information. You may examine the MCAI on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0451.

(2) For information concerning this action, contact STEMME AG service information identified in this AD, contact STEMME AG, Flugplatzstrasse F2, Nr. 6–7, D–15344 Strausberg, Germany; telephone: +49 (0) 3341–3612–0, fax: +49 (0) 3341–3612–30; Internet: *www.stemme.com.*

Issued in Kansas City, Missouri, on May 9, 2017.

Melvin Johnson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–10402 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9511; Airspace Docket No. 16–ASW–20]

Amendment of Class D Airspace; Kingsville, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the legal description of Class D airspace extending up to 2,500 feet above the surface at Kingsville Naval Air Station (NAS), Kingsville, TX. This action is necessary due to the decommissioning of the Kingsville radio beacon (RBN), and cancellation of the RBN approach, and enhances the safety and management of instrument flight rules (IFR) operations at the airport. This action also updates the geographic coordinates of Kingsville Naval Air Station, Kingsville, TX, to coincide with the FAA's aeronautical database.

DATES: Effective 0901 UTC, September 14, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the

National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call (202) 741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Ron Laster, Federal Aviation Administration, Contract Support, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5879.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Kingsville NAS, Kingsville, TX.

History

On March 27, 2017, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to modify Class D airspace at Kingsville NAS, Kingsville, TX (82 FR 15172). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D airspace designations are published in paragraph 5000, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR part 71.1. The Class D airspace designation listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is finalizing this amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying Class D airspace extending up to and including 2,500 feet MSL within a 4.3-mile radius of Kingsville NAS by removing the area within two miles each side of the 200 degree bearing from the Kingsville RBN extending from the 4.3-mile radius to 4.9 miles south of the airport. This action also updates the geographic coordinates of the airport to be in concert with the FAA's aeronautical database.

Airspace reconfiguration is necessary due to the decommissioning of the RBN and cancellation of the RBN approach, and enhances the safety and management of standard instrument approach procedures for IFR operations at the airport.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures,'' paragraph 5–6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 6000 Class D Airspace Areas.

* * * * *

ASW TX D Kingsville, TX [Amended]

Kingsville Naval Air Station (NAS), TX
(Lat. 27°30′16″ N., long. 97°48′30″ W.)
Kingsville TACAN
(Lat. 27°29′57″ N., long. 97°48′20″ W.)

That airspace extends upward from the surface to and including 2,500 feet MSL within a 4.3-mile radius of Kingsville NAS, and within 1.3 miles each side of the 191° radial of the Kingsville TACAN extending from the 4.3-mile radius to 4.9 miles south of the airport.

Issued in Fort Worth, Texas on May 11, 2017.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2017–10429 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 170303229–7229–01]

RIN 0694–AH36

Addition of Certain Persons and Revisions to Entries on the Entity List

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: This rule amends the Export Administration Regulations (EAR) by

adding sixteen persons to the Entity List. The sixteen persons who are added to the Entity List have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. These sixteen persons will be listed on the Entity List under the destinations of Pakistan, Turkey and the United Arab Emirates. This final rule is also modifying two existing entries in the Entity List under the destinations of China and Hong Kong.

DATES: This rule is effective May 26, 2017.

FOR FURTHER INFORMATION CONTACT: Chair, End-User Review Committee, Office of the Assistant Secretary, Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–5991, Email: *ERC@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

The Entity List (15 CFR, subchapter C, part 744, Supplement No. 4) identifies entities and other persons reasonably believed to be involved, or to pose a significant risk of being or becoming involved, in activities contrary to the national security or foreign policy interests of the United States. The Export Administration Regulations (EAR) (15 CFR, subchapter C, parts 730–774) imposes additional license requirements on, and limits the availability of most license exceptions for, exports, reexports, and transfers (in-country) to those listed. The license review policy for each listed entity or other person is identified in the License Review Policy column on the Entity List, and the impact on the availability of license exceptions is described in the relevant **Federal Register** notice adding entities or other persons to the Entity List. BIS places entities and other persons on the Entity List pursuant to part 744 (Control Policy: End-User and End-Use Based) and part 746 (Embargoes and Other Special Controls) of the EAR.

The End-User Review Committee (ERC), composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, where appropriate, the Treasury, makes all decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entry to the Entity List by majority vote, and makes all decisions to remove or modify an entry by unanimous vote.

ERC Entity List Decisions

Additions to the Entity List

This rule implements the decision of the ERC to add sixteen persons to the Entity List. These sixteen persons are being added on the basis of § 744.11 (License requirements that apply to entities acting contrary to the national security or foreign policy interests of the United States) of the EAR. The sixteen entries added to the Entity List consist of eleven entries located in Pakistan, three entries in Turkey and two entries in the United Arab Emirates (UAE).

The ERC reviewed § 744.11(b) (Criteria for revising the Entity List) in making the determination to add these sixteen persons to the Entity List. Under that paragraph, persons for whom there is reasonable cause to believe, based on specific and articulable facts, that they have been involved, are involved, or pose a significant risk of being or becoming involved in, activities that are contrary to the national security or foreign policy interests of the United States and those acting on behalf of such persons may be added to the Entity List. Paragraphs (b)(1) through (5) of § 744.11 provide an illustrative list of activities that could be contrary to the national security or foreign policy interests of the United States.

Of the eleven entries that are being added to the Entity List under the destination of Pakistan, the ERC determined that nine of the entities—MSN International, Creative Dynamics Engineering, FACO Trading, Interscan, Micado, Premier International, Sumico Technologies, Oriental Engineers and Imam Group—are government, parastatal and private entities involved in activities that are contrary to the national security and/or foreign policy interests of the United States. The ERC determined that for one entity, KMA International Import and Export Co., information is available indicating that the company is acting and procuring items on behalf of Abdul Qader Khan Research Laboratories (AQKRL). AQKRL was added to the Entity list on November 19, 1998 (63 FR 64322).

One of the Pakistani entities, Makkays Hi-Tech Systems, is being added to the Entity List, along with two persons under the destination of the UAE, Euromoto Middle East FZE and its owner, Talaat Mehmood. The ERC determined that Makkays Hi-Tech Systems directed Euromoto Middle East FZE and Talaat Mehmood to supply U.S.-origin items, without obtaining the necessary licenses, to Pakistan's Advanced Engineering Research Organization (AERO). AERO was added to the Entity List on September 18, 2014 (79 FR 5999), based on its involvement in the procurement of sensitive U.S. technology in support of Pakistan's development of its missile and strategic unmanned aerial vehicle (UAV) programs.

This final rule also adds three persons located in the destination of Turkey—ERA Metalurji San. Ve Tic. Ltd. Sti., Mehmet Cingi and Cenk Ozturk—to the Entity List. These persons are being added on the basis of their involvement in the reexportation of U.S.-origin metal alloy powders with aerospace, missile and nuclear applications to Iran without the required license, in violation of both the EAR and the Department of the Treasury's Iranian Transactions and Sanctions Regulations (ITSR).

Pursuant to § 744.11(b) of the EAR, the ERC determined that the conduct of these sixteen persons raises sufficient concern that prior review of exports, reexports or transfers (in-country) of all items subject to the EAR involving these persons, and the possible imposition of license conditions or license denials on shipments to the persons, will enhance BIS's ability to prevent violations of the EAR.

For the sixteen persons added to the Entity List, BIS imposes a license requirement for all items subject to the EAR, and a license review policy of presumption of denial. The license requirements apply to any transaction in which items are to be exported, reexported, or transferred (in-country) to any of the persons or in which such persons act as purchaser, intermediate consignee, ultimate consignee, or end-user. In addition, no license exceptions are available for exports, reexports, or transfers (in-country) to the persons being added to the Entity List in this rule. The acronym ''a.k.a.'' (also known as) is used in entries on the Entity List to identify aliases and help exporters, reexporters and transferors to better identify persons on the Entity List.

This final rule adds the following sixteen persons to the Entity List:

Pakistan

(1) *Creative Dynamics Engineering,* a.k.a., the following one alias:
—Creative Dynamics.
66/1–M Block 6, PECHS, Karachi, Sindh 75400, Pakistan;

(2) *FACO Trading,*
204, Bank & Business Centre Near Duty Free Shop off Shahrah-e-Faisal, Karachi, Sindh, Pakistan;

(3) *Imam Group,* a.k.a., the following one alias:
—Pana Communication Inc.
Plot No. 227, St. No. 7, Sector I–9/2, Industrial Area, Near Dry Port, Islamabad, Pakistan; *and* 70-East

A.A. Plaza, Mezz. Floor Blue Area, Islamabad 44000, Capital, Pakistan;

(4) *Interscan,*
Sattar Villa B, 32/1–C–1 Block-6, P.E.C.H.S., Karachi 75400i, Singh, Pakistan;

(5) *KMA International Import and Export Co.,*
Sector I–8/4, House No. 460, Street No. 105, Islamabad 44000, Pakistan;

(6) *Makkays Hi-Tech Systems,* a.k.a., the following one alias:
—Zaib Electronics.
Block 14 Civic Centre, G–6 Markaz, Islamabad, Pakistan; *and* Kulsum Plaza, 42 Jinnah Avenue, Islamabad, Pakistan; *and* Basement Khyber Plaza, Barma Town, near Barma Bridge, Lehtrar Road; *and* House No. 675, Street No. 19, G–9/3, Islamabad, Pakistan;

(7) *Micado,*
40–C, Block-6, P.E.C.H.S., Shahrah-e-Faisal, Karachi, Singh, Pakistan;

(8) *MSN International,*
Office No. 32/37, 1st Floor, Behind NBP, Aslam Market, Wah Cantt, Pakistan;

(9) *Oriental Engineers,*
11–B Main Gulberg, Lahore, Pakistan;

(10) *Premier International,* a.k.a., the following one alias:
—Align Impex.
Suite E–2, E-Market, DHA EME Sector, Multan Road, Lahore-54500, Pakistan; *and* Suite 22 1st Floor Lodhi Arcade, 42 Ferozpur Road, Lahore, Pakistan; *and*

(11) *Sumico Technologies,*
185–J–1, Muhammad Ali Johar Town, Lahore, Pakistan; *and* House #307–B Upper Floor Main Margalla Road, F–11/3 Islamabad, Pakistan; *and* House #E–26 Block A Railway Society, Gulshan-E-Jamal, Karachi, Pakistan.

Turkey

(1) *Cenk Ozturk,*
Aktepe Sanayi Sitesi, Kinalikar Sokak, Orta Mahalle No. 19, Orhanli—Tuzla, Istanbul, Turkey;

(2) *ERA Metalurji San. Ve Tic. Ltd. Sti.,*
Aktepe Sanayi Sitesi, Kinalikar Sokak, Orta Mahalle No. 19, Orhanli—Tuzla, Istanbul, Turkey; *and*

(3) *Mehmet Cingi,*
Aktepe Sanayi Sitesi, Kinalikar Sokak, Orta Mahalle No. 19, Orhanli—Tuzla, Istanbul, Turkey.

United Arab Emirates

(1) *Euromoto Middle East FZE,*
Q–4 136 Warehouse, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* Q1–08–051/B, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* P.O. Box 121826, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and*

(2) *Talaat Mehmood,*
Q–4 136 Warehouse, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* Q1–08–051/B, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* P.O. Box 121826, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE.

Modifications to Entries on the Entity List

This final rule implements a decision of the ERC to modify two existing entries on the Entity List under the destinations of China and Hong Kong. The modifications include the addition of the name Xianfa Lin to two existing entries and the identification of the previously listed name (Alpha Lam) in these entries as an alias. This final rule does not make any other changes to these two entries, except for revising the **Federal Register** citation column to reflect this modification. The license requirement for these two existing entries remains for all items subject to the EAR and the license review policy remains a presumption of denial.

This final rule makes the following revisions to two entries on the Entity List:

China

(1) *Xianfa Lin,* a.k.a., the following one alias:
—Alpha Lam.
15H Office Building, Buji Central Plaza, Jihua Road, Buji Longgang, Shenzhen, China (See alternate address under Hong Kong).

Hong Kong

(1) *Xianfa Lin,* a.k.a., the following one alias:
—Alpha Lam.
Room 1041 Pacific Trade Center No. 2 Kai Hing Road, Kowloon Bay, Hong Kong (See alternate address under China).

Savings Clause

Shipments of items removed from eligibility for a License Exception or export or reexport without a license (NLR) as a result of this regulatory action that were en route aboard a carrier to a port of export or reexport, on May 26, 2017, pursuant to actual orders for export or reexport to a foreign destination, may proceed to that destination under the previous eligibility for a License Exception or export or reexport without a license (NLR).

Export Administration Act of 1979

Although the Export Administration Act of 1979 expired on August 20, 2001, the President, through Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013) and as extended by the Notice of August 4, 2016, 81 FR 52587 (August 8, 2016), has continued the EAR in effect under the International Emergency Economic Powers Act (15 U.S.C. 1701 *et seq.*). BIS continues to carry out the provisions of the Export Administration Act of 1979, as appropriate and to the extent permitted by law, pursuant to Executive Order 13222, as amended by Executive Order 13637.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has been determined to be not significant for purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to nor be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under control number 0694–0088, Simplified Network Application Processing System, which includes, among other things, license applications, and carries a burden estimate of 43.8 minutes for a manual or electronic submission.

Total burden hours associated with the PRA and OMB control number 0694–0088 are not expected to increase as a result of this rule. You may send comments regarding the collection of information associated with this rule, including suggestions for reducing the burden, to Jasmeet K. Seehra, Office of Management and Budget (OMB), by email to *Jasmeet_K._Seehra@*

omb.eop.gov, or by fax to (202) 395–7285.

3. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

4. For the sixteen persons added to the Entity List in this final rule, the provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation and a 30-day delay in effective date are inapplicable, because this regulation involves a military or foreign affairs function of the United States (5 U.S.C. 553(a)(1)). BIS implementation of this rule is necessary to protect U.S. national security or foreign policy interests by preventing items from being exported, reexported, or transferred (in-country) to the persons being added to the Entity List. If this rule were delayed to allow for notice and comment and a delay in effective date, the entities being added to the Entity List by this action would continue to be able to receive items without a license and to conduct activities contrary to the national security or foreign policy interests of the United States. In addition, publishing a proposed rule would give these parties notice of the U.S. Government's intention to place them on the Entity List, which could create an incentive for these persons to either accelerate receiving items subject to the EAR to conduct activities that are contrary to the national security or foreign policy interests of the United States, including taking steps to set up additional aliases, change addresses, and other measures to try to limit the impact of the listing on the Entity List once a final rule is published. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule.

5. The Department finds that there is good cause under 5 U.S.C. 553(b)(3)(B) to waive the provisions of the Administrative Procedure Act (APA) requiring prior notice and the opportunity for public comment for the two modifications included in this rule because, as described above, they are impracticable and are contrary to the public interest. In addition, these two changes are limited to the addition of the name of an entity on the Entity List under two entries, which will assist the public in more easily identifying this listed person on the Entity List.

6. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* are not applicable. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

List of Subjects in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, part 744 of the Export Administration Regulations (15 CFR parts 730–774) is amended as follows:

PART 744—[AMENDED]

■ 1. The authority citation for 15 CFR part 744 continues to read as follows:

Authority: 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of August 4, 2016, 81 FR 52587 (August 8, 2016); Notice of September 15, 2016, 81 FR 64343 (September 19, 2016); Notice of November 8, 2016, 81 FR 79379 (November 10, 2016); Notice of January 13, 2017, 82 FR 6165 (January 18, 2017).

■ 2. Supplement No. 4 to part 744 is amended:

■ a. By revising, under China, People's Republic of, one Chinese entity ''Alpha Lam, 15H Office Building, Buji Central Plaza, Jihua Road, Buji Longgang, Shenzhen, China (See alternate address under Hong Kong)'';

■ b. By revising, under Hong Kong, one Hong Kong entity ''Alpha Lam, Room 1041 Pacific Trade Center No. 2 Kai Hing Road, Kowloon Bay, Hong Kong (See alternate address under China)'';

■ c. By adding, under Pakistan, in alphabetical order, eleven Pakistani entities;

■ d. By adding, under Turkey, in alphabetical order, three Turkish entities; and

■ e. By adding, under the United Arab Emirates, in alphabetical order, two Emirati entities.

The additions and revisions read as follows:

Supplement No. 4 to Part 744—Entity List

* * * * *

Country	Entity	License requirement	License review policy	**Federal Register** citation
*	*	*	*	*
CHINA, PEOPLE's REPUBLIC OF.	*	*	*	*
	Xianfa Lin, a.k.a., the following alias: —Alpha Lam. 15H Office Building, Buji Central Plaza, Jihua Road, Buji Longgang, Shenzhen, China (See alternate address under Hong Kong).	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial.	79 FR 32445, 6/5/14. 82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	*	*	*	*
*	*	*	*	*
HONG KONG	*	*	*	*

Country	Entity	License requirement	License review policy	**Federal Register** citation
	Xianfa Lin, a.k.a., the following alias: —Alpha Lam. Room 1041 Pacific Trade Center No. 2 Kai Hing Road, Kowloon Bay, Hong Kong (See alternate address under China).	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	79 FR 32445, 6/5/14. 82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
*	* *	*	* *	*
PAKISTAN	* *	*	* *	*
	Creative Dynamics Engineering, a.k.a., the following one alias: —Creative Dynamics. 66/1–M Block 6, PECHS, Karachi, Sindh 75400, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	FACO Trading, 204, Bank & Business Centre Near Duty Free Shop off Shahrah-e-Faisal, Karachi, Sindh, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	Imam Group, a.k.a., the following one alias: —Pana Communication Inc. Plot No. 227, St. No. 7, Sector I–9/2, Industrial Area, Near Dry Port, Islamabad, Pakistan; *and* 70-East A.A. Plaza, Mezz. Floor Blue Area, Islamabad 44000, Capital, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	Interscan, Sattar Villa B, 32/1–C–1 Block-6, P.E.C.H.S., Karachi 75400i, Singh, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	KMA International Import and Export Co., Sector I–8/4, House No. 460, Street No. 105, Islamabad 44000, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	Makkays Hi-Tech Systems, a.k.a., the following one alias: —Zaib Electronics. Block 14 Civic Centre, G–6 Markaz, Islamabad, Pakistan; *and* Kulsum Plaza, 42 Jinnah Avenue, Islamabad, Pakistan; *and* Basement Khyber Plaza, Barma Town, near Barma Bridge, Lehtrar Road; *and* House No. 675, Street No. 19 , G–9/3, Islamabad, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	Micado, 40–C, Block-6, P.E.C.H.S., Shahrah-e-Faisal, Karachi, Singh, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	MSN International, Office No. 32/37, 1st Floor, Behind NBP, Aslam Market, Wah Cantt, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	Oriental Engineers, 11–B Main Gulberg, Lahore, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*

Country	Entity	License requirement	License review policy	Federal Register citation
	Premier International, a.k.a., the following one alias: —Align Impex. Suite E–2, E-Market, DHA EME Sector, Multan Road, Lahore-54500, Pakistan; *and* Suite 22 1st Floor Lodhi Arcade, 42 Ferozpur Road, Lahore, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	Sumico Technologies, 185–J–1, Muhammad Ali Johar Town, Lahore, Pakistan; *and* House #307–B Upper Floor Main Margalla Road, F–11/3 Islamabad, Pakistan; *and* House #E–26 Block A Railway Society, Gulshan-E-Jamal, Karachi, Pakistan.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
*	* *	* *	*	*
TURKEY	* *	*	* *	*
	Cenk Ozturk, Aktepe Sanayi Sitesi, Kinalikar Sokak, Orta Mahalle No. 19, Orhanli-Tuzla, Istanbul, Turkey.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	ERA Metalurji San. Ve Tic. Ltd. Sti., Aktepe Sanayi Sitesi, Kinalikar Sokak, Orta Mahalle No. 19, Orhanli-Tuzla, Istanbul, Turkey.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	Mehmet Cingi, Aktepe Sanayi Sitesi, Kinalikar Sokak, Orta Mahalle No. 19, Orhanli-Tuzla, Istanbul, Turkey.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
*	* *	* *	*	*
UNITED ARAB EMIRATES.	* *	*	* *	*
	Euromoto Middle East FZE, Q–4 136 Warehouse, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* Q1–08–051/B, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* P.O. Box 121826, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
	Talaat Mehmood, Q–4 136 Warehouse, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* Q1–08–051/B, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE; *and* P.O. Box 121826, Sharjah Airport International Free (SAIF) Zone, Sharjah, UAE.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	82 FR [INSERT FR PAGE NUMBER AND 5/26/17].
	* *	*	* *	*
*	* *	*	* *	*

Dated: May 22, 2017.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 2017–10804 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2017–0443]

Drawbridge Operation Regulation; Charles River, Boston, MA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Massachusetts Department of Transportation (Craigie) Bridge across the Charles River, mile 1.0, at Boston, Massachusetts. This deviation is necessary in order to facilitate an annual fireworks display and allows the bridge to remain in the closed position for two hours.

DATES: This deviation is effective from 11 p.m. on July 4, 2017 to 1 a.m. on July 5, 2017.

ADDRESSES: The docket for this deviation, USCG–2017–0443 is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email James L. Rousseau, Senior Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard; telephone 617–223–8619, email *james.l.rousseau2@uscg.mil.*

SUPPLEMENTARY INFORMATION: The owner of the bridge, the Massachusetts Department of Transportation, requested a temporary deviation from the normal operating schedule to facilitate a public fireworks event.

The Massachusetts Department of Transportation (Craigie Bridge), mile 1.0, across the Charles River, has a vertical clearance of 5 feet at mean high water and 15 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.591(e).

This temporary deviation will allow the bridge to remain closed from 11 p.m. July 4, 2017 to 1 a.m. on July 5, 2017. The waterway is used primarily by seasonal recreational vessels and occasional small commercial traffic. Coordination with waterway users has indicated no objections to this short-term closure of the draw.

Vessels that can pass under the bridge without an opening may do so at all times. The bridge will be able to open for emergencies. There is no alternate route for vessels to pass.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 23, 2017.

C.J. Bisignano,

Supervisory Bridge Management Specialist, First Coast Guard District.

[FR Doc. 2017–10855 Filed 5–25–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2017–0449]

Drawbridge Operation Regulation; Lake Champlain, North Hero Island, VT

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the US2 Bridge across Lake Champlain, mile 91.8, between North Hero and South Hero Island, Vermont. This deviation is necessary to extend the operating life of the drawbridge until a replacement bridge is constructed. This deviation allows the bridge to open only on the hour during the day for the 2017 boating season.

DATES: This deviation is effective without actual notice from May 26, 2017 through 8 p.m. on October 15, 2016. For the purposes of enforcement, actual notice will be used from May 18, 2017, until May 26, 2017.

ADDRESSES: The docket for this deviation, USCG–2017–0449, is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Jeffrey Stieb; Bridge Management Specialist, First Coast Guard District, telephone 617–223–8364, email *Jeffrey.D.Stieb@uscg.mil.*

SUPPLEMENTARY INFORMATION: The bridge owner, Vermont Agency of Transportation, requested a temporary deviation from the normal operating schedule of the US2 Bridge, mile 91.8, across Lake Champlain at North Hero Island, Vermont. The drawbridge navigation span has a vertical clearance of 18 feet at ordinary high water in the closed position. The existing bridge operating regulations are found at 33 CFR 117.993(b). The waterway is transited by seasonal recreational vessels of various sizes. Several marina facilities are in the area of the bridge.

In response to the request, the Coast Guard's First District has approved a deviation from 8 a.m. on May 18, 2017 to 8 p.m. on October 15, 2017, to conduct repairs to extend the life of the machinery which operates the drawbridge. During this deviation, the US2 Bridge shall open on signal only on the hour from 8 a.m. to 8 p.m.

Vessels that are able to pass under the bridge in the closed position may do so at anytime. The bridge will be able to open for emergencies, and for vessels unable to pass through the bridge in the closed position there is an alternate route to the north under the Alburg Passage US2 fixed bridge. The Alburg Passage US2 Bridge has a vertical clearance of 26 feet at ordinary high water. The Coast Guard will inform the users of the waterway through our Local Notice and Broadcast Notice to Mariners of the change in operating schedule so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 23, 2017.

C.J. Bisignano,

Supervisory Bridge Management Specialist, First Coast Guard District.

[FR Doc. 2017–10899 Filed 5–25–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2017–0444]

Drawbridge Operation Regulation; Neponset River, Boston, MA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Granite Avenue Bridge across Neponset River, mile 2.5, at Boston, Massachusetts. This deviation is necessary in order to facilitate the McKeon Post Scholarship Road Race and allows the bridge to remain in the closed position for two hours.

DATES: This deviation is effective from 9:30 a.m. to 11:30 a.m. on June 18, 2017.

ADDRESSES: The docket for this deviation, USCG–2017–0444 is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email James L. Rousseau, Senior Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard; telephone 617–223–8619, email *james.l.rousseau2@uscg.mil.*

SUPPLEMENTARY INFORMATION: The owner of the bridge, the Massachusetts Department of Transportation, requested a temporary deviation from the normal operating schedule to facilitate a road race. The Granite Avenue Bridge, mile 2.5, across Neponset River, has a vertical clearance of 6 feet at mean high water and 16 feet at mean low water in the closed position. The existing drawbridge operating regulations are listed at 33 CFR 117.611.

The temporary deviation will allow the Granite Avenue Bridge to remain closed from 9:30 a.m. through 11:30 a.m. on June 18, 2017. The waterway is used primarily by seasonal recreational vessels. Coordination with waterway users has indicated no objections to the proposed short-term closure of the draw.

Vessels able to pass through the bridge in the closed positions may do so at anytime. The bridge will be able to open for emergencies. There is no alternate route for vessels to pass.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 23, 2017.

C.J. Bisignano,

Supervisory Bridge Management Specialist, First Coast Guard District.

[FR Doc. 2017–10856 Filed 5–25–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2017–0462]

Drawbridge Operation Regulation; Cerritos Channel, Long Beach, CA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Henry Ford Avenue railroad bridge across Cerritos Channel, mile 4.8 at Long Beach, CA. The deviation is necessary to allow the bridge owner to replace the operating machinery of the bridge. This deviation allows the bridge to remain in the closed-to-navigation position during the deviation period.

DATES: This deviation is effective from 6:30 p.m. on May 27, 2017 to 6:30 p.m. on June 10, 2017.

ADDRESSES: The docket for this deviation, [USCG–2017–0462], is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Carl T. Hausner, Chief, Bridge Section, Eleventh Coast Guard District; telephone 510–437–3516; email *Carl.T.Hausner@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Port of Los Angeles has requested a temporary change to the operation of the Henry Ford Avenue railroad bridge, mile 4.8, over Cerritos Channel, at Long Beach, CA. The drawbridge navigation span provides a vertical clearance of 6 feet above Mean High Water in the closed-to-navigation position. The draw operates as required by 33 CFR 117.147(b). Navigation on the waterway is commercial, search and rescue, law enforcement, and recreational.

The drawspan will be secured in the closed-to-navigation position from 6:30 p.m. on May 27, 2017 to 6:30 p.m. on June 10, 2017, to allow the bridge owner to replace the operating machinery. This temporary deviation has been coordinated with the waterway users. No objections to the proposed temporary deviation were raised.

Vessels able to pass through the bridge in the closed position may do so at any time. The bridge will be able to open for emergencies with between 4 to 24 hours advance notice. Los Angeles Harbor can be used as an alternate route for vessels. The Coast Guard will also inform the users of the waterway through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 22, 2017.

C.T. Hausner,

District Bridge Chief, Eleventh Coast Guard District.

[FR Doc. 2017–10854 Filed 5–25–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

[Docket No.: PTO–P–2017–0002]

RIN 0651–AD14

July 2017 Revision of Patent Cooperation Treaty Procedures

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Final rule.

SUMMARY: The United States Patent and Trademark Office (USPTO or Office) is amending the rules of practice to implement certain amendments made to the Regulations under the Patent

Cooperation Treaty (PCT) that will take effect on July 1, 2017, concerning the transmittal by a Receiving Office to an International Searching Authority of documents relating to an earlier search or classification.

DATES:

Effective date: This rule is effective July 1, 2017.

Applicability date: The changes in this final rule apply to international applications having an international filing date on or after July 1, 2017.

FOR FURTHER INFORMATION CONTACT: Boris Milef, Senior Legal Examiner, International Patent Legal Administration, at (571) 272–3288.

SUPPLEMENTARY INFORMATION: During the October 5 to 14, 2015, meeting of the Governing Bodies of the World Intellectual Property Organization (WIPO), the PCT Assembly adopted a number of amendments to the PCT Regulations having various dates of entry into force. *See* report adopted by the 47th Assembly of the PCT Union, *available at http://www.wipo.int/edocs/mdocs/govbody/en/pct_a_47/pct_a_47_9.pdf.* This final rule implements the changes to PCT Rules 12*bis,* 23*bis,* and 41, concerning the transmittal by the Receiving Office (RO) to the International Searching Authority (ISA) of documents relating to an earlier search or classification. Pursuant to 35 U.S.C. 361, the USPTO is required to perform all acts connected with the discharge of duties required of an RO. Accordingly, the USPTO is amending the rules of practice to implement these adopted PCT rules. These adopted rules were published in the May 12, 2016, issue of the PCT Gazette at pages 95–99, available on WIPO's Web site at *http://www.wipo.int/pct/en/official_notices,* and will apply to international applications having an international filing date on or after July 1, 2017.

Under the current PCT rules, applicants can request the ISA to take into account the results of an earlier search carried out by the same or another ISA or by a national office. *See* PCT Rule 4.12. Applicants making such a request must submit to the RO a copy of the results of the earlier search, subject to certain exceptions. One exception is where the office acting as the RO has performed the earlier search, the applicant may request the RO to transmit a copy of the results of the earlier search to the ISA rather than submit a copy of the results to the RO. *See* current PCT Rule 12*bis.*1(c). Submission of a copy of the results of the earlier search to the RO is also not required where the earlier search was carried out by the same ISA or by the same office as that which is acting as the ISA. *See* current PCT Rule 12*bis.*1(d). Nor is the submission of a copy of the results of the earlier search to the RO required where a copy of the search results is available to the ISA in a form and manner acceptable to it, for example, from a digital library. *See* current PCT Rule 12*bis.*1(f). The USPTO, in its capacity as an ISA, currently does not obtain a copy of the results of an earlier search pursuant to Rule 12*bis.*1(f).

As explained above, the mechanism under the current PCT rules for providing an ISA with a copy of the results of an earlier search is applicant driven. In addition, the current PCT rules do not specifically provide for the transmittal by the RO to the ISA of a copy of the results of any earlier classification available to the RO. To help reduce the workload of ISAs and improve the quality of international search reports, the PCT Regulations were amended to increase the availability of the results of an earlier search or earlier classification to ISAs by providing an Office driven mechanism for furnishing such information to ISAs. A summary of the new PCT Regulations are provided as follows.

New PCT Rule 23*bis.*1 concerns the transmittal of documents relating to an earlier search where the applicant has made a request under PCT Rule 4.12 that the ISA take into account the results of an earlier search. Rule 23*bis.*1(a) provides that the RO shall transmit to the ISA, together with the search copy (*see* PCT Article 12(1); PCT Rule 23), any copy referred to in Rule 12*bis.*1(a) related to an earlier search in respect of which the applicant has made a request under Rule 4.12, provided that any such copy: (i) Has been submitted by the applicant to the RO together with the international application; (ii) has been requested by the applicant to be prepared and transmitted by the RO to the ISA; or (iii) is available to the RO in a form and manner acceptable to it, for example, from a digital library, in accordance with Rule 12*bis.*1(d). Rule 23*bis.*1(b) further provides that, if the results of any earlier classification are not included in the copy of the results of the earlier search referred to in Rule 12*bis.*1(a), the RO shall also transmit to the ISA, together with the search copy, a copy of the results of any earlier classification effected by that office, if available.

New PCT Rule 23*bis.*2 provides for the transmittal by the RO to the ISA of the copy of the results of an earlier search or earlier classification in respect of an earlier application for which priority is claimed in the international application, where the earlier application is filed with the same office that is acting as the RO and that office has carried out an earlier search in respect of the earlier application or has classified the earlier application. Under this provision, transmittal of a copy of the results of an earlier search or earlier classification by the RO to the ISA will not be required in the following circumstances: (1) Where an RO has notified the International Bureau by April 14, 2016, that it may, on the request of the applicant submitted together with the international application, decide not to transmit the results of an earlier search (Rule 23*bis.*2(b)); (2) where the earlier search was carried out by the ISA or where the RO is aware that the results are available to the ISA (Rule 23*bis.*2(d)); and (3) where, to the extent that on October 14, 2015, the transmission of the copies referred to Rule 23*bis.*2(a) without the authorization by the applicant is not compatible with the national law applied by the RO, the provisions of PCT Rule 23*bis.*2(a) will not apply with respect to any international application filed with that RO for as long as such transmission without the authorization by the applicant continues not to be compatible with that law, provided that the RO informed the International Bureau accordingly by April 14, 2016 (PCT Rule 23*bis.*2(e)).

Under the national law of the United States, unpublished applications for patents are generally required to be kept in confidence by the USPTO and no information concerning the same given without authority of the applicant or owner. *See* 35 U.S.C. 122; 37 CFR 1.14. Accordingly, the USPTO has notified the International Bureau pursuant to PCT Rule 23*bis.*2(e) that it will not transmit the copies referred to in Rule 23*bis.*2 to the extent that the national law of the United States requires that patent applications that have not been published must be kept in confidence unless specifically authorized by the applicant. *See* the October 20, 2016, issue of the PCT Gazette at pages 210–13, *available at http://www.wipo.int/export/sites/www/pct/en/official_notices/officialnotices16.pdf.*

Discussion of Specific Rules

The following is a discussion of the amendments to 37 CFR part 1, made pursuant to the amendments to the PCT Regulations.

37 CFR 1.453: In general, § 1.453 is added to provide the procedures for the transmittal by the USPTO in its capacity as an RO of documents relating to an earlier search or earlier classification in

accordance with amendments made to the PCT Regulations that will take effect on July 1, 2017.

Section 1.453(a) implements the provisions of new PCT Rule 23*bis.*1 by providing that, where an applicant has requested in an international application filed with the United States Receiving Office (RO/US) pursuant to PCT Rule 4.12 that an ISA take into account the results of an earlier search, the RO/US shall prepare and transmit to the ISA, as applicable, a copy of the results of the earlier search and any earlier classification as provided under PCT Rule 23*bis.*1. As discussed above, the applicant driven mechanism of PCT Rule 23*bis.*1 differs from the current applicant driven PCT mechanism by further providing for the automatic transmittal by the RO to the ISA of a copy of the results of any earlier classification effected by the RO. Also, consistent with the USPTO's current practice as an ISA, the USPTO, in its capacity as an RO, does not at the present time contemplate obtaining a copy of the results of an earlier search pursuant to PCT Rule 23*bis.*1(a)(iii), for example, from a digital library.

Section 1.453(b) implements the provisions of PCT Rule 23*bis.*2 by providing that, where an international application filed with the RO/US claims the priority of an earlier application filed with the USPTO in which the USPTO has carried out an earlier search or has classified such earlier application, the RO/US shall prepare and transmit to the ISA a copy of the results of any such earlier search and earlier classification as provided under PCT Rule 23*bis.*2. This automatic process is triggered based on the presence of a priority claim in the PCT application to an application in which the USPTO carried out an earlier search or has classified the earlier application.

The RO/US will not retrieve the results of an earlier search or earlier classification conducted by an office other than the USPTO. Section 1.453(c), therefore, is limited to applications held in confidence by the USPTO and is not directed to applications held in confidence by offices other than the USPTO. In accordance with the requirements of 35 U.S.C. 122 and the aforementioned notification under PCT Rule 23*bis.*2(e) by the USPTO, § 1.453(a) and (b) are subject to the provisions of § 1.453(c), which provides that the RO/US will not prepare a copy of the results of the earlier search or earlier classification referred to in § 1.453(a) or (b) for transmittal to an ISA from an application preserved in confidence by the USPTO under § 1.14 unless the international application contains written authority granting the ISA access to such results. Section 1.453(c) further provides that such written authority must be signed by an applicant in the international application who is also an applicant in the application preserved in confidence or by a person set forth in § 1.14(c) permitted to grant access to the application preserved in confidence. The Office anticipates that the PCT Request form (PCT/RO/101) will be revised to provide the option to include written authority therein. The provisions of § 1.453(c) will permit, *inter alia,* an applicant in the international application to sign the written authority (either directly or through applicant's representative (§ 1.455)), provided that applicant is also an applicant in the application that is preserved in confidence.

Rulemaking Considerations

A. Administrative Procedure Act: This final rule implements changes made to the Regulations under the PCT and involves changes to the rules of agency practice and procedure and/or interpretive rules. *See Perez* v. *Mortg. Bankers Ass'n,* 135 S. Ct. 1199, 1204 (2015) (Interpretive rules ''advise the public of the agency's construction of the statutes and rules which it administers.'' (citation and internal quotation marks omitted)); *Nat'l Org. of Veterans' Advocates* v. *Sec'y of Veterans Affairs,* 260 F.3d 1365, 1375 (Fed. Cir. 2001) (Rule that clarifies interpretation of a statute is interpretive.); *Bachow Commc'ns Inc.* v. *FCC,* 237 F.3d 683, 690 (D.C. Cir. 2001) (Rules governing an application process are procedural under the Administrative Procedure Act.); *Inova Alexandria Hosp.* v. *Shalala,* 244 F.3d 342, 350 (4th Cir. 2001) (Rules for handling appeals were procedural where they did not change the substantive standard for reviewing claims.).

Accordingly, prior notice and opportunity for public comment for the changes in this rulemaking are not required pursuant to 5 U.S.C. 553(b) or (c), or any other law. *See Perez,* 135 S. Ct. at 1206 (Notice-and-comment procedures are required neither when an agency ''issue[s] an initial interpretive rule'' nor ''when it amends or repeals that interpretive rule.''); *Cooper Techs. Co.* v. *Dudas,* 536 F.3d 1330, 1336–37 (Fed. Cir. 2008) (stating that 5 U.S.C. 553, and thus 35 U.S.C. 2(b)(2)(B), does not require notice and comment rulemaking for ''interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice'' (quoting 5 U.S.C. 553(b)(A))).

Alternatively, the provisions of the Administrative Procedure Act requiring prior notice and opportunity for public comment are inapplicable because this rulemaking involves a military or foreign affairs function of the United States. *See* 5 U.S.C. 553(a)(1). The USPTO, in its capacity as an RO, is required to perform all acts connected with the discharge of duties required of an RO. *See* 35 U.S.C. 361. This final rule adopts changes required to conform the rules of practice for international applications to the amendments to the PCT Regulations, which will become effective on July 1, 2017. Thus, this final rule is covered by the foreign affairs function exception of 5 U.S.C. 553(a)(1) and may be adopted without prior notice and opportunity for public comment. *See Int'l Brotherhood of Teamsters* v. *Pena,* 17 F.3d 1478, 1486 (D.C. Cir. 1994).

B. Regulatory Flexibility Act: As prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553 or any other law, neither a Regulatory Flexibility Act analysis nor a certification under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) is required. *See* 5 U.S.C. 603.

C. Executive Orders 12866 (Regulatory Planning and Review), 13563 (Improving Regulation and Regulatory Review), and 13771 (Reducing Regulation and Controlling Regulatory Costs): This rulemaking has been determined to be not significant for purposes of Executive Order 12866 (Sept. 30, 1993).

The Office has complied with Executive Order 13563. Specifically, the Office has, to the extent feasible and applicable: (1) Made a reasoned determination that the benefits justify the costs of the rule; (2) tailored the rule to impose the least burden on society consistent with obtaining the regulatory objectives; (3) selected a regulatory approach that maximizes net benefits; (4) specified performance objectives; (5) identified and assessed available alternatives; (6) involved the public in an open exchange of information and perspectives among experts in relevant disciplines, affected stakeholders in the private sector and the public as a whole, and provided on-line access to the rulemaking docket; (7) attempted to promote coordination, simplification, and harmonization across government agencies and identified goals designed to promote innovation; (8) considered approaches that reduce burdens and maintain flexibility and freedom of choice for the public; and (9) ensured the objectivity of scientific and technological information and processes.

Because this rulemaking has been determined to be not significant for purposes of Executive Order 12866, the requirements of Executive Order 13771 (Jan. 30, 2017) do not apply. *See Guidance Implementing Executive Order 13771, Titled ''Reducing Regulation and Controlling Regulatory Costs,''* at page 3 (OMB mem.) (April 5, 2017). Alternatively, this final rule is not subject to Executive Order 13771 as it does not meet the definition of ''regulation'' or ''rule'' under Section 4 of Executive Order 13771, which excludes regulations issued with respect to a military, national security, or foreign affairs function of the United States.

D. Executive Order 13132 (Federalism): This rulemaking does not contain policies with federalism implications sufficient to warrant preparation of a Federalism Assessment under Executive Order 13132 (Aug. 4, 1999).

E. Executive Order 13175 (Tribal Consultation): This rulemaking will not: (1) Have substantial direct effects on one or more Indian tribes; (2) impose substantial direct compliance costs on Indian tribal governments; or (3) preempt tribal law. Therefore, a tribal summary impact statement is not required under Executive Order 13175 (Nov. 6, 2000).

F. Executive Order 13211 (Energy Effects): This rulemaking is not a significant energy action under Executive Order 13211 because this rulemaking is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects is not required under Executive Order 13211 (May 18, 2001).

G. Executive Order 12988 (Civil Justice Reform): This rulemaking meets applicable standards to minimize litigation, eliminate ambiguity, and reduce burden as set forth in sections 3(a) and 3(b)(2) of Executive Order 12988 (Feb. 5, 1996).

H. Executive Order 13045 (Protection of Children): This rulemaking does not concern an environmental risk to health or safety that may disproportionately affect children under Executive Order 13045 (Apr. 21, 1997).

I. Executive Order 12630 (Taking of Private Property): This rulemaking will not affect a taking of private property or otherwise have taking implications under Executive Order 12630 (Mar. 15, 1988).

J. Congressional Review Act: Under the Congressional Review Act provisions of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 801 *et seq.*), prior to issuing any final rule, the USPTO will submit a report containing the final rule and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the Government Accountability Office. The changes in this notice are not expected to result in an annual effect on the economy of 100 million dollars or more, a major increase in costs or prices, or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets. Therefore, this notice is not expected to result in a ''major rule'' as defined in 5 U.S.C. 804(2).

K. Unfunded Mandates Reform Act of 1995: The changes set forth in this notice do not involve a federal intergovernmental mandate that will result in the expenditure by State, local, and tribal governments, in the aggregate, of 100 million dollars (as adjusted) or more in any one year, or a federal private sector mandate that will result in the expenditure by the private sector of 100 million dollars (as adjusted) or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995. *See* 2 U.S.C. 1501 *et seq.*

L. National Environmental Policy Act: This rulemaking will not have any effect on the quality of the environment and is thus categorically excluded from review under the National Environmental Policy Act of 1969. *See* 42 U.S.C. 4321 *et seq.*

M. National Technology Transfer and Advancement Act: The requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) are not applicable because this rulemaking does not contain provisions that involve the use of technical standards.

N. Paperwork Reduction Act: The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) requires that the Office consider the impact of paperwork and other information collection burdens imposed on the public. This rulemaking involves information collection requirements which are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3549). The collection of information involved in this rule has been reviewed and previously approved by OMB under control number 0651–0021.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

List of Subjects in 37 CFR Part 1

Administrative practice and procedure, Biologics, Courts, Freedom of information Inventions and patents, Reporting and recordkeeping requirements, Small businesses.

For the reasons set forth in the preamble, 37 CFR part 1 is amended as follows:

PART 1—RULES OF PRACTICE IN PATENT CASES

■ 1. The authority citation for 37 CFR part 1 continues to read as follows:

Authority: 35 U.S.C. 2(b)(2), unless otherwise noted.

■ 2. Section 1.453 is added under the center heading ''Priority'' to read as follows:

§ 1.453 Transmittal of documents relating to earlier search or classification.

(a) Subject to paragraph (c) of this section, where an applicant has requested in an international application filed with the United States Receiving Office pursuant to PCT Rule 4.12 that an International Searching Authority take into account the results of an earlier search, the United States Receiving Office shall prepare and transmit to the International Searching Authority, as applicable, a copy of the results of the earlier search and any earlier classification as provided under PCT Rule 23*bis*.1.

(b) Subject to paragraph (c) of this section, where an international application filed with the United States Receiving Office claims the priority of an earlier application filed with the USPTO in which the USPTO has carried out an earlier search or has classified such earlier application, the United States Receiving Office shall prepare and transmit to the International Searching Authority a copy of the results of any such earlier search and earlier classification as provided under PCT Rule 23*bis*.2.

(c) The United States Receiving Office will not prepare a copy of the results of an earlier search or earlier classification referred to in paragraphs (a) and (b) of this section for transmittal to an International Searching Authority from an application preserved in confidence (§ 1.14) unless the international application contains written authority granting the International Searching

Authority access to such results. Written authority provided under this paragraph must be signed by:

(1) An applicant in the international application who is also an applicant in the application preserved in confidence; or

(2) A person set forth in § 1.14(c) permitted to grant access to the application preserved in confidence.

Dated: May 22, 2017.

Michelle K. Lee,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2017–10870 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 161020985–7181–02]

RIN 0648–XF458

Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is exchanging unused yellowfin sole Community Development Quota (CDQ) for rock sole CDQ acceptable biological catch (ABC) reserves in the Bering Sea and Aleutian Islands management area. This action is necessary to allow the 2017 total allowable catch of rock sole in the Bering Sea and Aleutian Islands management area to be harvested.

DATES: Effective May 26, 2017 through December 31, 2017.

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the Bering Sea and Aleutian Islands management area (BSAI) according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2017 rock sole and yellowfin sole CDQ reserves specified in the BSAI are 5,040 metric tons (mt), and 16,478 mt as established by the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826; February 27, 2017). The 2017 rock sole and yellowfin sole CDQ ABC reserves are 11,556 mt and 11,428 mt as established by the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826; February 27, 2017).

The Aleutian Pribilof Island Community Development Association has requested that NMFS exchange 700 mt of yellowfin sole CDQ reserves for 700 mt of rock sole CDQ ABC reserves under § 679.31(d). Therefore, in accordance with § 679.31(d), NMFS exchanges 700 mt of yellowfin sole CDQ reserves for 700 mt of rock sole CDQ ABC reserves in the BSAI. This action also decreases and increases the TACs and CDQ ABC reserves by the corresponding amounts. Tables 11 and 13 of the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826; February 27, 2017), are revised as follows:

TABLE 11—FINAL 2017 COMMUNITY DEVELOPMENT QUOTA (CDQ) RESERVES, INCIDENTAL CATCH AMOUNTS (ICAS), AND AMENDMENT 80 ALLOCATIONS OF THE ALEUTIAN ISLANDS PACIFIC OCEAN PERCH, AND BSAI FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE TACS

[Amounts are in metric tons]

Sector	Pacific ocean perch			Flathead sole	Rock sole	Yellowfin sole
	Eastern Aleutian District	Central Aleutian District	Western Aleutian District	BSAI	BSAI	BSAI
TAC	7,900	7,000	9,000	14,500	47,800	153,300
CDQ	845	749	963	1,552	5,740	15,778
ICA	100	60	10	4,000	5,000	4,500
BSAI trawl limited access	695	619	161	0	0	18,151
Amendment 80	6,259	5,572	7,866	8,949	37,060	114,871
Alaska Groundfish Cooperative	3,319	2,954	4,171	918	9,168	45,638
Alaska Seafood Cooperative	2,940	2,617	3,695	8,031	27,893	69,233

Note: Sector apportionments may not total precisely due to rounding.

TABLE 13—FINAL 2017 AND 2018 ABC SURPLUS, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE

[Amounts are in metric tons]

Sector	2017 Flathead sole	2017 Rock sole	2017 Yellowfin sole	2018 Flathead sole	2018 Rock sole	2018 Yellowfin sole
ABC	68,278	155,100	260,800	66,164	143,100	250,800
TAC	14,500	47,800	153,300	14,500	47,100	154,000
ABC surplus	53,778	107,300	107,500	51,664	96,000	96,800
ABC reserve	53,778	107,300	107,500	51,664	96,000	96,800
CDQ ABC reserve	5,754	10,856	12,128	5,528	10,272	10,358
Amendment 80 ABC reserve	48,024	96,444	95,372	46,136	85,728	86,442

TABLE 13—FINAL 2017 AND 2018 ABC SURPLUS, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE—Continued

[Amounts are in metric tons]

Sector	2017 Flathead sole	2017 Rock sole	2017 Yellowfin sole	2018 Flathead sole	2018 Rock sole	2018 Yellowfin sole
Alaska Groundfish Cooperative for 2017 [1]	4,926	23,857	37,891	n/a	n/a	n/a
Alaska Seafood Cooperative for 2017 [1]	43,098	72,587	57,481	n/a	n/a	n/a

[1] The 2018 allocations for Amendment 80 species between Amendment 80 cooperatives and the Amendment 80 limited access sector will not be known until eligible participants apply for participation in the program by November 1, 2017.

Classification

This action responds to the best available information recently obtained from the fishery. The Acting Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the flatfish exchange by the Aleutian Pribilof Island Community Development Association in the BSAI. Since these fisheries are currently open, it is important to immediately inform the industry as to the revised allocations. Immediate notification is necessary to allow for the orderly conduct and efficient operation of this fishery, to allow the industry to plan for the fishing season, and to avoid potential disruption to the fishing fleet as well as processors. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of May 18, 2017.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 23, 2017.

Margo B. Schulze-Haugen,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–10861 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 82, No. 101
Friday, May 26, 2017

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 984

[Doc. No. AMS–SC–16–0053; SC–16–984–1 PR]

Walnuts Grown in California; Proposed Amendment to Marketing Order 984 and Referendum Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed amendment and referendum order.

SUMMARY: This rule proposes one amendment to Marketing Order No. 984 (order), which regulates the handling of walnuts grown in California, and provides growers with the opportunity to vote in a referendum to determine if they favor the change. This amendment was proposed by the California Walnut Board (Board), which is responsible for the local administration of the order and is comprised of walnut growers and handlers operating within the production area. The amendment would authorize the Board to borrow from a commercial lending institution to fund operations and marketing/research expenses. This proposed amendment is intended to reflect a customary business practice that will provide greater flexibility to the Board while increasing its effectiveness.

DATES: The referendum will be conducted from August 7, 2017, through August 18, 2017. The representative period for the purpose of the referendum is September 1, 2015, through August 31, 2016.

FOR FURTHER INFORMATION CONTACT: Geronimo Quinones, Marketing Specialist, or Julie Santoboni, Rulemaking Branch Chief, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., Stop 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202) 720–8938, or Email: *Geronimo.Quinones@ams.usda.gov* or *Julie.Santoboni@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Richard Lower, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202) 720–8938, or Email: *Richard.Lower@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This proposal is issued under Marketing Order No. 984, as amended (7 CFR part 984), regulating the handling of walnuts grown in California, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (USDA) is issuing this rule in conformance with Executive Orders 12866, 13563, and 13175.

This proposal has been reviewed under Executive Order 12988, Civil Justice Reform. This proposal is not intended to have retroactive effect.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

Section 1504 of the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) (Pub. L. 110–246) amended section 8c(17) of the Act, which in turn required the addition of supplemental rules of practice to 7 CFR part 900 (73 FR 49307; August 21, 2008). The additional supplemental rules of practice authorize the use of informal rulemaking (5 U.S.C. 553) to amend Federal fruit, vegetable, and nut marketing agreements and orders. USDA may use informal rulemaking to amend marketing orders based on the nature and complexity of the proposed amendment, the potential regulatory and economic impacts on affected entities, and any other relevant matters.

AMS has considered these factors and has determined that the amendment proposal is not unduly complex and the nature of the proposed amendment is appropriate for utilizing the informal rulemaking process to amend the order.

The proposed amendment was unanimously recommended by the Board following deliberations at a public meeting held on February 19, 2016.

A proposed rule soliciting comments on the proposed amendment was issued on September 12, 2016, and published in the **Federal Register** on September 16, 2016 (81 FR 63721). Two comments were received, both in support of the amendment. AMS will conduct a grower referendum to determine support for the proposed amendment. If appropriate, a final rule will then be issued to effectuate the amendment favored by growers in the referendum.

The Board's proposed amendment would amend the order by authorizing the Board to borrow from a commercial lending institution during times of cash shortage to help ensure continuity of operations.

Proposal—Borrowing From a Commercial Lending Institution

Section 984.69 of the order, Assessments, authorizes the Board to collect assessments from handlers to administer the program.

This proposal would provide the Board with authority to borrow from a commercial lending institution during times of cash shortages. In the past, the Board has utilized reserve funds collected through handler assessments to help finance the advertising/marketing program. However, due to the increased size of the domestic advertising program, relying on reserve funds as a means to meet obligations could make the program unsustainable in the long term. History shows the most costly part of the program runs during the first six months of the marketing year, and those expenditures must be paid by mid-year. Since the payments must be made before all assessment fees

are invoiced and collected, a cash shortage may occur during the year. Authorizing the Board to borrow from a commercial lending institution would help manage and sustain the program during times of low income while also ensuring continuity of operations.

Therefore, for the reasons stated above, it is proposed that § 984.69, Assessments, be amended by adding a new paragraph that would provide the Board with authority to borrow from a commercial lending institution when no other funding is available.

Executive Orders 12866 and 13771, and Regulatory Flexibility Analysis

This rule does not meet the definition of a significant regulatory action contained in section 3(f) of Executive Order 12866, and is not subject to review by the Office of Management and Budget (OMB). Additionally, because this rule does not meet the definition of a significant regulatory action it does not trigger the requirements contained in Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017 titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017). Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities. Accordingly, AMS has prepared this final regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 5,700 growers of California walnuts in the production area and approximately 90 handlers subject to regulation under the marketing order. The Small Business Administration defines small agricultural growers as those having annual receipts of less than $750,000 and defines small agricultural service firms as those whose annual receipts are less than $7,500,000 (13 CFR 121.201).

According to USDA's National Agricultural Statistics Service's (NASS's) 2012 Census of Agriculture, approximately 86 percent of California's walnut farms were smaller than 100 acres. Further, NASS reports that the average yield for 2014 was 1.97 tons per acre, and the average price received for 2014 was $3,230 per ton.

A 100-acre farm with an average yield of 1.97 tons per acre would therefore have been expected to produce about 197 tons of walnuts during 2014–15 marketing year. At $3,230 per ton, that farm's production would have had an approximate value of $636,310. Since Census of Agriculture information indicates that the majority of California's walnut farms are smaller than 100 acres, it could be concluded that the majority of the growers had receipts of less than $636,310 in 2014–15, which is well below the SBA threshold of $750,000. Thus, the majority of California's walnut growers would be considered small growers according to SBA's definition.

According to information supplied by the Board, approximately two-thirds of California's walnut handlers shipped merchantable walnuts valued under $7,500,000 during the 2014–15 marketing year and would, therefore, be considered small handlers according to the SBA definition.

The amendment proposed by the Board would authorize the Board to borrow from commercial lending institutions. This would help to ensure continuity in operations.

The Board reviewed and identified the most costly portion of its domestic advertising program. That portion of the program operates during the first six months of the Board's marketing year and costs must be paid by mid-year. Since assessment revenues are collected throughout the marketing year, not enough is on hand when these large payments are due. In the past, the Board has used reserve funds to help pay for marketing and advertising expenses. However, due to the increased size of the advertising program, the Board cannot rely on reserve funds to cover the costs. Based on this fact, the Board believes the program could become unsustainable in the long term.

While this action could result in a temporary increase in handler assessment costs, these increases would be small and uniform on all handlers and proportional to the size of their businesses. These costs are expected to be offset by the benefits derived from a sustained marketing and advertising program. Additionally, these costs would help to ensure that the Board has sufficient funds to meet its financial obligations. Such stability is expected to allow the Board to conduct a program that would benefit all entities, regardless of size. California walnut growers should see an improved business environment and a more sustainable business model because of the improved business efficiency.

Alternatives were considered to this proposal, including making no change at this time. However, the Board believes it would be beneficial to have the means and funds necessary to effectively administer the program.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/rules-regulations/moa/small-businesses.* Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0178, ''Vegetable and Specialty Crops.'' No changes are necessary in those requirements as a result of this action. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed amendment would impose no additional reporting or recordkeeping requirements on either small or large California walnut handlers.

As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. In addition, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

The Board's meeting was widely publicized throughout the California walnut production area. All interested persons were invited to attend the meeting and encouraged to participate in Board deliberations on this issue. Like all Board meetings, the February 19, 2016, meeting was public, and all entities, both large and small, were encouraged to express their views on the proposal.

A proposed rule concerning this action was published in the **Federal Register** on September 16, 2016 (81 FR 63721). Copies of the rule were mailed or sent via facsimile to all Board

members. Finally, the rule was made available through the internet by USDA and the Office of the Federal Register. A 60-day comment period ending November 16, 2016, was provided to allow interested persons to respond to the proposal.

Two comments were received in support of the proposal. Therefore, no changes have been made to the proposed amendment as a result of the comments received.

Findings and Conclusions

The findings and conclusions and general findings and determinations included in the proposed rule set forth in the September 16, 2016, issue of the **Federal Register** are hereby approved and adopted.

Marketing Order

Annexed hereto and made a part hereof is the document entitled ''Order Amending the Order Regulating the Handling of Walnuts Grown in California.'' This document has been decided upon as the detailed and appropriate means of effectuating the foregoing findings and conclusions. It is hereby ordered, that this entire rule be published in the **Federal Register**.

Referendum Order

It is hereby directed that a referendum be conducted in accordance with the procedure for the conduct of referenda (7 CFR part 900.400–407) to determine whether the annexed order amending the order regulating the handling of Walnuts Grown in California is approved by growers, as defined under the terms of the order, who during a representative period were engaged in the production of walnuts in the production area.

The representative period for the conduct of such referendum is hereby determined to be September 1, 2015, through August 31, 2016.

The agents of the Secretary to conduct such referendum are designated to be Terry Vawter and Jeffrey Smutny, California Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (559) 487–5901, or Email: *Terry.Vawter@ams.usda.gov* or *Jeffrey.Smutny@ams.usda.gov,* respectively.

List of Subjects in 7 CFR Part 984

Walnuts, Marketing agreements, Reporting and recordkeeping requirements.

Dated: May 19, 2017.

Bruce Summers,

Acting Administrator, Agricultural Marketing Service.

Order Amending the Order Regulating the Handling of Walnuts Grown in California [1]

Findings and Determinations

The findings hereinafter set forth are supplementary to the findings and determinations which were previously made in connection with the issuance of the marketing order; and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

1. The marketing order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, would tend to effectuate the declared policy of the Act;

2. The marketing order, as amended, and as hereby proposed to be further amended, regulates the handling of walnuts grown in California in the same manner as, and are applicable only to, persons in the respective classes of commercial and industrial activity specified in the marketing order;

3. The marketing order, as amended, and as hereby proposed to be further amended, is limited in application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the Act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the Act;

4. The marketing order, as amended, and as hereby proposed to be further amended, prescribe, insofar as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the differences in the production and marketing of walnuts produced in the production area; and

5. All handling of walnuts produced in the production area as defined in the marketing order is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Order Relative to Handling

It is therefore ordered, that on and after the effective date hereof, all handling of walnuts grown in California shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby proposed to be amended as follows:

The provisions of the proposed marketing order amending the order contained in the proposed rule issued by the Administrator on September 12, 2016, and published in the **Federal Register** (81 FR 63721) on September 16, 2016, will be and are the terms and provisions of this order amending the order and are set forth in full herein.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

PART 984—WALNUTS GROWN IN CALIFORNIA

■ 1. The authority citation for 7 CFR part 984 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Amend 984.69 by redesignating paragraph (d) as (e) and adding a new paragraph (d) to read as follows:

§ 984.69 Assessments.

* * * * *

(d) To provide funds for the administration of the provisions of this part during the part of a fiscal period when neither sufficient operating reserve funds nor sufficient revenue from assessments on the current season's certifications are available, the Board may accept payment of assessments in advance or may borrow money from a commercial lending institution for such purposes.

* * * * *

[FR Doc. 2017–10676 Filed 5–25–17; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0140; Directorate Identifier 2017–NE–05–AD]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Rolls-Royce Deutschland Ltd & Co KG (RRD) model Tay 620–15 turbofan engines. This proposed AD was prompted by RRD recalculating the life limit for certain high-pressure compressor (HPC) stage 12 rotor disks.

This proposed AD would require reducing the maximum approved life limit. We are proposing this AD to correct the unsafe condition on these products.

DATES: We must receive comments on this NPRM by July 10, 2017.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Fax:* 202–493–2251.

For service information identified in this proposed AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11–15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33–7086–1944; fax: +49 0 33–7086–3276. You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7125.

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–2017–0140; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7754; fax: 781–238–7199; email: *robert.green@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0140; Directorate Identifier 2017–NE–05–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2017–0010, dated January 16, 2017 (referred to hereinafter as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

> Based on revised stress analysis and life calculation, Rolls-Royce Deutschland (RRD) determined new provisional life limits for HPC stage 12 rotor disc Part Number (P/N) JR18449, reducing the maximum approved life limit defined in the Tay 620–15 and Tay 620–15/20 engine Time Limits Manual (TLM), Chapter 05–10–01, Task 05–10–01–800–000, currently at revision dated 15 September 2014. Failure to replace a HPC stage 12 rotor disc P/N JR18449, before exceeding the thresholds defined by this AD, could lead to an uncontained HPC stage 12 rotor disc failure, possibly resulting in damage to, and/or reduced control of, the aeroplane.

You may obtain further information by examining the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0140.

Related Service Information

RRD has issued Alert Non-Modification Service Bulletin (NMSB) TAY–72–A1813, dated October 11, 2016. The Alert NMSB provides instructions to determine or re-calculate the consumed and remaining service life. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of Germany, and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design. This proposed AD would require reducing the maximum approved life limit for HPC stage 12 rotor disk, part number JR18449.

Costs of Compliance

We estimate that this proposed AD affects 25 engines installed on airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Pro-rated life	1 work-hour × $85 per hour = $85	$3,858	$3,943	$98,575

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for

safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

Rolls-Royce Deutschland Ltd & Co KG: Docket No. FAA–2017–0140; Directorate Identifier 2017–NE–05–AD.

(a) Comments Due Date

We must receive comments by July 10, 2017.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Rolls-Royce Deutschland Ltd & Co KG (RRD) model Tay 620–15 turbofan engines with high-pressure compressor (HPC) modules M03100AA, or M03100AB, or M03100AC and HPC stage 12 rotor disk part number (P/N) JR18449 installed.

(d) Subject

Joint Aircraft System Component (JASC) 7230, Turbine Engine Compressor Section.

(e) Reason

This AD was prompted by RRD recalculating the life limit for HPC stage 12 rotor disk P/N JR18449. We are issuing this AD to prevent failure of the HPC stage 12 rotor disk, uncontained HPC stage 12 rotor disk release, damage to the engine, and damage to the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) Within 30 days after the effective date of this AD, determine whether the HPC stage 12 rotor disk has operated in both flight profiles A and B. If the rotor disk was operated, or is operating, in both flight profiles A and B, re-calculate the consumed cyclic life using 16,700 flight cycles (FC) as the maximum approved life limit for flight profile B.

(2) After the effective date of this AD, the maximum approved life limit for affected rotor disks operating in flight profile B is 16,700 FC. Calculate the consumed cyclic life accumulated since new using 16,700 FC as the maximum approved life limit for flight profile B.

(3) For those engines operating in flight profile B with an HPC stage 12 rotor disk P/N JR18449 installed, that do not have an engine shop visit after the effective date of this AD before the re-calculated consumed cyclic life of the HPC stage 12 disk exceeds 16,700 FC, remove the affected rotor disk from service before the re-calculated consumed cyclic life exceeds the threshold(s) defined in Figure 1 to paragraph (g) of this AD.

FIGURE 1 TO PARAGRAPH (g)—REMOVE AFFECTED ROTOR DISKS FROM SERVICE

Recalculated consumed cyclic life on the effective date of this AD	Remove affected rotor disks from service
(i) less than 15,700 FC	Before exceeding 16,700 FC since new
(ii) 15,700 FC or more, but less than 16,700 FC	Either: (A) Within 1,000 FC or 19 months after the effective date of this AD, whichever occurs first; or (B) Before exceeding 16,700 FC since new, whichever occurs later.
(iii) 16,700 FC or more	Either: (A) Within 1,000 FC after the effective date of this AD, or (B) Before exceeding 20,000 FC since new, or (C) Within 19 months after the effective date of this AD, whichever occurs first.

(h) Installation Prohibition

After the effective date of this AD, installation of a serviceable spare engine or release to service of an engine after any shop visit, is allowed, provided the installed HPC stage 12 rotor disk, P/N JR18449, is a serviceable part.

(i) Definition

For the purpose of this AD, a serviceable part is an HPC stage 12 rotor disk, P/N JR18449, that has not exceeded 20,500 FC for flight profile A or 16,700 FC for flight profile B, as applicable to engine operation.

(j) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, FAA, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: *ANE-AD-AMOC@faa.gov.*

(k) Related Information

(1) For more information about this AD, contact Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7754; fax: 781–238–7199; email: *Robert.Green@faa.gov.*

(2) Refer to MCAI European Aviation Safety Agency (EASA), AD 2017–0010, dated January 16, 2017, for more information. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2017–0140.

(3) RRD Alert Non-Modification Service Bulletin (NMSB) TAY–72–A1813, dated October 11, 2016, can be obtained from RRD, using the contact information in paragraph (k)(4) of this proposed AD.

(4) For service information identified in this proposed AD, contact Rolls-Royce Deutschland Ltd & Co KG, Eschenweg 11–15827 Dahlewitz, Blankenfelde-Mahlow, Germany; phone: +49 0 33–7086–1944; fax: +49 0 33–7086–3276.

(5) You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on May 3, 2017.

Robert J. Ganley,

Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2017–10439 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0439; Directorate Identifier 2017–CE–010–AD]

RIN 2120–AA64

Airworthiness Directives; B/E Aerospace Protective Breathing Equipment Part Number 119003–11 and Part Number 119003–21

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2016–11–20, which applies to certain B/E Aerospace protective breathing equipment (PBE) that is installed on airplanes. AD 2016–11–20 requires replacing part number (P/N) 119003–11 PBE units. Since we issued AD 2016–11–20, we received a report that PBE units, P/N 119003–21, within a certain serial number range are made with candle tube material determined to have a low yield strength and may be volatile upon use or disposal. This proposed AD would retain the actions required in AD 2016–11–20 and would require inspecting and replacing P/N 119003–11 and 119003–21 PBE units. We are proposing this AD to correct the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by July 10, 2017.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact B/E Aerospace, Inc., Commercial Aircraft Products Group, 10800 Pflumm Road, Lenexa, Kansas 66215; phone: (913) 338–9800; fax: (913) 338–8419; Internet: *www.beaerospace.com.* You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

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–2017–0439; 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 proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: David Enns, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 S. Airport Road, Room 100, Wichita, Kansas 67209; phone: (316) 946–4147; fax: (316) 946–4107; email: *david.enns@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0439; Directorate Identifier 2017–CE–010–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

On May 25, 2016, we issued AD 2016–11–20, Amendment 39–18547 (81 FR 37492, June 10, 2016), (''AD 2016–11–20''), for B/E Aerospace Protective Breathing Equipment (PBE), part number (P/N) 119003–11, that is installed on airplanes. AD 2016–11–20 requires replacing all PBE, P/N 119003–11, with PBE, P/N 119003–21. AD 2016–11–20 resulted from a report of a PBE unit, P/N 119003–11, catching fire upon activation by a crewmember. We issued AD 2016–11–20 to correct the unsafe condition on these products.

Actions Since AD 2016–11–20 Was Issued

Since we issued AD 2016–11–20, we received a report that a mechanic incurred a minor injury when he activated the affected PBE unit as part of the disposal process. The igniter candle in the PBE supplies the user with oxygen during the first 20 seconds after activation. For PBE units with a serial number within the serial number range identified in this proposed AD, the candle tube material was determined to have a low yield strength. This can result in inadequate retention of the end fitting during activation, and the candle may eject from the PBE as a high speed projectile.

Related Service Information Under 1 CFR Part 51

We reviewed B/E Aerospace Service Bulletin No. 119003–35–011, Rev. 000, dated February 4, 2015; Service Bulletin 119003–35–009, Rev. 001, dated April 12, 2016; and Service Bulletin No. 119003–35–013, Rev. 001, dated February 24, 2017. B/E Aerospace Service Bulletin No. 119003–35–011, Rev. 000, dated February 4, 2015, describes procedures for inspecting PBE, P/N 119003–11, to determine if the vacuum seal of the pouch containing the PBE is compromised; B/E Aerospace Service Bulletin No. 119003–35–009, Rev. 001, dated April 12, 2016, describes procedures for replacing PBE, P/N 119003–11 with P/N 119003–21; and B/E Aerospace Service Bulletin No. 119003–35–013, Rev. 001, dated February 24, 2017, describes procedures for inspecting PBE P/N 119003–21 to determine the serial number and replacing any within the specified serial number range. This service information is reasonably available because the interested parties have access to it through their normal course of business

or by the means identified in the **ADDRESSES** section.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would retain all requirements of AD 2016–11–20. This proposed AD would also require inspecting PBE P/N 119003–21 to determine the serial number and replacing any within the specified serial number range.

Differences Between This Proposed AD and the Service Information

We are not proposing to require the disposal of the PBE as specified in the related service information because we have determined that owner/operators use various methods for disposal, which includes returning the PBE to the manufacturer. Therefore, we have not proposed the use of only one method of disposal. However, given the potential concern with activation of certain PBE units during disposal, we encourage coordination with the manufacturer and awareness of the disposal methods.

Costs of Compliance

We estimate that this proposed AD affects 9,000 products installed on airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspecting the pouch containing the PBE for proper vacuum seal.	.5 work-hour × $85 per hour = $42.50.	Not applicable ...	$42.50	$382,500
Replace PBE P/N 119003–11 with PBE P/N 119003–21	.5 work-hour × $85 per hour = $42.50.	$1,510	1,552.50	13,972,500
Inspecting the PBE to determine whether an affected PBE P/N 119003–21 is installed.	.5 work-hour × $85 per hour = $42.50.	Not applicable ...	42.50	382,500

We estimate the following costs to replace any affected PBE P/N 119003–21 units that fall within the affected serial number range. We have no way of determining the number of aircraft that might need these repairs/replacements:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement of PBE P/N 119003–21	.5 work-hour × $85 per hour = $42.50	$1,510	$1,552.50

The cost difference between AD 2016–11–20 and this proposed AD is the cost of inspecting for serial number determination and replacing the affected serial numbers. This part of the proposed AD could potentially affect 2,070 PBE units.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2016–11–20, Amendment 39–18547 (81 FR 37492, June 10, 2016), and adding the following new AD:

B/E Aerospace: Docket No. FAA–2017–0439; Directorate Identifier 2017–CE–010–AD.

(a) Comments Due Date

The FAA must receive comments on this AD action by July 10, 2017.

(b) Affected ADs

This AD replaces AD 2016–11–20, Amendment 39–18547 (81 FR 37492, June 10, 2016), (''AD 2016–11–20'').

(c) Applicability

This AD applies to B/E Aerospace Protective Breathing Equipment (PBE), part numbers (P/N) 119003–11 and 119003–21, that are installed on airplanes.

(d) Subject

Joint Aircraft System Component (JASC)/ Air Transport Association (ATA) of America Code 35; Oxygen.

(e) Unsafe Condition

AD 2016–11–20 was prompted by a report of a PBE unit, P/N 119003–11, catching fire upon activation by a crewmember. This AD was prompted by a report that PBE units, P/N 119003–21, within a certain serial number range are made with candle tube material determined to have a low yield strength and may be volatile upon use or disposal. We are issuing this AD to correct the unsafe condition on these products.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Inspection Retained From AD 2016–11–20 for Airplanes With PBE, P/N 119003–11, Installed

Within 3 months after July 15, 2016 (the effective date of AD 2016–11–20), while still in the stowage box, physically inspect the PBE pouch to determine if it has an intact vacuum seal. Do this inspection following paragraph III.A.(1) of the Accomplishment Instructions in B/E Aerospace Service Bulletin No. 119003–35–011, Rev. 000, dated February 4, 2015.

(h) Replacement Retained From AD 2016–11–20 for Airplanes With PBE, P/N 119003–11, Installed

(1) During the inspection required in paragraph (g) of this AD, if a PBE pouch is found that does not have an intact vacuum seal, before further flight or following existing MEL procedures, replace the PBE with a PBE unit, P/N 119003–21 that is not within the serial number (S/N) range 004–14768M through 004–21093M or 004–02393M through 004–03033M, following paragraphs III.C., III.D.(4), III.D.(6), and III.D.(7) of the Accomplishment Instructions in B/E Aerospace SB No. 119003–35–009, Rev. 001, dated April 12, 2016, or replace it with another FAA-approved PBE installation.

(2) During the inspection required in paragraph (g) of this AD, if a PBE pouch is found where the vacuum seal is intact, within 18 months after July 15, 2016 (the effective date of AD 2016–11–20), remove PBE, P/N 119003–11, and replace it with a PBE, P/N 119003–21 that is not within the S/N range 004–14768M through 004–21093M or 004–02393M through 004–03033M, following paragraphs III.C., III.D.(4), III.D.(6), and III.D.(7) of the Accomplishment Instructions in B/E Aerospace Service Bulletin No. 119003–35–009, Rev. 001, dated April 12, 2016, or replace it with another FAA-approved PBE installation.

(i) New Inspection for Airplanes With PBE, P/N 119003–21, Installed

Within 6 months after the effective date of this AD, inspect PBE, P/N 119003–21, to determine if the S/N is within the range of 004–14768M through 004–21093M or 004–02393M through 004–03033M. Do this inspection following paragraph III.A of the Accomplishment Instructions in B/E Aerospace SB No. 119003–35–013, Rev. 001 dated February 24, 2017.

(j) New Replacement for Airplanes With PBE, P/N 119003–21, Installed

During the inspection required in paragraph (i) of this AD, if it is found that the PBE, P/N 119003–21, is within the S/N range specified in paragraph (i) of this AD, before further flight or following existing MEL procedures, remove the PBE and replace it with a PBE, P/N 119003–21, that does not have a S/N 004–14768M through 004–21093M or 004–02393M through 004–03033M. Do this replacement following paragraphs III.C., III.D.(4), III.D.(6), and III.D.(7) of the Accomplishment Instructions in B/E Aerospace SB No. 119003–35–013, Rev. 001, dated February 24, 2017, or replace it with another FAA-approved PBE installation.

(k) Prohibited Installation

As of the effective date of this AD, do not install a PBE, P/N 119003–21, that has a S/N within the range of 004–14768M through 004–21093M or 004–02393M through 004–03033M.

(l) Credit for Actions Done Following Previous Service Information

If you performed the inspection and replacement action required in paragraphs (i) and (j) of this AD before the effective date of this AD using B/E Aerospace Service Bulletin No. 119003–35–013, Rev. 001, dated January 9, 2017, you met the requirements of those paragraphs of this AD.

(m) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Wichita Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to the attention of the person identified in paragraph (n)(1) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/ certificate holding district office.

(n) Related Information

(1) For more information about this AD, contact David Enns, Aerospace Engineer, Wichita ACO, FAA, 1801 S. Airport Road, Room 100, Wichita, Kansas 67209; phone: (316) 946–4147; fax: (316) 946–4107; email: *david.enns@faa.gov.*

(2) For B/E Aerospace, Inc. service information identified in this AD, contact B/E Aerospace, Inc., 10800 Pflumm Road, Commercial Aircraft Products Group, Lenexa, Kansas 66215; phone: (913) 338–9800; fax: (913) 338–8419; Internet: *www.beaerospace.com.* You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Issued in Kansas City, Missouri, on May 3, 2017.

Melvin Johnson,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–10409 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2014–0433; Directorate Identifier 94–ANE–39–AD]

RIN 2120–AA64

Airworthiness Directives; Rolls-Royce plc Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede airworthiness directive (AD) 2014–24–08 that applies to all Rolls-Royce plc (RR) RB211–535E4–37, RB211–535E4–B–37, and RB211–535E4–C–37 turbofan engines with certain low-pressure (LP) fuel filter-to-high-pressure (HP) fuel pump tube assemblies, or HP fuel pump-to-fuel flow governor (FFG) or FFG-to-HP pump inlet overspill return tube assemblies and flanged adaptor installed. AD 2014–24–08 requires replacing certain LP fuel filter-to-HP fuel pump tube assemblies. Since we issued AD 2014–24–08, fuel leaks have occurred at the flanged joints of the HP fuel pump-to-FFG tube assembly and FFG-to-HP pump inlet overspill return tube assembly. This proposed AD would retain the original AD requirements and also require installation of new HP fuel pump-to-FFG and FFG-to-HP pump inlet overspill return tube assemblies and flanged adaptor. We are proposing this AD to correct the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by July 10, 2017.

ADDRESSES: You may send comments, using the procedures found in 14 CFR

11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE24 8BJ; phone: 011–44–1332–242424; fax: 011–44–1332–249936; email: *http://www.rolls-royce.com/contact/civil_team.jsp;* Internet: *https://customers.rolls-royce.com/public/rollsroycecare.* You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125. It is also available on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2014–0433.

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–2014–0433; 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 proposed AD, the mandatory continuing airworthiness information, regulatory evaluation, any comments received, and other information. The address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7754; fax: 781–238–7199; email: *robert.green@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this NPRM. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2014–0433; Directorate Identifier 94–ANE–39–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. We will consider all comments received by the closing date and may amend this NPRM because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this NPRM.

Discussion

On November 20, 2014, we issued AD 2014–24–08, Amendment 39–18041 (79 FR 71308, December 2, 2014), ''AD 2014–24–08,'' for all RB211–535E4–37, RB211–535E4–B–37, and RB211–535E4–C–37 turbofan engines. AD 2014–24–08 expands the applicability to include the RB211–535E4–C–37 turbofan engine and requires removal from service of additional part number (P/N) LP fuel filter-to-HP fuel pump tube assemblies. AD 2014–24–08 resulted from reports of fuel leaks that resulted in engine in-flight shutdowns. We issued AD 2014–24–08 to prevent loss of fuel supply to the engine, which could lead to the in-flight shutdown of one or more engines, loss of thrust control, and damage to the airplane.

Actions Since AD 2014–24–08 Was Issued

Since we issued AD 2014–24–08, fuel leaks have occurred at the flanged joints of the HP fuel pump-to-FFG and FFG-to-HP pump inlet overspill return tube assemblies. Also since we issued AD 2014–24–08, the European Aviation Safety Agency (EASA) has issued AD 2017–0006, dated January 10, 2017.

Related Service Information Under 1 CFR Part 51

Rolls-Royce plc has issued Service Bulletin (SB) RB.211–73–G230, Revision 3, dated April 8, 2016. The SB describes a modification (mod 73–G230) and introduces new HP fuel pump-to-FFG and FFG-to-HP pump inlet overspill return tube assemblies with a larger O-ring groove on the end adaptor sealing face. RR has also issued Service Bulletin SB RB.211–73–H131, Revision 1, dated September 2, 2014. The SB introduces a new LP fuel filter-to-HP fuel pump tube assembly. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

We are proposing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements

This proposed AD would retain the original AD requirements and also require installing new HP fuel pump-to-FFG or FFG-to-HP pump inlet overspill return tube assemblies and flanged adaptor. This proposed AD changes the compliance requirement for replacing the LP fuel filter-to-HP fuel pump tube assembly adding a not to exceed flight hour/flight cycle life limit, consistent with the EASA AD requirements. This proposed AD would also prohibit re-installation of earlier HP fuel pump-to-FFG and FFG-to-HP pump inlet overspill return tube assemblies, as well as LP fuel filter to HP pump tube assemblies, P/N AE709623–1.

Costs of Compliance

We estimate that this proposed AD affects 100 engines installed on airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replacement of fuel tube assemblies	8.5 work-hours × $85 per hour = $722.50	$17,800.00	$18,522.50	$1,852,250.00

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction, and

(4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2014–24–08, Amendment 39–18041 (79 FR 71308, December 2, 2014), and adding the following new AD:

Rolls-Royce plc: Docket No. FAA–2014–0433; Directorate Identifier 94–ANE–39–AD.

(a) Comments Due Date

We must receive comments by July 10, 2017.

(b) Affected ADs

This AD supersedes AD 2014–24–08, Amendment 39–18041 (79 FR 71308, December 2, 2014).

(c) Applicability

This AD applies to all Rolls-Royce plc (RR) RB211–535E4–37, RB211–535E4–B–37, and RB211–535E4–C–37 turbofan engines with low-pressure (LP) fuel filter-to-high-pressure (HP) fuel pump tube assembly, part numbers (P/Ns) UL16692, AE709623–1, 163521538, or 163521545 installed; or HP fuel pump-to-fuel flow governor (FFG) P/N UL16691 or P/N UL37214; or FFG-to-HP pump inlet overspill return tube assemblies P/N UL16690 or P/N UL37213; or flanged adaptor, P/N UL37218 installed.

(d) Subject

Joint Aircraft System Component (JASC) Code 7321, Fuel Control/Turbine Engines.

(e) Unsafe Condition

This AD was prompted by reports of fuel leaks that have resulted in engine in-flight shutdowns. We are issuing this AD to prevent loss of fuel supply to the engine, which could lead to the in-flight shutdown of one or more engines, loss of thrust control, and damage to the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) After the effective date of this AD, replace LP fuel filter-to-HP fuel pump tube assembly, before the part exceeds 4,750 engine flight cycles (FC) or 15,000 flight hours (FH), since new, or during the next shop visit, whichever occurs first, using the Accomplishment Instructions of RR Service Bulletin (SB) RB.211–73–H131, Revision 1, dated September 2, 2014.

(2) After the effective date of this AD, for affected engines with an HP fuel pump-to-FFG tube assembly or FFG-to-HP pump inlet overspill return tube assembly, or flanged adaptor, installed, replace the parts concurrent with the actions specified in paragraph (g)(1) of this AD, if applicable, or during the next shop visit, using the Accomplishment Instructions of RR SB RB.211–73–G230, Revision 3, dated April 8, 2016.

(h) Installation Prohibition

After the effective date of this AD, do not install on any engine an LP fuel filter-to-HP fuel pump tube assembly, P/N UL16692, AE709623–1, 163521538, or 163521545; HP fuel pump-to-FFG tube assembly, P/N UL16691 or P/N UL37214, or FFG-to-HP pump inlet overspill return tube assembly, P/N UL16690 or UL37213; or flanged adaptor, P/N UL37218.

(i) Definition

For the purpose of this AD, a shop visit is the induction of an engine into the shop for maintenance or overhaul. The separation of engine flanges solely for the purpose of transporting the engine without subsequent engine maintenance does not constitute an engine shop visit.

(j) Alternative Methods of Compliance (AMOCs)

The Manager, Engine Certification Office, may approve AMOCs for this AD. Use the procedures found in 14 CFR 39.19 to make your request. You may email your request to: *ANE-AD-AMOC@faa.gov.*

(k) Related Information

(1) For more information about this AD, contact Robert Green, Aerospace Engineer, Engine Certification Office, FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7754; fax: 781–238–7199; email: *robert.green@faa.gov.*

(2) Refer to MCAI European Aviation Safety Agency (EASA) AD 2017–0006, dated January 10, 2017, and EASA AD 2014–0123, dated May 15, 2014, for more information. You may examine the MCAI in the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2014–0433.

(3) RR SB RB.211–73–H131, Revision 1, dated September 2, 2014 and RR SB RB.211–73–G230, Revision 3, dated April 8, 2016, can be obtained from RR, using the contact information in paragraph (k)(4) of this AD.

(4) For service information identified in this AD, contact Rolls-Royce plc, Corporate Communications, P.O. Box 31, Derby, England, DE24 8BJ; phone: 011–44–1332–242424; fax: 011–44–1332–249936; email: *http://www.rolls-royce.com/contact/civil_team.jsp;* Internet: *https://customers.rolls-royce.com/public/rollsroycecare.*

(5) You may view this service information at the FAA, Engine & Propeller Directorate, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7125.

Issued in Burlington, Massachusetts, on May 5, 2017.

Robert J. Ganley,

Acting Manager, Engine & Propeller Directorate, Aircraft Certification Service.

[FR Doc. 2017–10440 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–0230; Airspace Docket No. 17–ASO–8]

Proposed Amendment of Class D and Class E Airspace, New Bern, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class D and Class E airspace at Coastal Carolina Regional Airport (formally Craven County Regional Airport), New Bern, NC. The Notice to Airmen (NOTAM) part-time status would be removed from Class E airspace designated as an extension, as well as the segment using the New Bern VHF Omnidirectional Range/Distance Measuring Equipment (VOR/DME) navigation aid used to describe the northeast and southwest extensions to the airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at the airport. This action also would update the geographic coordinates of the airport, update the airport's name, and make an editorial change replacing Airport/Facility Directory with the term Chart Supplement in the legal descriptions of associated Class D and E airspace.

DATES: Comments must be received on or before July 10, 2017.

ADDRESSES: Send comments on this proposal to: U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Bldg. Ground Floor, Rm. W12–140, Washington, DC 20590; Telephone: 1–800–647–5527, or 202–366–9826. You must identify the Docket No. FAA–2016–0230; Airspace Docket No. 17–ASO–8, at the beginning of your comments. You may also submit and review received comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at *http://www.faa.gov/air_traffic/publications/*. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington DC, 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html*. FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone 404–305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend Class D airspace, Class E surface area airspace, Class E airspace designated as an extension, and Class E airspace extending upward from 700 feet above the surface, at Coastal Carolina Regional Airport, New Bern, NC.

Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers and be submitted in triplicate to the address listed above. You may also submit comments through the Internet at *http://www.regulations.gov.*

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2016–0230; Airspace Docket No. 17–ASO–8.'' The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal Holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document.

FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) Part 71 to amend Class D airspace, Class E surface area airspace, Class E airspace designated as an extension to a Class D surface area, and Class E airspace extending upward from 700 feet or more above the surface

at Coastal Carolina Regional Airport (formerly Craven County Regional Airport), New Bern, NC. The NOTAM part-time status would be removed from the Class E airspace area designated as an extension to a Class D surface area.

Class E airspace extending upward from 700 feet above the surface would be amended to within a 7-mile radius (from a 6.5-mile radius) of the airport. The New Bern VOR/DME would be removed from the description as it is no longer needed to describe the boundaries of the airport.

For the associated Class D and E airspace areas, the geographic coordinates of the airport would be adjusted to coincide with the FAAs aeronautical database, and the airport name would be changed from Craven County Regional Airport to Coastal Carolina Regional Airport.

Also, this action would replace the outdated term Airport/Facility Directory with the term Chart Supplement in the associated Class D and E airspace legal descriptions.

Class D and Class E airspace designations are published in Paragraph 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal would be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, effective September 15, 2016, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASO NC D New Bern, NC [Amended]

Coastal Carolina Regional Airport, NC
(Lat. 35°04′22″ N., long. 77°02′35″ W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4-mile radius of Coastal Carolina Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6002 Class E Surface Area Airspace.

* * * * *

ASO NC E2 New Bern, NC [Amended]

Coastal Carolina Regional Airport, NC
(Lat. 35°04′22″ N., long. 77°02′35″ W.)

Within a 4-mile radius of Coastal Carolina Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

* * * * *

ASO NC E4 New Bern, NC [Amended]

Coastal Carolina Regional Airport, NC
(Lat. 35°04′22″ N., long. 77°02′35″ W.)
New Bern VOR/DME
(Lat. 35°04′23″ N., long. 77°02′42″ W.)

That airspace extending upward from the surface within 2.4 miles each side of the New Bern VOR/DME 038° and 210° radials, extending from the 4-mile radius to 7 miles northeast and southwest of the VOR/DME.

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASO AL E5 New Bern, NC [Amended]

Coastal Carolina Regional Airport, NC
(Lat. 35°04′22″ N., long. 77°02′35″ W.)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Coastal Carolina Regional Airport.

Issued in College Park, Georgia, on May 12, 2017.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2017–10555 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9481; Airspace Docket No. 16–ASW–18]

Proposed Amendment of Class E Airspace; Midland, TX and Proposed Establishment of Class E Airspace; Odessa, TX and Midland, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class E airspace extending upward from 700 feet above the surface at Midland International Air and Space Port Airport (formerly Midland International Airport), Midland, TX, due to the closing of Mabee Ranch Airport, decommissioning of the Mabee non-directional radio beacon (NDB), and cancellation of NDB approaches at Mabee Ranch Airport. Additionally, this proposal would establish Class E airspace extending upward from 700 feet above the surface at Odessa Airport-Schlemeyer Field, Odessa, TX, and Midland Airpark, Midland, TX, to accommodate special instrument approach procedures developed at these airports to enhance the safety and management of standard instrument approach procedures for instrument flight rules (IFR) operations. Also, this proposal would make an editorial change to the legal descriptions by replacing Airport/Facility Directory

with the term Chart Supplement, and would change the airport name to Midland International Air and Space Port Airport.

DATES: Comments must be received on or before July 10, 2017.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590, telephone (202) 366–9826 or (800) 617–5527. You must identify FAA Docket No. FAA–2016–9481; Airspace Docket No. 16–ASW–18, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call (202) 741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Rebecca Shelby, Central Service Center, Operation Support Group, Federal Aviation Administration, Southwest Region, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone: (817) 222–5857.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend Class E airspace at Midland International Air Space Port Airport by removing Mabee Ranch Airport, Midland, TX, because the airport is closed, and establish Class E airspace at Odessa Airport-Schlemeyer Field, Odessa, TX, and Midland Airpark, Midland, TX, to ensure the efficient use of airspace within the National Airspace System.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2016–9481/Airspace Docket No. 16–ASW–18.'' The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents Proposed for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by:

Modifying Class E airspace extending upward from 700 feet above the surface within a 7.1-mile radius (from a 17.4-mile radius) of Midland International Air and Space Port Airport, Midland, TX. Airspace reconfiguration is necessary due to the closing of Mabee Ranch Airport, and decommissioning and cancellation of the Mabee NDB, and NDB approaches;

Establishing Class E airspace extending upward from 700 feet above the surface within a 6.6-mile radius of both Midland Airport, Midland, TX, and Odessa Airport-Schlemeyer-Field, Odessa, TX, to accommodate special instrument approach procedures for IFR operations at these airports;

Updating the airport's name in the associated Class E airspace areas; and making an editorial change in the legal description by replacing Airport/Facility Directory with the term Chart Supplement.

Class E airspace areas are published in Paragraph 6002 and 6005, respectively, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, It,

therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the forgoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 6002 Class E Surface Area Airspace.

* * * * *

ASW TX E2 Midland International Air and Space Port Airport, TX [Amended]

Midland International Air and Space Port Airport, TX
(Lat. 31°56′33″ N., long. 102°12′07″ W.)

Within a 5-mile radius of Midland International Air and Space Port Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASW TX E5 Midland, TX [Amended]

Midland International Air and Space Port Airport, TX
(Lat. 31°56′33″ N., long. 102°12′07″ W.)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of Midland International Air and Space Port Airport.

ASW TX E5 Odessa, TX [New]

Odessa Airport-Schlemeyer Field, TX
(Lat. 31°55′17″ N., long. 102°23′14″ W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Odessa Airport-Schlemeyer Field Airport.

ASW TX E5 Midland, TX [New]

Midland Airpark, TX
(Lat. 32°02′12″ N., long. 102°06′05″ W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Midland Airpark.

Issued in Fort Worth, TX, on May 17, 2017.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2017–10740 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2017–0279; Airspace Docket No. 17–ASO–10]

Proposed Establishment of Class E Airspace; Johnson City, TN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace at Johnson City, TN, to accommodate new Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures (SIAPs) serving Johnson City Medical Center Heliport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at the heliport.

DATES: Comments must be received on or before July 10, 2017.

ADDRESSES: Send comments on this rule to: U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Bldg. Ground Floor, Rm. W12–140, Washington, DC 20590; Telephone: 1–800–647–5527, or (202) 366–9826.You must identify the Docket No. FAA–2017–0279; Airspace Docket No. 17–ASO–10, at the beginning of your comments. You may also submit and review received comments through the Internet at *http://www.regulations.gov.*

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This proposed rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would establish Class E airspace at Johnson City Medical Center Heliport, Johnson City, TN, to support IFR operations in standard instrument approach procedures at the airport.

Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the

views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA–2017–0279 and Airspace Docket No. 17–ASO–10) and be submitted in triplicate to the address listed above. You may also submit comments through the Internet at *http://www.regulations.gov.*

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2017–0279; Airspace Docket No. 17–ASO–10.'' The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except federal holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to establish Class E airspace at Johnson City, TN, providing the controlled airspace required to support the new Copter RNAV (GPS) standard instrument approach procedures for Johnson City Medical Center Heliport. Controlled airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the heliport would be established for IFR operations.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal would be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, effective September 15, 2016, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASO KY E5 Johnson City, TN [New]

Johnson City Medical Center Heliport, TN
(Lat. 36°18′26″ N., long. 82°23′10″ W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Johnson City Medical Center Heliport.

Issued in College Park, Georgia, on May 12, 2017.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2017–10428 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2016–9499; Airspace Docket No. 16–ASO–19]

Proposed Amendment of Class D and Class E Airspace; Fort Knox, KY, and Louisville, KY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Class E airspace designated as an extension to Class D airspace by removing the Notice to Airmen (NOTAM) part-time status at Godman Army Airfield (AAF) Fort Knox, KY;

and Bowman Field Airport, Louisville, KY. This action would also update the geographic coordinates of these airports in the associated Class D and E airspace descriptions. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at these airports.

DATES: Comments must be received on or before July 10, 2017.

ADDRESSES: Send comments on this proposal to: U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Bldg. Ground Floor, Rm. W12–140, Washington, DC 20590; Telephone: 1–800–647–5527, or 202–366–9826. You must identify the Docket No. FAA–2016–9499; Airspace Docket No. 16–ASO–19, at the beginning of your comments. You may also submit and review received comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone 404 305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would remove NOTAM part-time information from Class E airspace designated as an extension to Class D airspace at Godman Army Airfield, Fort Knox, KY, and Bowman Field Airport, Louisville, KY.

Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers and be submitted in triplicate to the address listed above. You may also submit comments through the Internet at *http://www.regulations.gov.*

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2016–9499; Airspace Docket No. 16–ASO–19.'' The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal Holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) Part 71 by removing the NOTAM part-time status of the Class E airspace designated as an extension to a Class D surface area at Godman Army Airfield (AAF) Fort Knox, KY; and Bowman Field Airport, Louisville, KY. Also, this action would amend Class D airspace, Class E surface airspace, and Class E airspace areas extending upward from 700 feet or more above the surface would be adjusted by updating the geographic coordinates of these airports to be in concert with the FAA's aeronautical database.

Class D and Class E airspace designations are published in Paragraphs 5000, 6002, 6004 and 6005, respectively, of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February

26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal would be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, effective September 15, 2016, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASO KY D Fort Knox, KY [Amended]

Godman AAF, KY
(Lat. 37°54′26″ N., long. 85°58′18″ W.)

That airspace extending upward from the surface to and including 3,300 feet MSL within a 3.9-mile radius of Godman AAF. This Class D airspace area is effective during the specific days and times established in advance by a Notice to Airmen. The effective days and times will thereafter be continuously published in the Chart Supplement (previously called Airport/Facility Directory).

ASO KY D Louisville Bowman Field, KY [Amended]

Bowman Field Airport, KY
(Lat. 38°13′41″ N., long. 85°39′49″ W.)

That airspace extending upward from the surface to but not including 2,200 feet MSL within a 3.9-mile radius of Bowman Field Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement (previously called Airport/Facility Directory).

Paragraph 6002 Class E Surface Area Airspace.

* * * * *

ASO KY E2 Fort Knox, KY [Amended]

Godman AAF, KY
(Lat. 37°54′26″ N., long. 85°58′18″ W.)

Within a 3.9-mile radius of Godman AAF. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement (previously called Airport/Facility Directory).

* * * * *

ASO KY E2 Louisville Bowman Field, KY [Amended]

Louisville Bowman Field, KY
(Lat. 38°13′41″ N., long. 85°39′49″ W.)

Within a 3.9-mile radius of Bowman Field Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement (previously called Airport/Facility Directory).

Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.

* * * * *

ASO KY E4 Fort Knox, KY [Amended]

Godman AAF, KY
(Lat. 37°54′26″ N., long. 85°58′18″ W.)

Godman NDB
(Lat. 37°57′31″ N., long. 85°58′36″ W.)

That airspace extending upward from the surface within 2.4 miles each side of the 354° bearing from Godman NDB, extending from the 3.9-mile radius of Godman AAF to 7 miles north of the NDB.

ASO KY E4 Louisville Bowman Field, KY [Amended]

Louisville Bowman Field, KY
(Lat. 38°13′41″ N., long. 85°39′48″ W.)

Bowman VOR/DME
(Lat. 38°13′49″ N., long. 85°39′53″ W.)

That airspace extending upward from the surface within 2.4 miles each side of the Bowman VOR/DME 067° radial, extending from the 3.9-mile radius of Bowman Field to 7 miles east of the Bowman VOR/DME.

Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

ASO KY E5 Fort Knox, KY [Amended]

Fort Knox, Godman AAF, KY
(Lat. 37°54′24′ N., long. 85°58′23″ W.)

Godman NDB
(Lat. 37°57′31″ N., long. 85°58′36″ W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Godman AAF and within 2.4 miles each side of the 354° bearing from Godman NDB, extending from the 6.3-mile radius to 7 miles north of the NDB.

ASO KY E5 Louisville, KY [Amended]

Louisville, Standiford Field Airport, KY
(Lat. 38°10′29″ N., long. 85°44′11″ W.)

Bowman Field Airport, KY
(Lat. 38°13′41″ N., long. 85°39′49″ W.)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Standiford Field and within 2.4 miles each side of the ILS localizer east course, extending from the 10-mile radius to 7 miles east of the LOM and within a 10-mile radius of Bowman Field Airport.

Issued in College Park, Georgia, on May 11, 2017.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2017–10427 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2017–0296; Airspace Docket No. 17–ACE–7]

Proposed Amendment of Class E Airspace for Oskaloosa, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to modify Class E airspace extending upward from 700 feet above the surface at Oskaloosa Municipal Airport, Oskaloosa, IA, to accommodate new standard instrument approach procedures for instrument flight rules (IFR) operations at the airport. This action is necessary due to the decommissioning of the Oskaloosa non directional radio beacon (NDB), and cancellation of the NDB approach procedure, and would enhance the safety and management of IFR operations at the airport.

DATES: Comments must be received on or before July 10, 2017.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590; telephone (202) 366–9826, or 1–800–647–5527. You must identify FAA Docket No. FAA–2017–0296/Airspace Docket No. 17–

ACE–7, at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Ron Laster, Federal Aviation Administration, Contract Support, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5879.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend controlled Class E airspace extending upward from 700 feet above the surface at Oskaloosa Municipal Airport, Oskaloosa, IA, to support IFR operations in standard instrument approach procedures at the airport.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2017–0296/Airspace Docket No. 17–ACE–7.'' The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents Proposed for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying Class E airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Oskaloosa Municipal Airport, Oskaloosa, IA, to accommodate new standard instrument approach procedures for IFR operations at the airport. The segment within 2.6 miles each side of the 018° bearing from the Oskaloosa NDB extending from the 6.4-mile radius to 7 miles north of the NDB would be removed due to the decommissioning of the NDB and cancellation of the NDB approach procedure.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ACE IA E5 Oskaloosa, IA [Amended]

Oskaloosa Municipal Airport, IA
(Lat. 41°13′34″ N., long 92°29′38″ W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Oskaloosa Municipal Airport, excluding that airspace within the Ottumwa, IA Class E airspace area.

Issued in Fort Worth, Texas, on May 17, 2017.

Walter Tweedy,

Acting Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2017–10553 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2013–0442; Airspace Docket No. 13–ASO–12]

Proposed Establishment of Class E Airspace; Ashburn, GA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish Class E airspace extending upward from 700 feet above the surface at Ashburn, GA, to accommodate new Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures (SIAPs) serving Turner County Airport. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations at the airport.

DATES: Comments must be received on or before July 10, 2017.

ADDRESSES: Send comments on this rule to: U. S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Bldg. Ground Floor, Rm. W12–140, Washington, DC 20590; Telephone: 1–800–647–5527, or 202–647–9826.You must identify the Docket No. FAA–2013–0442; Airspace Docket No. 13–ASO–12, at the beginning of your comments. You may also submit and review received comments through the Internet at *http://www.regulations.gov.* You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: 202–267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This proposed rulemaking is promulgated under the authority described in Subtitle VII, Part, A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would establish Class E airspace at Turner County Airport, Ashburn, GA to provide the controlled airspace required to support the new RNAV (GPS) standard instrument approach procedures for IFR operations at Turner County Airport.

Comments Invited

Interested persons are invited to comment on this proposed rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers and be submitted in triplicate to the address listed above. You may also submit comments through the Internet at *http://www.regulations.gov.*

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: ''Comments to Docket No. FAA–2013–0442; Airspace Docket No. 13–ASO–12.'' The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the internet at *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments

received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal Holidays at the office of the Eastern Service Center, Federal Aviation Administration, Room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to establish Class E airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Turner County Airport, Ashburn, GA. This proposal would provide the controlled airspace required to support the new RNAV (GPS) standard instrument approach procedures for IFR operations at Turner County Airport.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal would be subject to an environmental analysis in accordance with FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' prior to any FAA final regulatory action.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, effective September 15, 2016, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.

* * * * *

ASO GA E5 Ashburn, GA [New]

Turner County Airport, GA
(Lat. 31°41′15″ N., long. 83°37′59″ W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Turner County Airport.

Issued in College Park, Georgia, on May 11, 2017.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2017–10432 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–13–P

Notices

Federal Register
Vol. 82, No. 101
Friday, May 26, 2017

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2017–0041]

Notice of Request for Revision to and Extension of Approval of an Information Collection; U.S. Origin Health Certificate

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the export of animals and animal products from the United States.

DATES: We will consider all comments that we receive on or before July 25, 2017.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0041.*
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2017–0041, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov/#!docketDetail;D=APHIS-2017-0041* or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on the export of animals and animal products from the United States, contact Dr. Kate Bowers, Senior Staff Veterinarian, NIES, VS, APHIS, 4700 River Road, Unit 139, Riverdale, MD 20737; (301) 851–3300. For copies of more detailed information on the information collection, contact Ms. Kimberly Hardy, APHIS' Information Collection Coordinator, at (301) 851–2483.

SUPPLEMENTARY INFORMATION:

Title: U.S. Origin Health Certificate.

OMB Control Number: 0579–0020.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: Under the Animal Health Protection Act (7 U.S.C. 8301 *et seq.*), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture, among other things, has the authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict the import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease. Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing APHIS' ability to compete in the world market of animal and animal product trade.

The export of agricultural commodities, including animals and animal products, is a major business in the United States and contributes to a favorable balance of trade. As part of its mission to facilitate the export of U.S. animals and products, APHIS' Veterinary Services maintains information regarding the import health requirements of other countries for animals and animal products exported from the United States.

Among other things, to ensure a favorable balance of trade, APHIS uses information collection activities, such as U.S. Origin Health Certificates; U.S. Interstate and International Certificates of Health Examinations for Small Animals; U.S. Origin Health Certificates for the Export of Horses from the United States to Canada; Health Certificates for the Export of Live Finfish, Mollusks, and Crustaceans (and their Gametes); Undue Hardship Explanations-Animals; Applications for Approval of Inspection Facility-Environmental Certification; Annual Inspections of Inspection Facilities; Opportunities to Present Views Concerning Withdrawal of Facility Approval; Certifications to Carry Livestock; Inspections of Vessel Prior to Voyage; Notarized Statements; Aircraft Cleaning and Disinfection; Country-Specific Health Care; and Travel Time.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 0.48 hours per response.

Respondents: Owners and facility operators, accredited veterinarians, exporters, and owners or masters of a vessel.

Estimated annual number of respondents: 2,177.

Estimated annual number of responses per respondent: 16.

Estimated annual number of responses: 35,661.

Estimated total annual burden on respondents: 17,170 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request

for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 23rd day of May 2017.

Jere L. Dick,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2017–11077 Filed 5–25–17; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Proposed New Fee Sites; Federal Lands Recreation Enhancement Act

AGENCY: Forest Service, USDA

ACTION: Notice of proposed new fee sites.

SUMMARY: The Wayne National Forest is proposing to charge a fee of $10.00 per site/per night at Hune Bridge, Lane Farm, Ring Mill, and Lamping Homestead Campgrounds. Fees are assessed based on the level of amenities and services provided, cost of operations and maintenance, and market assessment. The fees are proposed and will be determined upon further analysis and public comment. Funds from fees would be used for continued operations and maintenance and improvements to the campgrounds. An analysis of the nearby state and private campgrounds with similar amenities show that the proposed fees are reasonable for the area.

DATES: Comments will be accepted through July 28, 2017. If approved, new fees would begin approximately April 2018.

ADDRESSES: Anthony V. Scardina, Forest Supervisor, Wayne National Forest, 13700 U.S. Hwy. 33, Nelsonville, OH 45764.

FOR FURTHER INFORMATION CONTACT: Chad Wilberger, Forest Recreation Program Manager, 740–753–0884. Information about the proposed fees can also be found on the Wayne National Forest Web site: *http://www.fs.usda.gov/wayne.*

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are proposed. Once public involvement is complete, these new fees will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation.

The Hune Bridge, Lane Farm, Ring Mill, and Lamping Homestead Campgrounds are small campgrounds (3 to 7 campsites each) that are located along State Route 26 in Washington and Monroe Counties, Ohio. They currently offer tent-only, non-electric campsites that are open year-round.

Revenue generated by the proposed fee increases would be used to leverage federal funding, grants, and partnership contributions to make the following investments and improvements: Rehabilitate tent pads and campsite spurs; stabilize the river bank along the campgrounds; construct canoe launches; upgrade picnic tables, grills, and fire rings; replace restroom facilities; and provide better signing.

Dated: March 29, 2017.

Glenn P. Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10953 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Columbia County Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Columbia County Resource Advisory Committee (RAC) will meet in Dayton, Washington. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with the Act.

DATES: The meeting will be held on June 26, 2017, at 6:00 p.m.

All RAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at Dayton Fire Department, 111 Patit Road, Dayton, Washington.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the Walla Walla Ranger District, 1415 West Rose Street, Walla Walla, Washington. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Mike Rassbach, RAC Designated Federal Officer (DFO), by phone at 509–522–6293 or via email at *mrassbach@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Conduct general business,
2. Review past projects and progress of ongoing projects, and
3. Review and recommend proposed projects for Title II funding.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by June 19, 2017, to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time to make oral comments must be sent to Mike Rassbach, RAC DFO, Walla Walla Ranger District, 1415 West Rose Street, Walla Walla, Washington 99362; by email to *mrassbach@fs.fed.us,* or via facsimile to 509–522–6000.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices, or other reasonable accommodation, For access to the facility or proceedings, please contact the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: May 5, 2017.

Jeanne M. Higgins,

Acting Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10958 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of New Fee Sites

AGENCY: Sheyenne National Grassland, Dakota Prairie Grasslands, USDA Forest Service.

ACTION: Notice of new fee sites.

SUMMARY: The Sheyenne National Grassland is proposing to charge a $10 per night fee at the newly constructed Jorgen's Hollow Campground. Funds generated at the site will be used for the operation and maintenance, upkeep of facilities, and improvements as feasible. This fee is only proposed and will be determined upon further analysis and public comment.

DATES: Send any comments about these fee proposals by June 26, 2017 so comments can be compiled, analyzed, and shared with the Bureau of Land Management (BLM) Dakotas Resource Advisory Council (RAC). The effective date of implementation of proposed new fee will be no earlier than six months after publication of this notice.

ADDRESSES: Documents concerning this proposed fee may be reviewed at the Sheyenne Ranger District Office, 1601 Main Street, Lisbon, ND 58054. Written Comments may be delivered to the same address, or mailed to P.O. Box 946, Lisbon, ND 58504; faxed to (701) 683–6816; or emailed to *FS-comments-northern-dakota-prairie-sheyenne-river@fs.fed.us* with ''Jorgen's Hollow Campground Fee Proposal'' referenced in the subject line.

FOR FURTHER INFORMATION CONTACT: Rob Schilling, at (701) 227–7837 or mail to 99 23rd Ave. W., Suite B, Dickinson, ND 58601. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact Rob Schilling during normal business hours. The FIRS is available 24 hours a day, seven days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours. More information about this fee proposal is available on the Dakota Prairie National Grasslands' Web site at *https://www.fs.usda.gov/news/dpg/news-events.*

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, P.L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established.

Once public involvement is complete, the proposal will be reviewed by the BLM Dakotas Resource Advisory Council prior to a final decision and implementation.

Jorgen's Hollow Campground is a destination campground for people visiting the Sheyenne National Grassland near Lisbon, North Dakota. The proposed fee for individual campsites are $10 per night; free dispersed camping would no longer be available at Jorgen's Hollow Campground. A market analysis of surrounding recreation sites with similar amenities indicates that the proposed fees are comparable and reasonable.

Dated: April 12, 2017.

Glenn Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10951 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Lyon-Mineral Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Lyon-Mineral Resource Advisory Committee (RAC) will meet in Yerington, Nevada. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act. RAC information can be found at the following Web site: *http://www.fs.usda.gov/main/pts/specialprojects/racweb.*

DATES: The meeting will be held on June 29, 2017, at 1:00 p.m.

All RAC meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the Lyon County Administration Complex, Commissioners Meeting Room, 27 South Main Street, Yerington, Nevada.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at the Bridgeport Ranger Station. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Jeremy Marshall, Designated Federal Officer, by phone at 760–932–5801, or via email at *jmarshall02@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Discuss new project proposals; and
2. Receive an update on current and completed projects.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by June 16, 2017, to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time for oral comments must be sent to Jeremy Marshall, Designated Federal Officer, Bridgeport Ranger District, HC 62, Box 1000, Bridgeport, California 93517; by email to *jmarshall02@fs.fed.us,* or via facsimile to 760–932–5899.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices, or other reasonable accommodation. For access to the facility or proceedings, please contact the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: May 5, 2017.

Jeanne M. Higgins,

Acting Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10936 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Deschutes Provincial Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Deschutes Provincial Advisory Committee (PAC) will meet in Bend, Oregon. The committee is authorized pursuant to the implementation of E–19 of the Record of Decision and operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to provide advice and make

recommendations to promote a better integration of forest management activities between Federal and non-Federal entities to ensure that such activities are complementary. PAC information can be found at the following Web site: *http://www.fs.usda.gov/detail/deschutes/workingtogether/advisorycommittees.*

DATES: The meeting will be held on June 2, 2017, from 9:00 a.m. to approximately 3:00 p.m.

All PAC meetings are subject to cancellation. For status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will begin at the Deschutes National Forest Headquarters Office, 63095 Deschutes Market Road, Bend, Oregon; and will also involve travel to the field.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Deschutes National Forest Headquarters Office. Please call ahead at to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Beth Peer, Deschutes PAC Coordinator, by phone at 541–383–5554 or via email at *bpeer@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Learn about pilot project areas that will be used for developing broad-scale approach,
2. Recommendations on implementing travel management, and
3. The committee will visit a pilot project area in the field and should be prepared for the outdoors.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should request in writing by May 25, 2017, to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the committee may file written statements with the committee staff before or after the meeting. Written comments and requests for time to make oral comments must be sent to Beth Peer, Deschutes PAC Coordinator, 63095 Deschutes Market Road, Bend, Oregon, 97701; or by email to *bpeer@fs.fed.us,* or via facsimile to 541–383–4755.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices, or other reasonable accommodation, For access to the facility or proceedings, please contact the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: May 8, 2017.

Jeanne M. Higgins,

Acting Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10954 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Proposed New Fee Site

AGENCY: Bridger-Teton National Forest, Forest Service, USDA.

ACTION: Notice of proposed new fee site.

SUMMARY: The Bridger-Teton National Forest is proposing to charge fees at two new rental cabins: Sherman Guard Station and Green River Lakes. The Green River Lakes Rental Cabin would be open year round with proposed fees of $100 during summer and $75 during winter. The Sherman Guard Station site has two cabins. The Forest is proposing an $80 fee during summer for both cabins and a $35 fee for one cabin or $60 fee for both the cabins during the winter. Reduced fees in winter would account for no running water being available at either site. Fees are assessed based on the level of amenities and services provided, cost of operations and maintenance, and market assessment. The fee is proposed and will be determined upon further analysis and public comment. Funds from fees would be used for the continued operation and maintenance and improvements of these rental cabins.

An analysis of the nearby private rental cabins with similar amenities shows that the proposed fees are reasonable and typical of similar sites in the area.

DATES: Comments will be accepted through September 30, 2017. New fees would begin June 2018.

ADDRESSES: Shannon Connolly, Forest Recreation Program Manager, 340 N Cache, P.O. Box 1888, Jackson, Wyoming 83001, or email them to *shannonconnollly@fs.fed.us* with ''BT Recreation Fee Proposal'' as the subject line. Comments will be until taken until September, 2017.

FOR FURTHER INFORMATION CONTACT: Shannon Connolly, Forest Recreation Program Manager, 307–739–5516. Information about proposed fee changes can also be found on the Bridger-Teton National Forest Web site: *http://www.fs.usda.gov/btnf.*

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. Once public involvement is complete, these new fees will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation. People wanting reserve these cabins would need to do so through the National Recreation Reservation Service, at *www.recreation.gov* or by calling 1–877–444–6777 when it becomes available.

Dated: April 26, 2017.

Jeanne M. Higgins,

Acting Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10947 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of New Fee Site

AGENCY: Forest Service, USDA.

ACTION: Notice of new fee site.

SUMMARY: The Monongahela National Forest is proposing to charge a $75 fee for the overnight rental of Hopkins Mountain Fireman's Cabin. This cabin has not been available for recreation use prior to this date. Rental of another cabin on the Monongahela National Forest has shown that people appreciate and enjoy the availability of historic rental cabins. Funds from the rental will be used for the continued operation and maintenance of Hopkins Mountain Fireman's Cabin. This fee is only proposed and a final determination will be made upon further analysis and public comment.

DATES: Comments on the proposal will be accepted through July 31, 2017. Fees for the Hopkins Mountain Fireman's Cabin will go into effect spring of 2018 pending a recommendation from the Eastern Region Recreation Resource Advisory Committee.

ADDRESSES: Forest Supervisor, Monongahela National Forest, 200 Sycamore Street, Elkins, WV 26241.

FOR FURTHER INFORMATION CONTACT: Matthew Edwards, South Zone Recreation Manager, 304–799–4334. Information about the proposed fee can also be found on the Monongahela National Forest Web site at: *https://www.fs.usda.gov/mnf.*

SUPPLEMENTARY INFORMATION: The Federal Recreation Lands Enhancement Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. Prior to these fees going into effect, the Monongahela National Forest will present this proposal to the Eastern Region Recreation Resource Advisory Committee. The Federal Lands Recreation Enhancement Act requires a recommendation from the Eastern Region Recreation Resource Advisory Committee prior to a decision and implementation.

This cabin sleeps four and includes one set of bunk beds, a fold-out bed, tables, chairs, electric lights, and heat. A campsite, for up to eight people, with a picnic table and campfire ring, is also included with the cabin rental.

The Monongahela National Forest currently has one other cabin, often fully booked throughout the rental season, available for rent. A business analysis of Hopkins Mountain Fireman's Cabin has shown that people desire having this sort of recreation experience on the Monongahela National Forest. A market analysis indicates that the $75 per night fee is both reasonable and acceptable for this sort of unique recreation experience.

People wanting to rent Hopkins Mountain Fireman's Cabin will need to do so through the National Recreation Reservation Service, at *www.recreation.gov* or by calling 1–877–444–6777. The National Recreation Reservation Service charges a $9 fee for online reservations and a $10 fee for telephone reservations.

Dated: April 12, 2017.

Glenn P. Casamassa,

Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10941 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Black Hills National Forest Advisory Board

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Black Hills National Forest Advisory Board (Board) will meet in Rapid City, South Dakota. The Board is established consistent with the Federal Advisory Committee Act of 1972, the Forest and Rangeland Renewable Resources Planning Act of 1974, the National Forest Management Act of 1976, and the Federal Public Lands Recreation Enhancement Act. Additional information concerning the Board, including the meeting summary/minutes, can be found by visiting the Board's Web site at: *http://www.fs.usda.gov/main/blackhills/workingtogether/advisorycommittees.*

DATES: The meeting will be held on Wednesday, June 21, 2017, at 1:00 p.m.

All meetings are subject to cancellation. For updated status of meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: The meeting will be held at the Forest Service Center, 8221 Mount Rushmore Road, Rapid City, South Dakota.

Written comments may be submitted as described under **SUPPLEMENTARY INFORMATION**. All comments, including names and addresses, when provided, are placed in the record and available for public inspection and copying. The public may inspect comments received at the Black Hills National Forest Supervisor's Office. Please call ahead to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: Scott Jacobson, Committee Coordinator, by phone at 605–440–1409 or by email at *sjjacobson@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8:00 a.m. and 8:00 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to provide:

(1) Information Topic: Mining Claims on the Forest;

(2) Black Hills Resilient Landscape Project update;

(3) District Updates;

(4) Non-motorized Trails—Working Group update;

(5) Black Backed Woodpecker update;

(6) Northern Long Eared Bat update;

(7) Black Hills Horse Sanctuary Trespass Update; and

(8) August Field Trip.

The meeting is open to the public. The agenda will include time for people to make oral statements of three minutes or less. Individuals wishing to make an oral statement should submit a request in writing by June 12, 2017, to be scheduled on the agenda. Anyone who would like to bring related matters to the attention of the Board may file written statements with the Board's staff before or after the meeting. Written comments and time requests for oral comments must be sent to Scott Jacobson, Black Hills National Forest Supervisor's Office, 1019 North Fifth Street, Custer, South Dakota 57730; by email to *sjjacobson@fs.fed.us,* or via facsimile to 605–673–9208.

Meeting Accommodations: If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpreting, assistive listening devices, or other reasonable accommodation for access to the facility or proceedings by contacting the person listed in the section titled **FOR FURTHER INFORMATION CONTACT**. All reasonable accommodation requests are managed on a case by case basis.

Dated: May 5, 2017.

Jeanne M. Higgins,

Acting Associate Deputy Chief, National Forest System.

[FR Doc. 2017–10959 Filed 5–25–17; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF AGRICULTURE

National Institute of Food and Agriculture

Solicitation of Commodity Board Topics and Contribution of Funding Under the Agriculture and Food Research Initiative Competitive Grants Program

AGENCY: National Institute of Food and Agriculture, USDA.

ACTION: Notice of opportunity for commodity boards to submit topics and contribute funding under the Agriculture and Food Research Initiative Competitive Grants Program.

SUMMARY: The National Institute of Food and Agriculture is soliciting topics from eligible commodity board entities (Federal and State-level commodity boards, as defined below), which they are willing to equally co-fund with NIFA. To be considered for inclusion in future Agriculture and Food Research Initiative Competitive Grants Program

(AFRI) Requests for Applications (RFAs), topics must relate to the established priority areas of AFRI.

DATES: Commodity boards may submit topics at any time; however, all topics to be considered for the fiscal year 2018 AFRI RFAs must be received by 5:00 p.m., EDT on July 25, 2017. Topics submitted by eligible commodity board entities after this date will be considered for RFAs to be issued in future years. NIFA will hold a webinar and workshop to respond to questions from commodity boards interested in submitting topics. Details including the date and time, and access information will be posted on the NIFA Web site (*http://nifa.usda.gov/commodity-boards/*).

ADDRESSES: You may submit topics by the following method: Web site: *https://nifa.usda.gov/webform/commodity-board-topic-submission/.*

Instructions: The topic submission must be through the Web site form; emailed topics will not be accepted. Required fields are marked. Topics submitted through this form will not be posted to a public site.

FOR FURTHER INFORMATION CONTACT: Mark Mirando; Phone: (202) 401–4336, or Email: *commodityboards@nifa.usda.gov.*

SUPPLEMENTARY INFORMATION: As part of the National Institute of Food and Agriculture's (NIFA) strategy to implement section 7404 of Public Law 113–79, the Agricultural Act of 2014, NIFA is soliciting topics from eligible commodity board entities (Federal and State-level commodity boards, as defined below), which they are willing to equally co-fund with NIFA. To be considered for inclusion in future Agriculture and Food Research Initiative Competitive Grants Program (AFRI) Requests for Applications (RFAs), topics must relate to the established priority areas of AFRI.

Commodity boards are those entities established under a commodity promotion law, as such term is defined under section 501(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401(a), or a State commodity board or other equivalent State entity. See the ''Supplementary Information'' section of this Notice under the heading ''Eligibility for Submitting Topics'' for further information.

If, after NIFA's evaluation, proposed topics are accepted for inclusion in an AFRI RFA, they will be incorporated into AFRI competitive grants program RFAs. As a condition of funding grants pertaining to a topic, NIFA will require an agreement with the commodity board to provide funds equal to the amount NIFA is contributing under the agreed upon topic.

This Notice invites topic submissions from commodity boards as defined above, outlines the process NIFA will use to evaluate the appropriateness of these topics for inclusion in AFRI RFAs, and describes the commitment required of commodity boards for NIFA to jointly fund competitively selected AFRI awards within a topic area submitted by the commodity boards.

Background and Purpose

This Notice begins the third topic submission cycle to implement section 2(b)(4)(F) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(4)(F)), as added by section 7404 of the Agricultural Act of 2014, Public Law 113–79, which requires NIFA to ''establish procedures, including timelines, under which an entity established under a commodity promotion law, as such term is defined under section 501(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401(a), or a State commodity board (or other equivalent State entity) may directly submit to [NIFA] for consideration proposals for requests for applications'' within the AFRI Program.

Stakeholder feedback gathered in previous years informed this Notice and the process NIFA is using to implement section 7404. This Notice invites entities established under a commodity promotion law or State commodity boards (or other equivalent State entities) to submit topics they are proposing for inclusion in fiscal year 2018 AFRI RFAs. Topics must relate to the established AFRI priority areas, which are: Plant health and production and plant products; animal health and production and animal products; food safety, nutrition, and health; bioenergy, natural resources, and environment; agriculture systems and technology; and agriculture economics and rural communities. A summary statement on AFRI is included below. To learn more about AFRI programs, including program priorities, typical award budget amounts, and examples of RFAs, please visit: *http://nifa.usda.gov/commodity-boards/.*

AFRI Program Overview

The AFRI program is the largest agricultural competitive grants program in the United States and a primary funding source for research, education, and extension projects that bring practical solutions to some of today's most critical societal challenges. AFRI programs impact all components of agriculture, including farm and ranch efficiency and profitability, bioenergy, forestry, aquaculture, rural communities, human nutrition, food safety, biotechnology, and genetic improvement of plants and animals.

In FY 2018, NIFA will solicit applications for AFRI funding opportunities in the six AFRI priority areas (Plant health and production and plant products; Animal health and production and animal products; Food safety, nutrition, and health; Bioenergy, natural resources, and environment; Agriculture systems and technology; Agriculture economics and rural communities). It is anticipated these will include the AFRI Foundational Science Program RFA and the AFRI Education and Workforce Development RFA. The annual AFRI Foundational Science Program RFA solicits grant applications focused predominately, but not exclusively, on fundamental scientific research addressing statutory priorities. The AFRI Education and Workforce Development RFA solicits grant applications for training K–14 teachers and administrators, undergraduate research and extension experiential learning fellowships, and pre- and post-doctoral fellowships. Any additional AFRI RFAs made available in FY 2018 will be included in this solicitation.

Eligibility for Submitting Topics

Eligible commodity board entities are those established under a commodity promotion law, as such term is defined under section 501(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401(a)), or a State commodity board (or other equivalent State entity). Language in 7 U.S.C. 7401(a) defines a ''commodity promotion law'' as ''a Federal law that provides for the establishment and operation of a promotion program regarding an agricultural commodity that includes a combination of promotion, research, industry information, or consumer information activities, is funded by mandatory assessments on producers or processors, and is designed to maintain or expand markets and uses for the commodity (as determined by the Secretary).'' 7 U.S.C. Section 7401(a) includes a list of such Federal laws.

A current list of approved entities is maintained at (*http://nifa.usda.gov/commodity-boards/*). Additionally, entities eligible to submit topics include a State commodity board (or other equivalent State entity). This includes commodity boards authorized by State law; commodity boards that are not authorized by State law, but are

organized and operate within a State and meet the requirements of their authorizing statute; and commodity boards that are authorized by a State and operate within the State for commodities that have no Federal program or oversight.

Topic Submission Guidance and Procedures

Topics may be submitted at any time and will be evaluated by NIFA on an annual basis. However, to be considered for the proposed fiscal year 2018 AFRI RFAs, topics must be received by COB (5 p.m. Eastern Daylight Time) on July 25, 2017.

Each topic proposed must be submitted using the online topic submission form provided at: *https://nifa.usda.gov/webform/commodity-board-topic-submission/.* Commodity boards may propose support for multiple awards for each topic proposed. For each topic the commodity board proposes to support, the minimum amount contributed by the commodity board must align with budget guidance for each AFRI area (*http://nifa.usda.gov/commodity-boards/*) and comply with the maximum amount of $2.5 million allowed per topic. NIFA does not intend to match funding from a single commodity board in excess of $10 million in any year. Commodity boards should only submit topics that have a strong economic impact on their industry and U.S. agriculture, as a whole. Examples of topics typically supported by AFRI can be found at *http://nifa.usda.gov/commodity-boards/.*

If topics are accepted for funding, they will be incorporated into AFRI RFAs, and grants supporting the topic area may be awarded to AFRI eligible entities based on a competitive peer review process. As a condition of funding grants in a topic, NIFA will require an agreement by the commodity board to provide funds in an amount equal to the amount NIFA is contributing under the agreed upon topic. If a topic is selected for inclusion in an RFA, the commodity board submitting the topic will be required to maintain the confidentiality of the topic until the RFA is issued by NIFA. All commodity board funds and NIFA funds must be available at the time awards are selected for funding; awards are fully funded at the beginning of the award. Applications submitted under topics provided by commodity boards will be required to include a letter of support from the commodity board that proposed the topic.

Evaluation and Notification Process

NIFA will screen proposed research topics to ensure eligibility of the submitting commodity boards. NIFA will also consult with USDA's Agricultural Marketing Service (AMS) to determine that submissions and proposed financial contributions are consistent with commodity promotion laws and commodity boards' charters, as applicable.

Commodity board topics are reviewed by an internal panel based on evaluation criteria developed using stakeholder input from commodity boards and other stakeholders from government, industry, and academe. Each topic will be evaluated based on: Alignment with one or more of the statutory AFRI priority areas (six AFRI priority areas authorized in the Farm Bill and described in 7 CFR 3430.309); alignment with the President's budget proposal for NIFA, as identified in the Department of Agriculture's annual budget submission; and alignment with the priority areas in the AFRI RFAs to be released by NIFA during the fiscal year for which the commodity board is proposing a topic for funding (for example, within the AFRI Foundational Science RFA, the AFRI Animal Health and Production and Animal Products' ''Animal Reproduction'' priority area).

From those topics received by COB (5 p.m. Eastern Daylight Time) on July 25, 2017, NIFA will select the topic(s) that were evaluated favorably for inclusion in the appropriate FY 2018 AFRI RFA. NIFA will notify commodity boards as to whether their topics will be included by August 24, 2017. Based on the evaluation, NIFA reserves the right to negotiate with commodity boards should changes be required to accept topics and funding amounts. Any changes to topics and funding amounts will be reviewed by USDA's AMS to determine if such changes are consistent with applicable commodity promotion laws.

NIFA will evaluate topics submitted after the July 25, 2017 deadline on an annual basis and notify commodity boards whether their topics will be included in subsequent RFAs within two weeks following the meeting of the internal evaluation panel, the date of which will be published on NIFA's Commodity Boards Web page at (*http://nifa.usda.gov/commodity-boards/*).

Done at Washington, DC, this 19th day of May, 2017.

Robert Holland,

Associate Director, National Institute of Food and Agriculture.

[FR Doc. 2017–10782 Filed 5–25–17; 8:45 am]

BILLING CODE 3410–22–P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice of Solicitation of Applications (NOSA) for the Rural Community Development Initiative (RCDI) for Fiscal Year 2017

AGENCY: Rural Housing Service, USDA.

ACTION: Notice.

SUMMARY: The Rural Housing Service (RHS), an agency within the USDA Rural Development (RD) mission area herein referred to as the Agency announces the acceptance of applications under the Rural Community Development Initiative (RCDI) program. Applicants must provide matching funds in an amount at least equal to the Federal grant. These grants will be made to qualified intermediary organizations that will provide financial and technical assistance to recipients to develop their capacity and ability to undertake projects related to housing, community facilities, or community and economic development that will support the community.

This Notice lists the information needed to submit an application for these funds. This Notice announces that the Rural Housing Service (Agency) is accepting fiscal year (FY) 2017 applications for the RCDI program. The Agency will publish the program funding level on the Rural Development Web site *https://www.rd.usda.gov/programs-services/rural-community-development-initiative-grants.* This Notice contains revised evaluation criteria that are streamlined, in order to enhance program efficiency and delivery.

DATES: The deadline for receipt of an application is 4 p.m. local time, July 25, 2017. The application date and time are firm. The Agency will not consider any application received after the deadline. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX), electronic mail, and postage due applications will not be accepted.

ADDRESSES: Entities wishing to apply for assistance may download the application documents and requirements delineated in this Notice from the RCDI Web site: *http://www.rd.usda.gov/programs-services/rural-community-development-initiative-grants.*

Application information for electronic submissions may be found at *http://www.grants.gov.*

Applicants may also request paper application packages from the Rural Development office in their state. A list of Rural Development State offices contacts can be found via *https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.*

FOR FURTHER INFORMATION CONTACT: The Rural Development office for the state in which the applicant is located. A list of Rural Development State Office contacts is provided at the following link: *https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.*

Paperwork Reduction Act

The paperwork burden has been cleared by the Office of Management and Budget (OMB) under OMB Control Number 0575–0180.

SUPPLEMENTARY INFORMATION:

Overview

Federal Agency: Rural Housing Service.

Funding Opportunity Title: Rural Community Development Initiative.

Announcement Type: Initial Announcement.

Catalog of Federal Domestic Assistance (CFDA) Number: 10.446.

Dates: The deadline for receipt of an application is 4 p.m. local time, July 25, 2017. The application date and time are firm. The Agency will not consider any application received after the deadline. Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX), electronic mail and postage due applications will not be accepted.

A. Program Description

Congress first authorized the RCDI in 1999 (Pub. L. 106–78, which was amended most recently by the Consolidated Appropriations Act, 2016 (Pub. L. 114–113) to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and federally recognized Native American Tribes to undertake projects related to housing, community facilities, or community and economic development in rural areas. Strengthening the recipient's capacity in these areas will benefit the communities they serve. The RCDI structure requires the intermediary (grantee) to provide a program of financial and technical assistance to recipients. The recipients will, in turn, provide programs to their communities (beneficiaries).

B. Federal Award Information

This Notice is being published prior to the Congressional enactment of a full-year appropriation for fiscal year 2017. The Agency will continue to process applications received under this announcement and should RCDI receive appropriated funds, these funds will be announced on the following Web site: *http://www.rd.usda.gov/programs-services/rural-community-development-initiative-grants.* Enactment of additional continuing resolutions or an appropriations act may affect the availability or level of funding for this program.

Qualified private, nonprofit and public (including tribal) intermediary organizations proposing to carry out financial and technical assistance programs will be eligible to receive the grant funding.

The intermediary will be required to provide matching funds in an amount at least equal to the RCDI grant.

A grant will be the type of assistance instrument awarded to successful applications.

The respective minimum and maximum grant amount per intermediary is $50,000 and $250,000.

Grant funds must be utilized within 3 years from date of the award.

A grantee that has an outstanding RCDI grant over 3 years old, as of the application due date in this Notice, is not eligible to apply for this round of funding.

The intermediary must provide a program of financial and technical assistance to one or more of the following: A private, nonprofit community-based housing and development organization, a low-income rural community or a federally recognized tribe.

(a) Sections 743, 744, 745, and 746 of the Consolidated Appropriations Act, 2016 (Pub. L. 114–113) apply. Any corporation (i) that has been convicted of a felony criminal violation under any Federal law within the past 24 months or (ii) that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, is not eligible for financial assistance provided with funds, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government. In addition, none of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information. Additionally, no funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).''

C. Eligibility Information

Applicants must meet all of the following eligibility requirements by the application deadline. Applications which fail to meet any of these requirements by the application deadline will be deemed ineligible and will not be evaluated further, and will not receive a Federal award.

1. Eligible Applicants

(a) Qualified private, nonprofit, (including faith-based and community organizations and philanthropic foundations), in accordance with 7 CFR part 16, and public (including tribal)

intermediary organizations are eligible applicants. Definitions that describe eligible organizations and other key terms are listed below.

(b) The recipient must be a nonprofit community-based housing and development organization, low-income rural community, or federally recognized tribe based on the RCDI definitions of these groups.

(c) Private nonprofit, faith or community-based organizations must provide a certificate of incorporation and good standing from the Secretary of the State of incorporation, or other similar and valid documentation of current nonprofit status. For low-income rural community recipients, the Agency requires evidence that the entity is a public body and census data verifying that the median household income of the community where the office receiving the financial and technical assistance is located is at, or below, 80 percent of the State or national median household income, whichever is higher. For federally recognized tribes, the Agency needs the page listing their name from the current **Federal Register** list of tribal entities recognized and eligible for funding services (see the definition of federally recognized tribes in this Notice for details on this list).

(d) Any corporation (1) that has been convicted of a felony criminal violation under any Federal law within the past 24 months or (2) that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; is not eligible for financial assistance provided with full-year appropriated funds for Fiscal Year 2017, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

2. Cost Sharing or Matching

There is a matching requirement of at least equal to the amount of the grant. If this matching funds requirement is not met, the application will be deemed ineligible. See section D, Application and Submission Information, for required pre-award and post award matching funds documentation submission.

The intermediary must provide matching funds at least equal to the amount of the grant. Verification of matching funds must be submitted with the application. Matching funds must be committed for a period equal to the grant performance period. The intermediary will be required to provide matching funds in an amount at least equal to the RCDI grant. In-kind contributions such as salaries, donated time and effort, real and nonexpendable personal property and goods and services cannot be used as matching funds.

Matching funds are cash or confirmed funding commitments and must be at least equal to the grant amount and committed for a period of not less than the grant performance period. These funds can only be used for eligible RCDI activities. Matching funds must be used to support the overall purpose of the RCDI program.

In-kind contributions such as salaries, donated time and effort, real and nonexpendable personal property and goods and services cannot be used as matching funds.

Grant funds and matching funds must be used in equal proportions. This does not mean funds have to be used equally by line item.

The request for advance or reimbursement and supporting documentation must show that RCDI fund usage does not exceed the cumulative amount of matching funds used.

Grant funds will be disbursed pursuant to relevant provisions of 2 CFR parts 200 and 400. Verification of matching funds must be submitted with the application. See Section D, other program requirements, for matching funds documentation and pre-award requirements.

The intermediary is responsible for demonstrating that matching funds are available, and committed for a period of not less than the grant performance period to the RCDI proposal. Matching funds may be provided by the intermediary or a third party. Other Federal funds may be used as matching funds if authorized by statute and the purpose of the funds is an eligible RCDI purpose.

RCDI funds will be disbursed on an advance or reimbursement basis. Matching funds cannot be expended prior to execution of the RCDI Grant Agreement.

3. Other Program Requirements

(a) The recipient and beneficiary, but not the intermediary, must be located in an eligible rural area. The physical location of the recipient's office that will be receiving the financial and technical assistance must be in an eligible rural area. If the recipient is a low-income community, the median household income of the area where the office is located must be at or below 80 percent of the State or national median household income, whichever is higher. The applicable Rural Development State Office can assist in determining the eligibility of an area.

A listing of Rural Development State Office contacts can be found at the following link: *https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.* A map showing eligible rural areas can be found at the following link: *http://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do?pageAction=RBSmenu&NavKey=property@13.*

(b) RCDI grantees that have an outstanding grant over 3 years old, as of the application due date in this Notice, will not be eligible to apply for this round of funding. Grant and matching funds must be utilized in a timely manner to ensure that the goals and objectives of the program are met.

(c) Individuals cannot be recipients.

(d) The intermediary must provide a program of financial and technical assistance to the recipient.

(e) The intermediary organization must have been legally organized for a minimum of 3 years and have at least 3 years prior experience working with private nonprofit community-based housing and development organizations, low-income rural communities, or tribal organizations in the areas of housing, community facilities, or community and economic development.

(f) Proposals must be structured to utilize the grant funds within 3 years from the date of the award.

(g) Each applicant, whether singularly or jointly, may only submit one application for RCDI funds under this Notice. This restriction does not preclude the applicant from providing matching funds for other applications.

(h) Recipients can benefit from more than one RCDI application; however, after grant selections are made, the recipient can only benefit from multiple RCDI grants if the type of financial and technical assistance the recipient will receive is not duplicative. The services described in multiple RCDI grant applications must have separate and identifiable accounts for compliance purposes.

(i) The intermediary and the recipient cannot be the same entity. The recipient can be a related entity to the intermediary, if it meets the definition of a recipient, provided the relationship does not create a Conflict of Interest that cannot be resolved to Rural Development's satisfaction.

(j) If the recipient is a low-income rural community, identify the unit of

government to which the financial and technical assistance will be provided, *e.g.,* town council or village board. The financial and technical assistance must be provided to the organized unit of government representing that community, not the community at large.

4. Eligible Grant Purposes

Fund uses must be consistent with the RCDI purpose. A nonexclusive list of eligible grant uses includes the following:

(a) Provide technical assistance to develop recipients' capacity and ability to undertake projects related to housing, community facilities, or community and economic development, *e.g.,* the intermediary hires a staff person to provide technical assistance to the recipient or the recipient hires a staff person, under the supervision of the intermediary, to carry out the technical assistance provided by the intermediary.

(b) Develop the capacity of recipients to conduct community development programs, *e.g.,* homeownership education or training for business entrepreneurs.

(c) Develop the capacity of recipients to conduct development initiatives, *e.g.,* programs that support micro-enterprise and sustainable development.

(d) Develop the capacity of recipients to increase their leveraging ability and access to alternative funding sources by providing training and staffing.

(e) Develop the capacity of recipients to provide the technical assistance component for essential community facilities projects.

(f) Assist recipients in completing pre-development requirements for housing, community facilities, or community and economic development projects by providing resources for professional services, *e.g.,* architectural, engineering, or legal.

(g) Improve recipient's organizational capacity by providing training and resource material on developing strategic plans, board operations, management, financial systems, and information technology.

(h) Purchase of computers, software, and printers, limited to $10,000 per award, at the recipient level when directly related to the technical assistance program being undertaken by the intermediary.

(i) Provide funds to recipients for training-related travel costs and training expenses related to RCDI.

5. Ineligible Fund Uses

The following is a list of ineligible grant uses:

(a) Pass-through grants, and any funds provided to the recipient in a lump sum that are not reimbursements.

(b) Funding a revolving loan fund (RLF).

(c) Construction (in any form).

(d) Salaries for positions involved in construction, renovations, rehabilitation, and any oversight of these types of activities.

(e) Intermediary preparation of strategic plans for recipients.

(f) Funding prostitution, gambling, or any illegal activities.

(g) Grants to individuals.

(h) Funding a grant where there may be a conflict of interest, or an appearance of a conflict of interest, involving any action by the Agency.

(i) Paying obligations incurred before the beginning date without prior Agency approval or after the ending date of the grant agreement.

(j) Purchasing real estate.

(k) Improvement or renovation of the grantee's or recipient's office space or for the repair or maintenance of privately owned vehicles.

(l) Any purpose prohibited in 2 CFR part 200 or 400.

(m) Using funds for recipient's general operating costs.

(n) Using grant or matching funds for Individual Development Accounts.

(o) Purchasing vehicles.

6. Program Examples and Restrictions

The following are examples of eligible and ineligible purposes under the RCDI program. (These examples are illustrative and are not meant to limit the activities proposed in the application. Activities that meet the objectives of the RCDI program and meet the criteria outlined in this Notice will be considered eligible.)

(a) The intermediary must work directly with the recipient, not the ultimate beneficiaries. As an example:

The intermediary provides training to the recipient on how to conduct homeownership education classes. The recipient then provides ongoing homeownership education to the residents of the community—the ultimate beneficiaries. This ''train the trainer'' concept fully meets the intent of this initiative. The intermediary is providing technical assistance that will build the recipient's capacity by enabling them to conduct homeownership education classes for the public.

This is an eligible purpose. However, if the intermediary directly provided homeownership education classes to individuals in the recipient's service area, this would not be an eligible purpose because the recipient would be bypassed.

(b) If the intermediary is working with a low-income community as the recipient, the intermediary must provide the technical assistance to the entity that represents the low-income community and is identified in the application. Examples of entities representing a low-income community are a village board or a town council.

If the intermediary provides technical assistance to the Board of the low-income community on how to establish a cooperative, this would be an eligible purpose. However, if the intermediary works directly with individuals from the community to establish the cooperative, this is not an eligible purpose.

The recipient's capacity is built by learning skills that will enable them to support sustainable economic development in their communities on an ongoing basis.

(c) The intermediary may provide technical assistance to the recipient on how to create and operate a revolving loan fund. The intermediary may not monitor or operate the revolving loan fund. RCDI funds, including matching funds, cannot be used to fund revolving loan funds.

(d) The intermediary may work with recipients in building their capacity to provide planning and leadership development training. The recipients of this training would be expected to assume leadership roles in the development and execution of regional strategic plans. The intermediary would work with multiple recipients in helping communities recognize their connections to the greater regional and national economies.

(e) The intermediary could provide training and technical assistance to the recipients on developing emergency shelter and feeding, short-term housing, search and rescue, and environmental accident, prevention, and cleanup program plans. For longer term disaster and economic crisis responses, the intermediary could work with the recipients to develop job placement and training programs, and develop coordinated transit systems for displaced workers.

D. Application and Submission Information

1. Address To Request Application Package

Entities wishing to apply for assistance may download the application documents and requirements delineated in this Notice from the RCDI Web site: *http://www.rd.usda.gov/programs-services/*

rural-community-development-initiative-grants.

Application information for electronic submissions may be found at *http://www.grants.gov.*

Applicants may also request paper application packages from the Rural Development office in their state. A list of Rural Development State office contacts can be found via *https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.* You may also obtain a copy by calling 202–205–9685.

2. Content and Form of Application Submission

If the applicant is ineligible or the application is incomplete, the Agency will inform the applicant in writing of the decision, reasons therefore, and its appeal rights and no further evaluation of the application will occur.

A complete application for RCDI funds must include the following:

(a) A summary page, double-spaced between items, listing the following: (This information should not be presented in narrative form.)

(1) Applicant's name,

(2) Applicant's address,

(3) Applicant's telephone number,

(4) Name of applicant's contact person, email address and telephone number,

(5) Applicant's fax number,

(6) County where applicant is located,

(7) Congressional district number where applicant is located,

(8) Amount of grant request, and

(9) Number of recipients.

(b) A detailed Table of Contents containing page numbers for each component of the application.

(c) A project overview, no longer than one page, including the following items, which will also be addressed separately and in detail under ''Building Capacity and Expertise'' of the ''Evaluation Criteria.''

(1) The type of technical assistance to be provided to the recipients and how it will be implemented.

(2) How the capacity and ability of the recipients will be improved.

(3) The overall goals to be accomplished.

(4) The benchmarks to be used to measure the success of the program. Benchmarks should be specific and quantifiable.

(d) Organizational documents, such as a certificate of incorporation and a current good standing certification from the Secretary of State where the applicant is incorporated and other similar and valid documentation of current non-profit status, from the intermediary that confirms it has been legally organized for a minimum of 3 years as the applicant entity.

(e) Verification of source and amount of matching funds, *e.g.,* a copy of a bank statement if matching funds are in cash or a copy of the confirmed funding commitment from the funding source.

The verification must show that matching funds are available for the duration of the grant performance period. The verification of matching funds must be submitted with the application or the application will be considered incomplete.

The applicant will be contacted by the Agency prior to grant award to verify that the matching funds provided with the application continue to be available. The applicant will have 15 days from the date contacted to submit verification that matching funds continue to be available.

If the applicant is unable to provide the verification within that timeframe, the application will be considered ineligible. The applicant must maintain bank statements on file or other documentation for a period of at least 3 years after grant closing except that the records shall be retained beyond the 3-year period if audit findings have not been resolved.

(f) The following information for each recipient:

(1) Recipient's entity name,

(2) Complete address (mailing and physical location, if different),

(3) County where located,

(4) Number of Congressional district where recipient is located,

(5) Contact person's name, email address and telephone number and,

(6) Form RD 400–4, ''Assurance Agreement.'' If the Form RD 400–4 is not submitted for the applicant and each recipient, the recipient will be considered ineligible. No information pertaining to that recipient will be included in the income or population scoring criteria and the requested funding may be adjusted due to the deletion of the recipient.

(g) Submit evidence that each recipient entity is eligible. Documentation must be submitted to verify recipient eligibility. Acceptable documentation varies depending on the type of recipient:

(1) Nonprofits—provide a current valid letter confirming non-profit status from the Secretary of the State of incorporation, a current good standing certification from the Secretary of the State of incorporation, or other valid documentation of current nonprofit status of each recipient.

A nonprofit recipient must provide evidence that it is a valid nonprofit when the intermediary applies for the RCDI grant. Organizations with pending requests for nonprofit designations are not eligible.

(2) Low-income rural community—provide evidence the entity is a public body (copy of Charter, relevant Acts of Assembly, relevant court orders (if created judicially) or other valid documentation), a copy of the 2010 census data to verify the population, and 2010 American Community Survey (ACS) 5-year estimates (2006–2010 data set) data as evidence that the median household income is at, or below, 80 percent of either the State or national median household income. We will only accept data and printouts from *http://www.census.gov*.

(3) Federally recognized tribes—provide the page listing their name from the **Federal Register** list of tribal entities published most recently by the Bureau of Indian Affairs. The 2016 list is available at 81 FR 19 5019–5025 and *https://www.gpo.gov/fdsys/pkg/FR-2016-01-29/pdf/2016-01769.pdf.*

(h) Each of the ''Evaluation Criteria'' must be addressed specifically and individually by category. Present these criteria in narrative form. Narrative (not including attachments) must be limited to five pages per criterion. The ''Population and Income'' criteria for recipient locations can be provided in the form of a list; however, the source of the data must be included on the page(s).

(i) A timeline identifying specific activities and proposed dates for completion.

(j) A detailed project budget that includes the RCDI grant amount and matching funds. This should be a line-item budget, by category. Categories such as salaries, administrative, other, and indirect costs that pertain to the proposed project must be clearly defined. Supporting documentation listing the components of these categories must be included. The budget should be dated: Year 1, year 2, and year 3, as applicable.

(k) The indirect cost category in the project budget should be used only when a grant applicant has a federally negotiated indirect cost rate. A copy of the current rate agreement must be provided with the application. Non-federal entities that have never received a negotiated indirect cost rate, except for those non-Federal entities described in Appendix VII to Part 200-States and Local Government and Indian Tribe Indirect Cost Proposals, paragraph (d)(1)(B), may use the de minimis rate of 10% of modified total direct costs (MTDC).

(l) Form SF–424, ''Application for Federal Assistance.''

(Do not complete Form SF–424A, ''Budget Information.'' A separate line-item budget should be presented as described in Letter (j) of this section.)

(m) Form SF–424B, ''Assurances—Non-Construction Programs.''

(n) Form AD–1047, ''Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions.''

(o) Form AD–1048, ''Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions.''

(p) Form AD–1049, ''Certification Regarding Drug-Free Workplace Requirements.''

(q) Certification of Non-Lobbying Activities.

(r) Standard Form LLL, ''Disclosure of Lobbying Activities,'' if applicable.

(s) Form RD 400–4, ''Assurance Agreement,'' for the applicant and each recipient.

(t) Identify and report any association or relationship with Rural Development employees. (A statement acknowledging whether or not a relationship exists is required.)

(u) Form AD–3030, ''Representations Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants,'' if you are a corporation. A corporation is any entity that has filed articles of incorporation in one of the 50 States, the District of Columbia, the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands, or the various territories of the United States including American Samoa, Guam, Midway Islands, Northern Mariana Islands, Puerto Rico, or the U.S. Virgin Islands. Corporations include both for profit and non-profit entities.

3. Dun and Bradstreet Data Universal Numbering System (DUNS) and System for Awards Management (SAM)

Grant applicants must obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number and register in the System for Award Management (SAM) prior to submitting an application pursuant to 2 CFR 25.200(b). In addition, an entity applicant must maintain registration in SAM at all times during which it has an active Federal award or an application or plan under consideration by the Agency. Similarly, all recipients of Federal financial assistance are required to report information about first-tier subawards and executive compensation in accordance to 2 CFR part 170. So long as an entity applicant does not have an exception under 2 CFR 170.110(b), the applicant must have the necessary processes and systems in place to comply with the reporting requirements should the applicant receive funding. See 2 CFR 170.200(b).

An applicant, unless excepted under 2 CFR 25.110(b), (c), or (d), is required to:

(a) Be registered in SAM before submitting its application;

(b) Provide a valid DUNS number in its application; and

(c) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

The Federal awarding agency may not make a federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

As required by the Office of Management and Budget (OMB), all grant applications must provide a DUNS number when applying for Federal grants, on or after October 1, 2003. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free number at 1–866–705–5711 or via Internet at *http://fedgov.dnb.com/webform.* Additional information concerning this requirement can be obtained on the *Grants.gov* Web site at *http://www.grants.gov.* Similarly, applicants may register for SAM at *https://www.sam.gov* or by calling 1–866–606–8220.

The applicant must provide documentation that they are registered in SAM and their DUNS number. If the applicant does not provide documentation that they are registered in SAM and their DUNS number, the application will not be considered for funding. The required forms and certifications can be downloaded from the RCDI Web site at: *http://www.rd.usda.gov/programs-services/rural-community-development-initiative-grants.*

4. Submission Dates and Times

The deadline for receipt of an application is 4 p.m. local time, July 25, 2017. The application date and time are firm. The Agency will not consider any application received after the deadline. You may submit your application in paper form or electronically through *Grants.gov.* Applicants intending to mail applications must provide sufficient time to permit delivery on or before the closing deadline date and time. Acceptance by the United States Postal Service or private mailer does not constitute delivery. Facsimile (FAX), electronic mail and postage due applications will not be accepted.

To submit a paper application, the original application package must be submitted to the Rural Development State Office where the applicant's headquarters is located.

A listing of Rural Development State Offices contacts can be found via *https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.*

Applications will not be accepted via FAX or electronic mail.

Applicants may file an electronic application at *http://www.grants.gov. Grants.gov* contains full instructions on all required passwords, credentialing, and software. Follow the instructions at *Grants.gov* for registering and submitting an electronic application. If a system problem or technical difficulty occurs with an electronic application, please use the customer support resources available at the *Grants.gov* Web site.

Technical difficulties submitting an application through *Grants.gov* will not be a reason to extend the application deadline. If an application is unable to be submitted through *Grants.gov,* a paper application must be received in the appropriate Rural Development State Office by the deadline noted previously.

First time *Grants.gov* users should carefully read and follow the registration steps listed on the Web site. These steps need to be initiated early in the application process to avoid delays in submitting your application online.

In order to register with System for Award Management (SAM), your organization will need a DUNS number. Be sure to complete the Marketing Partner ID (MPID) and Electronic Business Primary Point of Contact fields during the SAM registration process.

These are mandatory fields that are required when submitting grant applications through *Grants.gov.* Additional application instructions for submitting an electronic application can be found by selecting this funding opportunity on *Grants.gov.*

5. Funding Restrictions

Meeting expenses. In accordance with 31 U.S.C. 1345, ''Expenses of Meetings,'' appropriations may not be used for travel, transportation, and subsistence expenses for a meeting. RCDI grant funds cannot be used for these meeting-

related expenses. Matching funds may, however, be used to pay for these expenses.

RCDI funds may be used to pay for a speaker as part of a program, equipment to facilitate the program, and the actual room that will house the meeting.

RCDI funds cannot be used for meetings; they can, however, be used for travel, transportation, or subsistence expenses for program-related training and technical assistance purposes. Any training not delineated in the application must be approved by the Agency to verify compliance with 31 U.S.C. 1345. Travel and per diem expenses (including meals and incidental expenses) will be allowed in accordance with 2 CFR parts 200 and 400.

E. Application Review Information

1. Evaluation Criteria

Applications will be evaluated using the following criteria and weights:

(a) Building Capacity and Expertise—Maximum 40 Points

The applicant must demonstrate how they will improve the recipients' capacity, through a program of financial and technical assistance, as it relates to the RCDI purposes.

Capacity-building financial and technical assistance should provide new functions to the recipients or expand existing functions that will enable the recipients to undertake projects in the areas of housing, community facilities, or community and economic development that will benefit the community. Capacity-building financial and technical assistance may include, but is not limited to: Training to conduct community development programs, *e.g.,* homeownership education, or the establishment of minority business entrepreneurs, cooperatives, or micro-enterprises; organizational development, *e.g.,* assistance to develop or improve board operations, management, and financial systems; instruction on how to develop and implement a strategic plan; instruction on how to access alternative funding sources to increase leveraging opportunities; staffing, *e.g.,* hiring a person at intermediary or recipient level to provide technical assistance to recipients.

The program of financial and technical assistance that is to be provided, its delivery, and the measurability of the program's effectiveness will determine the merit of the application.

All applications will be competitively ranked with the applications providing the most improvement in capacity development and measurable activities being ranked the highest.

The narrative response must contain the following items. This list also contains the points for each item.

(1) Describe the nature of financial and technical assistance to be provided to the recipients and the activities that will be conducted to deliver the technical assistance; (10 Points)

(2) Explain how financial and technical assistance will develop or increase the recipient's capacity. Indicate whether a new function is being developed or if existing functions are being expanded or performed more effectively; (7 Points)

(3) Identify which RCDI purpose areas will be addressed with this assistance: housing, community facilities, or community and economic development; (3 Points)

(4) Describe how the results of the technical assistance will be measured. What benchmarks will be used to measure effectiveness? Benchmarks should be specific and quantifiable; (5 Points)

(5) Demonstrate that it has conducted programs of financial and technical assistance and achieved measurable results in the areas of housing, community facilities, or community and economic development in rural areas. (10 Points)

(6) Provide in a chart or excel spreadsheet, the organization name, point of contact, address, phone number, email address, and the type and amount of the financial and technical assistance the applicant organization has provided to the following for the last 3 years: (5 Points)

(i) Nonprofit organizations in rural areas.

(ii) Low-income communities in rural areas (also include the type of entity, *e.g.,* city government, town council, or village board).

(iii) Federally recognized tribes or any other culturally diverse organizations.

(b) Soundness of Approach—Maximum 15 Points

The applicant can receive up to 15 points for soundness of approach. The overall proposal will be considered under this criterion.

Applicants must list the page numbers in the application that address these factors.

The maximum 15 points for this criterion will be based on the following:

(1) The proposal fits the objectives for which applications were invited, is clearly stated, and the applicant has defined how this proposal will be implemented. (7 Points)

(2) The ability to provide the proposed financial and technical assistance based on prior accomplishments. (6 Points)

(3) Cost effectiveness will be evaluated based on the budget in the application. The proposed grant amount and matching funds should be utilized to maximize capacity building at the recipient level. (2 Points)

(c) Population and Income—Maximum 15 Points

Population is based on the average population from the 2010 census data for the communities in which the recipients are located. The physical address, not mailing address, for each recipient must be used for this criterion. Community is defined for scoring purposes as a city, town, village, county, parish, borough, or census-designated place where the recipient's office is physically located.

The applicant must submit the census data from the following Web site in the form of a printout of the applicable ''Fact Sheet'' to verify the population figures used for each recipient. The data can be accessed on the Internet at *http://www.census.gov;* click on ''American FactFinder,'' fill in field and click ''Go''; the name and population data for each recipient location must be listed in this section.

The average population of the recipient locations will be used and will be scored as follows:

Population	Scoring (points)
10,000 or less	5
10,001 to 20,000	4
20,001 to 30,000	3
30,001 to 40,000	2
40,001 to 50,000	1

The average of the median household income for the communities where the recipients are physically located will determine the points awarded. The physical address, not mailing address, for each recipient must be used for this criterion. Applicants may compare the average recipient median household income to the State median household income or the national median household income, whichever yields the most points. The national median household income to be used is $51,914.

The applicant must submit the income data in the form of a printout of the applicable information from the following Web site to verify the income for each recipient. The data being used is from the 2010 American Community Survey (ACS) 5-year estimates (2006–2010 data set). The data can be accessed on the Internet at *http://*

www.census.gov; click on ''American FactFinder,'' (under ''Find Data'' at bottom of page), ''Advanced Search,''(click on ''Show Me All'' tab), ''Topics,'' ''Dataset,'' locate 2010 ACS 5 year estimates, close table, check the ''Median Income'' table (S1903 on page 2), fill in the ''state, county or place'' field (at top of page), select ''Go'' and click ''View''; the name and income data for each recipient location must be listed in this section (use the Household and Median Income column). Points will be awarded as follows:

Average recipient median income	Scoring (points)
Less than or equal to 70 percent of state or national median household income	10
Greater than 70, but less than or equal to 80 percent of state or national median household income	5
In excess of 80 percent of state or national median household Income	0

(d) State Director's Points Based on Project Merit—Maximum 10 Points

(1) This criterion will be addressed by the Agency, not the applicant.

(2) Up to 10 points may be awarded by the Rural Development State Director to any application(s) that benefits their State regardless of whether the applicant is headquartered in their State. The total points awarded under this criterion, to all applications, will not exceed 10.

(3) When an intermediary submits an application that will benefit a State that is not the same as the State in which the intermediary is headquartered, it is the intermediary's responsibility to notify the State Director of the State which is receiving the benefit of their application. In such cases, State Directors awarding points to applications benefiting their state must notify the reviewing State in writing.

(4) Assignment of any points under this criterion requires a written justification and must be tied to and awarded based on how closely the application aligns with the Rural Development State Office's strategic goals.

(e) Administrator Discretionary Points—Maximum 20 Points

The Administrator may award up to 20 discretionary points for projects to address geographic distribution of funds, emergency conditions caused by economic problems, natural disasters and other initiatives identified by the Secretary.

2. Review and Selection Process

(a) Rating and ranking.

Applications will be rated and ranked on a national basis by a review panel based on the ''Evaluation Criteria'' contained in this Notice.

If there is a tied score after the applications have been rated and ranked, the tie will be resolved by reviewing the scores for ''Building Capacity and Expertise'' and the applicant with the highest score in that category will receive a higher ranking. If the scores for ''Building Capacity and Expertise'' are the same, the scores will be compared for the next criterion, in sequential order, until one highest score can be determined.

(b) Initial screening.

The Agency will screen each application to determine eligibility during the period immediately following the application deadline. Listed below are examples of reasons for rejection from previous funding rounds. The following reasons for rejection are not all inclusive; however, they represent the majority of the applications previously rejected.

(1) Recipients were not located in eligible rural areas based on the definition in this Notice.

(2) Applicants failed to provide evidence of recipient's status, *i.e.,* documentation supporting nonprofit evidence of organization.

(3) Applicants failed to provide evidence of committed matching funds or matching funds were not committed for a period at least equal to the grant performance period.

(4) Application did not follow the RCDI structure with an intermediary and recipients.

(5) Recipients were not identified in the application.

(6) Intermediary did not provide evidence it had been incorporated for at least 3 years as the applicant entity.

(7) Applicants failed to address the ''Evaluation Criteria.''

(8) The purpose of the proposal did not qualify as an eligible RCDI purpose.

(9) Inappropriate use of funds (*e.g.,* construction or renovations).

(10) The applicant proposed providing financial and technical assistance directly to individuals.

(11) The application package was not received by closing date and time.

F. Federal Award Administration Information

1. Federal Award Notice

Within the limit of funds available for such purpose, the awarding official of the Agency shall make grants in ranked order to eligible applicants under the procedures set forth in this Notice.

Successful applicants will receive a selection letter by mail containing instructions on requirements necessary to proceed with execution and performance of the award.

This letter is not an authorization to begin performance. In addition, selected applicants will be requested to verify that components of the application have not changed at the time of selection and on the award obligation date, if requested by the Agency.

The award is not approved until all information has been verified, and the awarding official of the Agency has signed Form RD 1940–1, ''Request for Obligation of Funds'' and the grant agreement.

Unsuccessful applicants will receive notification including appeal rights by mail.

2. Administrative and National Policy Requirements

Grantees will be required to do the following:

(a) Execute a Rural Community Development Initiative Grant Agreement.

(b) Execute Form RD 1940–1, ''Request for Obligation of Funds.''

(c) Use Form SF 270, ''Request for Advance or Reimbursement,'' to request reimbursements. Provide receipts for expenditures, timesheets and any other documentation to support the request for reimbursement.

(d) Provide financial status and project performance reports on a quarterly basis starting with the first full quarter after the grant award.

(e) Maintain a financial management system that is acceptable to the Agency.

(f) Ensure that records are maintained to document all activities and expenditures utilizing RCDI grant funds and matching funds. Receipts for expenditures will be included in this documentation.

(g) Provide annual audits or management reports on Form RD 442–2, ''Statement of Budget, Income and Equity,'' and Form RD 442–3, ''Balance Sheet,'' depending on the amount of Federal funds expended and the outstanding balance.

(h) Collect and maintain data provided by recipients on race, sex, and national origin and ensure recipients collect and maintain the same data on beneficiaries. Race and ethnicity data will be collected in accordance with OMB **Federal Register** notice, ''Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity,'' (62 FR 58782), October 30, 1997. Sex data will be collected in accordance with Title IX of the Education Amendments of 1972. These

items should not be submitted with the application but should be available upon request by the Agency.

(i) Provide a final project performance report.

(j) Identify and report any association or relationship with Rural Development employees.

(k) The intermediary and recipient must comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Executive Order 12250, Age Act of 1975, Executive Order 13166 Limited English Proficiency, and 7 CFR part 1901, subpart E.

(l) The grantee must comply with policies, guidance, and requirements as described in the following applicable Code of Federal Regulations, and any successor regulations:

(i) 2 CFR parts 200 and 400 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements For Federal Awards).

(ii) 2 CFR parts 417 and 180 (Government-wide Debarment and Suspension (Nonprocurement)).

(m) Form AD–3031, ''Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants,'' Must be signed by corporate applicants who receive an award under this Notice.

3. Reporting

After grant approval and through grant completion, you will be required to provide the following, as indicated in the Grant Agreement:

(a) SF–425, ''Federal Financial Report'' and SF–PPR, ''Performance Progress Report'' will be required on a quarterly basis (due 30 working days after each calendar quarter). The Performance Progress Report shall include the elements described in the grant agreement.

(b) Final financial and performance reports will be due 90 calendar days after the period of performance end date.

(c) A summary at the end of the final report with elements as described in the grant agreement to assist in documenting the annual performance goals of the RCDI program for Congress.

G. Federal Awarding Agency Contact

Contact the Rural Development office in the State where the applicant's headquarters is located. A list of Rural Development State Offices contacts can be found via *https://www.rd.usda.gov/files/CF_State_Office_Contacts.pdf.*

H. Other Information

Survey on Ensuring Equal Opportunity for Applicants, OMB No. 1894–0010 (applies to nonprofit applicants only—submission is optional).

No reimbursement will be made for any funds expended prior to execution of the RCDI Grant Agreement unless the intermediary is a non-profit or educational entity and has requested and received written Agency approval of the costs prior to the actual expenditure.

This exception is applicable for up to 90 days prior to grant closing and only applies to grantees that have received written approval but have not executed the RCDI Grant Agreement.

The Agency cannot retroactively approve reimbursement for expenditures prior to execution of the RCDI Grant Agreement.

Program Definitions

Agency—The Rural Housing Service (RHS) or its successor.

Beneficiary—Entities or individuals that receive benefits from assistance provided by the recipient.

Capacity—The ability of a recipient to implement housing, community facilities, or community and economic development projects.

Conflict of interest—A situation in which a person or entity has competing personal, professional, or financial interests that make it difficult for the person or business to act impartially. Regarding use of both grant and matching funds, Federal procurement standards prohibit transactions that involve a real or apparent conflict of interest for owners, employees, officers, agents, or their immediate family members having a financial or other interest in the outcome of the project; or that restrict open and free competition for unrestrained trade. Specifically, project funds may not be used for services or goods going to, or coming from, a person or entity with a real or apparent conflict of interest, including, but not limited to, owner(s) and their immediate family members. An example of conflict of interest occurs when the grantee's employees, board of directors, or the immediate family of either, have the appearance of a professional or personal financial interest in the recipients receiving the benefits or services of the grant.

Federally recognized tribes—Tribal entities recognized and eligible for funding and services from the Bureau of Indian Affairs, based on the most recent notice in the **Federal Register** published by the Bureau of Indian Affairs. Tribally Designated Housing Entities are eligible RCDI recipients.

Financial assistance—Funds, not to exceed $10,000 per award, used by the intermediary to purchase supplies and equipment to build the recipient's capacity.

Funds—The RCDI grant and matching money.

Intermediary—A qualified private, nonprofit (including faith-based and community organizations and philanthropic organizations), or public (including tribal) organization that provides financial and technical assistance to multiple recipients.

Low-income rural community—An authority, district, economic development authority, regional council, or unit of government representing an incorporated city, town, village, county, township, parish, or borough whose income is at or below 80 percent of either the state or national Median Household Income as measured by the 2010 Census.

Matching funds—Cash or confirmed funding commitments. Matching funds must be at least equal to the grant amount and committed for a period of not less than the grant performance period.

Recipient—The entity that receives the financial and technical assistance from the Intermediary. The recipient must be a nonprofit community-based housing and development organization, a low-income rural community or a federally recognized Tribe.

Rural and rural area—Any area other than (i) a city or town that has a population of greater than 50,000 inhabitants; and (ii) the urbanized area contiguous and adjacent to such city or town.

Technical assistance—Skilled help in improving the recipient's abilities in the areas of housing, community facilities, or community and economic development.

Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720–2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877–8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at *http://www.ascr.usda.gov/complaint_filing_cust.html* and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by:

(1) *By mail:* U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW., Washington, DC 20250–9410;

(2) *Fax:* (202) 690–7442; or

(3) *Email: program.intake@usda.gov.*

Persons With Disabilities

Individuals who are deaf, hard of hearing, or have speech disabilities and you wish to file either an EEO or program complaint please contact USDA through the Federal Relay Service at (800) 877–8339 or (800) 845–6136 (in Spanish).

Persons with disabilities who wish to file a program complaint, please see information above on how to contact us by mail directly or by email.

If you require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, etc.) please contact USDA's TARGET Center at (202) 720–2600 (voice and TDD).

Appeal Process

All adverse determinations regarding applicant eligibility and the awarding of points as part of the selection process are appealable pursuant to 7 CFR part 11. Instructions on the appeal process will be provided at the time an applicant is notified of the adverse decision.

In the event the applicant is awarded a grant that is less than the amount requested, the applicant will be required to modify its application to conform to the reduced amount before execution of the grant agreement. The Agency reserves the right to reduce or withdraw the award if acceptable modifications are not submitted by the awardee within 15 working days from the date the request for modification is made. Any modifications must be within the scope of the original application.

Dated: May 19, 2017.

Richard A. Davis,

Acting Administrator, Rural Housing Service.

[FR Doc. 2017–10776 Filed 5–25–17; 8:45 am]

BILLING CODE 3410–XV–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket No. 179323306–7306–01]

RIN 0691–XC067

Proposed Information Collection; Request for Comments; Survey: Expenditures Incurred by Recipients of Biomedical Research and Development Awards From the National Institutes of Health (NIH)

AGENCY: Bureau of Economic Analysis, Department of Commerce.

ACTION: Notice; request for comments.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, as required by the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to comment on this survey of expenditures incurred by recipients of biomedical research and development awards from the NIH.

DATES: Written comments must be submitted on or before July 25, 2017.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230, or via email at *PRAcomments@doc.gov.*

FOR FURTHER INFORMATION CONTACT: Jennifer A. Bennett, Chief, Government Fixed Assets Branch, Government Division (BE–57), Bureau of Economic Analysis, U.S. Department of Commerce, 4600 Silver Hill Rd., Washington, DC 20233 via phone at (301) 278–9769, or via email at *jennifer.bennett@bea.*gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The survey obtains the distribution of expenditures incurred by recipients of biomedical research awards from the National Institutes of Health (NIH) in order to provide information on how the NIH award amounts are expended across several major categories. This information, along with wage and price data from other published sources, will be used to generate the Biomedical Research and Development Price Index (BRDPI). The Bureau of Economic Analysis (BEA) develops this index for NIH under a reimbursable contract. The BRDPI is an index of prices paid for the labor, supplies, equipment, and other inputs required to perform the biomedical research the NIH supports in its intramural laboratories and through its awards to extramural organizations. The BRDPI is a vital tool for planning the NIH research budget and analyzing future NIH programs. A survey of award recipients is currently the only means for updating the expenditure category weights that are used to prepare the BRDPI.

II. Authority

The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden pursuant to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)), invites the general public and other Federal agencies to comment on this survey of expenditures incurred by recipients of biomedical research and development awards from the NIH. This survey will be voluntary. The authority for NIH to collect information for the BRDPI is provided in 45 CFR, part 74, subpart C (Post-Award Requirements), in which section 74.21 sets forth explicit standards for grantees in establishing and maintaining financial management systems and records, and section 74.53 provides for the retention of such records, as well as NIH access to such records.

BEA will administer the survey and analyze the survey results on behalf of NIH, through an interagency agreement between the two agencies. The authority for the NIH to contract with the Department of Commerce (DOC) to make this collection is the Economy Act (31 U.S.C. 1535 and 1536).

The special studies authority, 15 U.S.C. 1525, permits DOC to provide, upon the request of any person, firm, or public or private organization special studies on matters within DOC's authority, including preparing from its records special compilations, lists, bulletins, or reports, and furnishing transcripts or copies of its studies, compilations and other records. NIH's support for this research is consistent with its duties and authority under 42 U.S.C. 282.

The information provided by the respondents will be kept confidential and be used for exclusively statistical purposes. This pledge of confidentiality is made under the confidential information protection provisions of title V, subtitle A of Public Law 107–

347. Title V is the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA). Section 512 (Limitations on Use and Disclosure of Data and Information) of CIPSEA provides that data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes shall be used by officers, employees, or agents of the agency exclusively for statistical purposes. Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form for any use other than an exclusively statistical purpose, except with the informed consent of the respondent.

Responses will be kept confidential and will not be disclosed in identifiable form to anyone, other than employees or agents of BEA or agents of NIH, without prior written permission of the person filing the report. By law, each employee or agent is subject to a jail term of up to 5 years, a fine of up to $250,000, or both, for disclosing to the public any identifiable information that is reported about a business or institution.

In addition, section 515 of the Treasury and General Government Appropriations Act, 2001 (Pub. L. 106–554, Appendix C, § 515) applies to this survey. The collection and use of this information complies with all applicable information quality guidelines of the Office of Management and Budget, DOC, and BEA.

III. Method of Collection

A survey with a cover letter that includes a brief description of, and rationale for, the survey will be sent by email to potential respondents by the first week of August in 2017, 2018 and 2019. A report of the respondent's expenditures of the NIH award amounts, including NIH awards received as a sub-recipient from another institution, following the proposed format for expenditure categories included with the survey form, will be requested to be completed and submitted online no later than December 8, which, in most years, will be approximately 120 days after mailing. Survey respondents will be selected on the basis of award levels, which determine the weight of the respondents in the biomedical research and development price index. Potential respondents will include (1) the top 100 organizations in total awards, which account for about 77 percent of total awards; (2) 40 additional organizations that are not primarily in the ''Research and Development (R&D) contracts'' category; and (3) 10 additional organizations that are primarily in the ''R&D contracts'' category.

IV. Data

OMB Control Number: 0608–0069.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Universities or other organizations that are NIH award recipients.

Estimated Number of Respondents: 120.

Estimated Time per Response: 16 hours, but may vary among respondents because of differences in institution structure, size, and complexity.

Estimated Total Annual Burden Hours: 1,920 hours.

Estimated Total Annual Cost to Public: $0.

V. Request for Comments

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the NIH, including whether the information has practical utility; (2) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection; they also will become a matter of public record.

Sheleen Dumas,

Departmental PRA Lead, Office of Chief Information Officer.

[FR Doc. 2017–10846 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–EA–P

DEPARTMENT OF COMMERCE

International Trade Administration

University of California, Riverside, et al. Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscope

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, DC.

Docket Number: 16–010. *Applicant:* University of California, Riverside, Riverside, CA 92521. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 81 FR 71702–03, October 18, 2016.

Docket Number: 16–018. *Applicant:* UChicago Argonne, Lemont, IL 60439. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* See notice at 81 FR 89433–34, December 12, 2016.

Docket Number: 16–022. *Applicant:* Regents of the University of Colorado, Denver, CO 80203. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Brno Czech Republic. *Intended Use:* See notice at 81 FR 89433–34, December 12, 2016.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as this instrument is intended to be used, is being manufactured in the United States at the time the instrument was ordered. *Reasons:* Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: May 22, 2017.

Gregory W. Campbell,

Director, Subsidies Enforcement Office, Enforcement and Compliance.

[FR Doc. 2017–10874 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–858]

Certain Oil Country Tubular Goods From India: Rescission of Countervailing Duty Administrative Review; 2015

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce is rescinding the administrative review of the countervailing duty (CVD) order on certain oil country tubular goods (OCTG) from India, covering the period January 1, 2015, through December 31, 2015.

DATES: Effective May 26, 2017.

FOR FURTHER INFORMATION CONTACT: Elfi Blum, AD/CVD Operations Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone (202) 482–0197.

SUPPLEMENTARY INFORMATION:

Background

On September 8, 2016, the Department published in the **Federal Register** a notice of opportunity to request administrative review of the CVD order on OCTG from India.[1] On September 30, 2016, Jindal SAW Ltd. (Jindal SAW) timely requested that the Department conduct an administrative review with respect to it.[2] Jindal SAW was the only party to request an administrative review. On November 9, 2016, the Department published in the **Federal Register** a notice of initiation of administrative review of the CVD order on certain OCTG from India, covering the period January 1, 2015, through December 31, 2015, with respect to Jindal SAW.[3] On February 3, 2017, Jindal SAW timely withdrew its request for review.[4]

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. As noted above, the Department published the initiation on November 9, 2016.[5] Jindal SAW's withdrawal of administrative review request was submitted within the 90-day period following the publication of the *Initiation Notice* and, thus, is timely.[6] No other party requested an administrative review of this CVD order. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding this review of the CVD order on certain OCTG from India.

Assessment

The Department will instruct U.S. Customs and Border Patrol (CBP) to assess countervailing duties on all appropriate entries. Because the Department is rescinding this review in its entirety, the entries to which this administrative review pertained shall be assessed countervailing duties at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the publication of this notice.

Notifications

This notice serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of the APO materials, or conversion to judicial protective order is hereby requested. Failure to comply with regulations and terms of an APO is a violation, which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(l) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: May 22, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2017–10873 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review,* 81 FR 62096 (September 8, 2016).

[2] *See* Letter to the Department from Jindal SAW, dated September 30, 2016.

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 81 FR 78778 (November 9, 2016) (*Initiation Notice*).

[4] *See* Letter to the Department from Jindal SAW, dated February 3, 2017 (JS Withdrawal Request).

[5] *See Initiation Notice.*

[6] *Id.; see also* JS Withdrawal Request.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–122–860]

100- to 150-Seat Large Civil Aircraft From Canada: Initiation of Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Effective May 17, 2017.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood at (202) 482–3874, AD/CVD Operations, Enforcement & Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petition

On April 27, 2017, the Department of Commerce (the Department) received antidumping duty (AD) and countervailing duty (CVD) petitions concerning imports of 100- to 150-seat large civil aircraft (aircraft) from Canada, filed in proper form, on behalf of The Boeing Company (the petitioner).[1] The petitioner is a domestic producer of aircraft.[2]

On May 1 and 2, 2017, the Department requested additional information and clarification of certain areas of the Petition.[3] The petitioner filed responses to these requests on May 4, 2017.[4] On May 9, 2017, the petitioner filed an additional amendment to the Petition.[5]

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the federal government of Canada (GOC), the provincial government of Quebec (GOQ), and the Government of the United Kingdom (U.K.) are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, with respect to imports of aircraft from Canada, and that imports of aircraft are threatening material injury to an industry in the United States. Also, consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating a CVD investigation, the Petition is accompanied by information reasonably available to the petitioner supporting its allegations.

The Department finds that the petitioner filed the Petition on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(C) of the Act. The Department also finds that the petitioner demonstrated sufficient industry support with respect to the

[1] *See* Letter to the Secretary of Commerce from the petitioner ''In the Matter of 100- to 150-Seat Large Civil Aircraft from Canada—Petitions for the Imposition of Antidumping and Countervailing Duties'' (April 27, 2017) (the Petition).

[2] *See* Part Two of the Petition, at 26.

[3] *See* letter to the petitioner from the Department concerning supplemental questions on Part Three of the Petition (May 1, 2017); *see also* letter to the petitioner from the Department concerning supplemental questions on general issues (May 2, 2017).

[4] *See* Letter to the Secretary of Commerce from the petitioner ''100- to 150-Seat Large Civil Aircraft from Canada—Petitioner's Response to Supplemental Questions dated May 1, 2017'' (May 4, 2017) (Petition Supplement); *see also* letter to the Secretary of Commerce from the petitioner ''100- to 150-Seat Large Civil Aircraft from Canada—Petitioner's Response to Supplemental Questions dated May 2, 2017'' (May 4, 2017).

[5] *See* Letter to the Secretary of Commerce from the petitioner ''100- to 150-Seat Large Civil Aircraft from Canada—Proposed Scope Clarification'' (May 9, 2017) (Scope Clarification).

initiation of the CVD investigation that the petitioner is requesting.[6]

Period of Investigation

Because the Petition was filed on April 27, 2017, pursuant to 19 CFR 351.204(b)(2), the period of investigation is January 1, 2016, through December 31, 2016.[7]

Scope of the Investigation

The product covered by this investigation is aircraft from Canada. For a full description of the scope of this investigation, *see* the ''Scope of the Investigation,'' in Appendix I of this notice.

Comments on Scope of the Investigation

We received additional information from the petitioner pertaining to the proposed scope, to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.[8]

As discussed in the preamble to the Department's regulations,[9] we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope). The Department will consider all comments received from interested parties and, if necessary, will consult with the interested parties prior to the issuance of the preliminary determination in this investigation, and in the companion AD investigation currently being initiated. If scope comments include factual information,[10] all such factual information should be limited to public information. The Department requests all interested parties to submit such comments by 5:00 p.m. Eastern Time (ET) on Tuesday, June 6, 2017, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information (and also should be limited to public information), must be filed by 5:00 p.m. ET on Friday, June 16, 2017, which is 10 calendar days from the deadline for initial comments.[11] All such comments must be filed on the record of the concurrent AD investigation.

The Department requests that any factual information the parties consider relevant to the scope of the investigation be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party may contact the Department and request permission to submit the additional information. As stated above, all such comments and information must be filed on the record of the concurrent AD investigation.

Filing Requirements

All submissions to the Department must be filed electronically using Enforcement & Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS).[12] An electronically-filed document must be received successfully in its entirety by the time and date it is due. Documents excepted from the electronic submission requirements must be filed manually (*i.e.,* in paper form) with Enforcement & Compliance's APO/Dockets Unit, Room 18022, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the applicable deadlines.

Consultations

Pursuant to section 702(b)(4)(A) of the Act, the Department notified representatives of the GOC of the receipt of the Petition, and provided the opportunity for consultations with respect to the CVD Petition.[13] Because the Department may require a questionnaire response from the Government of the U.K. in this investigation, the Department also provided representatives of the U.K. an opportunity for consultations. In response to the Department's letters, the GOC requested that consultations be held, and the U.K. also requested consultations.[14] Such consultations were held on May 10 and 16, 2017, respectively.[15] The invitation letters and memoranda regarding the consultations are on file electronically *via* ACCESS.

Determination of Industry Support for the Petition

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product,[16] they do so for different purposes and pursuant to a separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not

[6] *See* ''Determination of Industry Support for the Petition'' section, below.

[7] *See* 19 CFR 351.204(b)(2).

[8] *See* Scope Clarification.

[9] *See Antidumping Duties; Countervailing Duties: Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[10] *See* 19 CFR 351.102(b)(21).

[11] *See* 19 CFR 351.303(b).

[12] *See* 19 CFR 351.303 (for general filing requirements); *see also Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011), for details of the Department's electronic filing requirements, which went into effect on August 5, 2011. Information on help using ACCESS can be found at *https://access.trade.gov/help.aspx,* and a handbook can be found at *https://access.trade.gov/help/Handbook%20on%20Electronic%20Filling%20Procedures.pdf.*

[13] *See* Letter to the embassy of Canada from the Department ''Invitation for Consultations to Discuss the Countervailing Duty Petition on 100- to 150-Seat Large Civil Aircraft from Canada'' (April 27, 2017); *see also* letter to the embassy of the United Kingdom from the Department ''Invitation for Consultations to Discuss the Countervailing Duty Petition on 100- to 150-Seat Large Civil Aircraft from Canada'' (May 4, 2017).

[14] *See* Letter to the Department from the Embassy of the GOC ''100- to 150-Seat Large Civil Aircraft from Canada. Invitation for Consultations Regarding Investigation C–122–860'' (May 8, 2017) and Letter to the Department from the Embassy of the U.K. ''100- to 150-Seat Large Civil Aircraft from Canada. Invitation for Consultations Regarding Investigation C–122–860'' (May 10, 2017).

[15] *See* Department Memoranda ''Countervailing Duty Petition on Aircraft from Canada: GOC Consultations'' (May 10, 2017) and ''Countervailing Duty Petition on Aircraft from Canada: U.K. Consultations'' (May 16, 2017).

[16] *See* section 771(10) of the Act.

render the decision of either agency contrary to law.[17]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the Petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigation. Based on our analysis of the information submitted on the record, we have determined that aircraft, as defined in the scope, constitutes a single domestic like product and we have analyzed industry support in terms of that domestic like product.[18]

In determining whether the petitioner has standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the ''Scope of the Investigation,'' in Appendix I of this notice. To establish industry support, the petitioner provided its own information regarding production of the domestic like product in 2016.[19] The petitioner states that there are no other producers of aircraft in the United States; therefore, the Petition is supported by 100 percent of the U.S. industry.[20]

Our review of the data provided in the Petition, the General Issues Supplement, and other information readily available to the Department indicates that the petitioner has established industry support for the Petition.[21] First, the Petition established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, the Department is not required to take further action in order to evaluate industry support (*e.g.,* polling).[22] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.[23] Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.[24] Accordingly, the Department determines that the Petition was filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.

The Department finds that the petitioner filed the Petition on behalf of the domestic industry because it is an interested party as defined in section 771(9)(C) of the Act and it has demonstrated sufficient industry support with respect to the CVD investigation that it is requesting that the Department initiate.[25]

Injury Test

Because Canada is a ''Subsidies Agreement Country'' within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to this investigation. Accordingly, the ITC must determine whether imports of the subject merchandise from Canada materially injure, or threaten material injury to, a U.S. industry.

Allegations and Evidence of Threat of Material Injury and Causation

The petitioner alleges that the U.S. industry producing the domestic like product is threatened with material injury, by reason of imports (or sales for importation) of the subject merchandise that are benefitting from countervailable subsidies. In addition, the petitioner alleges and provides supporting evidence that there is the potential that subject imports will imminently exceed the negligibility threshold. The petitioner's arguments regarding the potential for imports from Canada to imminently exceed the negligibility threshold are consistent with the statutory criteria for ''negligibility in threat analysis'' under section 771(24)(A)(iv) of the Act, which provides that imports shall not be treated as negligible if there is a potential that subject imports from a country will imminently exceed the statutory requirements for negligibility.[26]

The petitioner contends that the threat of material injury is illustrated by the domestic industry's vulnerability, the nature of the alleged countervailable subsidies, existing unused production capacity available to imminently and substantially increase exports of subject merchandise to the United States, significant increase in the market penetration of subject imports and likelihood of further increase in the volume and market penetration of subject imports, adverse price effects on domestic prices, and negative effects on product development and production.[27] We have assessed the allegations and supporting evidence regarding threat of material injury and causation, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.[28]

Initiation of CVD Investigation

Section 702(b)(1) of the Act requires the Department to initiate a CVD investigation whenever an interested party files a CVD petition on behalf of an industry that (1) alleges the elements necessary for an imposition of a duty under section 701(a) of the Act and (2) is accompanied by information reasonably available to the petitioner supporting the allegations.

The petitioner alleges that producers/exporters of aircraft from Canada benefited from countervailable subsidies bestowed by the GOC, GOQ, and the U.K. The Department examined the Petition and finds that it complies with the requirements of section 702(b)(1) of the Act. Therefore, in accordance with section 702(b)(1) of the Act, we are initiating a CVD investigation to determine whether manufacturers, producers, and/or exporters of aircraft

[17] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (CIT 1988), *aff'd* 865 F.2d 240 (Fed. Cir. 1989)).

[18] For a discussion of the domestic like product analysis in this case, *see* Countervailing Duty Investigation Initiation Checklist: 100- to 150-Seat Large Civil Aircraft from Canada (Canada CVD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering 100- to 150-Seat Large Civil Aircraft from Canada, (Attachment II). This checklist is dated concurrently with this notice and on file electronically via ACCESS. Access to documents filed via ACCESS is also available in the Central Records Unit, Room B8024 of the main Department of Commerce building.

[19] *See* General Issues Supplement, at 3–4 and Exhibit Supp.-8.

[20] *See* Petition, at 26, 44–45 and Exhibits 44 and 67.

[21] *See* Canada CVD Initiation Checklist, at Attachment II.

[22] *See* section 702(c)(4)(D) of the Act; *see also* Canada CVD Initiation Checklist, at Attachment II.

[23] *See* Canada CVD Initiation Checklist, at Attachment II.

[24] *Id.*

[25] *Id.*

[26] *See* Petition, at 28–29 and Exhibit 44.

[27] *Id.,* at 1–24, 28–29, 46–78 and Exhibits 1–12, 17, 21–22, 24, 36–39, 40–41, 43–54, 66, 97–106, 108–109; *see also* General Issues Supplement, at 2–3 and Exhibits Supp.-6 and Supp.-7.

[28] *See* Canada CVD Initiation Checklist, at Attachment III, Analysis of Allegations and Evidence of Threat of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering 100- to 150-Seat Large Civil Aircraft from Canada.

from Canada receive countervailable subsidies from the GOC, GOQ, and the U.K.

Under the Trade Preferences Extension Act of 2015, numerous amendments to the AD and CVD laws were made.[29] The 2015 law does not specify dates of application for those amendments. On August 6, 2015, the Department published an interpretative rule, in which it announced the applicability dates for each amendment to the Act, except for amendments contained in section 771(7) of the Act, which relate to determinations of material injury by the ITC.[30] The amendments to sections 776 and 782 of the Act are applicable to all determinations made on or after August 6, 2015, and, therefore, apply to this CVD investigation.[31]

Subsidy Allegations

Based on our review of the Petition, we find that there is sufficient information to initiate a CVD investigation on each of the 14 alleged programs. For a full discussion of the basis for our decision to initiate on each program, *see* the CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on *ACCESS.*

In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination in this investigation no later than 65 days after the date of initiation.

Average Useful Life (AUL)

In the Petition, the petitioner used a 20-year AUL period based on proprietary information contained in an affidavit.[32] However, 19 CFR 351.524(d)(2)(i) presumes ''the allocation period for non-recurring subsidies to be the AUL of renewable physical assets for the industry concerned as listed in the Internal Revenue Service's (IRS) 1977 Class Life Asset Depreciation Range System,'' as updated by the Department of the Treasury. The IRS table lists a 10 year AUL for the manufacture of aerospace products.[33] Pursuant to 19 CFR 351.524(d)(2)(i), the Department may use a different AUL period if a party claims and establishes that the IRS tables do not reasonably reflect the company-specific AUL or the country-wide AUL for the industry under investigation. Additionally, pursuant to 19 CFR 351.524(d)(2)(iv), ''{u}nder certain extraordinary circumstances,'' the Department ''may consider whether an allocation period other than the AUL is appropriate.'' Therefore, the Department requests that interested parties submit comments regarding the AUL period applicable in this investigation, including supporting factual information, by 5:00 p.m. ET on Tuesday, June 6, 2017, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on Friday, June 16, 2017, which is 10 calendar days from the deadline for initial comments.[34]

Respondent Selection

Although the Department normally relies on the number of producers/exporters identified in the petition and/or on import data from Customs and Border Protection to determine whether to select a limited number of producers/exporters for individual examination in CVD investigations, the petitioner identified only one company as a producer/exporter of aircraft from Canada: Bombardier, Inc. We currently know of no additional producers/exporters of the merchandise under consideration from Canada, and the petitioner provided information from independent sources as support.[35] Accordingly, the Department intends to examine the sole producer/exporter identified in the petition. Parties wishing to comment on respondent selection must do so within five days from the publication of this notice in the **Federal Register**. Any such comments must be submitted no later than 5:00 p.m. ET on the due date, and must be filed electronically *via* ACCESS.

Distribution of Copies of the Petition

In accordance with section 702(b)(4)(A)(i) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition has been provided to the GOC and U.K. *via* ACCESS. To the extent practicable, we will provide a copy of the public version of the Petition to the one known exporter named in the Petition, consistent with 19 CFR 351.203(c)(2).

ITC Notification

We will notify the ITC of our initiation, as required by section 702(d) of the Act.

Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of aircraft from Canada are materially injuring, or threatening material injury to, a U.S. industry.[36] A negative ITC determination will result in the investigation being terminated;[37] otherwise, this investigation will proceed according to statutory and regulatory time limits.

Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i) through (iv). The regulation requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Parties should review the regulations prior to submitting factual information in this investigation.

Extension of Time Limits Regulation

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301 expires. For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain

[29] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

[30] *See Dates of Application of Amendments to the Antidumping and Countervailing Duty Laws Made by the Trade Preferences Extension Act of 2015,* 80 FR 46793 (August 6, 2015). The 2015 amendments may be found at *https://www.congress.gov/bill/114th-congress/house-bill/1295/text/pl.*

[31] *Id.,* at 46794–95.

[32] *See* Petition at Exhibits 14 and 152, and Petition Supplement at 1.

[33] *See* Memorandum to the File, ''Class Life for Manufacture of Aerospace Products,'' dated concurrently with this notice, at Asset class 37.2.

[34] *See* 19 CFR 351.303(b).

[35] *See* Petition at 27, 29, and Exhibit 61; and Scope Clarification at 3–5 and Exhibit Supp.-12.

[36] *See* section 703(a)(2) of the Act.

[37] *See* section 703(a)(1) of the Act.

circumstances, we may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, stand-alone submission; under limited circumstances we will grant untimely-filed requests for the extension of time limits. Review *Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013), available at *http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in this investigation.

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[38] Parties are hereby reminded that revised certification requirements are in effect for company/government officials, as well as their representatives. Investigations initiated on the basis of petitions filed on or after August 16, 2013, and other segments of any AD or CVD proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Final Rule.*[39] The Department intends to reject factual submissions if the submitting party does not comply with the applicable revised certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under Administrative Protective Order (APO) in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures,* 73 FR 3634 (January 22, 2008). Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (*e.g.,* the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

[38] *See* section 782(b) of the Act.

[39] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* frequently asked questions regarding the *Final Rule,* available at *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

This notice is issued and published pursuant to sections 702 and 777(i) of the Act.

Dated: May 17, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is aircraft, regardless of seating configuration, that have a standard 100- to 150-seat two-class seating capacity and a minimum 2,900 nautical mile range, as these terms are defined below.

''Standard 100- to 150-seat two-class seating capacity'' refers to the capacity to accommodate 100 to 150 passengers, when eight passenger seats are configured for a 36-inch pitch, and the remaining passenger seats are configured for a 32-inch pitch. ''Pitch'' is the distance between a point on one seat and the same point on the seat in front of it.

''Standard 100- to 150-seat two-class seating capacity'' does not delineate the number of seats actually in a subject aircraft or the actual seating configuration of a subject aircraft. Thus, the number of seats actually in a subject aircraft may be below 100 or exceed 150.

A ''minimum 2,900 nautical mile range'' means:

(i) able to transport between 100 and 150 passengers and their luggage on routes equal to or longer than 2,900 nautical miles; or

(ii) covered by a U.S. Federal Aviation Administration (FAA) type certificate or supplemental type certificate that also covers other aircraft with a minimum 2,900 nautical mile range.

The scope includes all aircraft covered by the description above, regardless of whether they enter the United States fully or partially assembled, and regardless of whether, at the time of entry into the United States, they are approved for use by the FAA.

The merchandise covered by this investigation is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 8802.40.0040. The merchandise may alternatively be classifiable under HTSUS subheading 8802.40.0090. Although these HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

[FR Doc. 2017–10957 Filed 5–25–17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–859]

100- to 150-Seat Large Civil Aircraft From Canada: Initiation of Less-Than-Fair-Value Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Effective May 17, 2017.

FOR FURTHER INFORMATION CONTACT: Karine Gziryan at (202) 482–4081 or Lilit Astvatsatrian at (202) 482–6412, AD/CVD Operations, Enforcement & Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petition

On April 27, 2017, the Department of Commerce (the Department) received antidumping duty (AD) and countervailing duty (CVD) petitions concerning imports of 100- to 150-seat large civil aircraft (aircraft) from Canada, filed in proper form, on behalf of The Boeing Company (Boeing) (the petitioner).[1] The petitioner is a domestic producer of aircraft.[2]

On May 2, 2017, the Department requested additional information and clarification of certain areas of the Petition.[3] The petitioner filed responses to these requests on May 4, 2017.[4] On May 9, 2017, the petitioner filed an additional amendment to the Petition.[5]

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports

[1] *See* Letter to the Secretary of Commerce from the petitioner ''In the Matter of 100- To 150-Seat Large Civil Aircraft from Canada—Petitions for the Imposition of Antidumping and Countervailing Duties'' (April 27, 2017) (the Petition).

[2] *See* Petition, at 26.

[3] *See* Department Letter re: Petition for the Imposition of Antidumping Duties on Imports of 100- to 150-Seat Large Civil Aircraft from Canada: Supplemental Questions, dated May 2, 2017 (General Issues Supplemental Questionnaire); *see also* Department Letter re: Petition for the Imposition of Antidumping Duties on Imports of 100- to 150-Seat Large Civil Aircraft from Canada: Supplemental Questions, dated May 2, 2017 (Antidumping Supplemental Questionnaire).

[4] *See* Letter from the petitioner re: 100- to 150-Seat Large Civil Aircraft from Canada—Petitioner's Response to AD Supplemental Questionnaire, dated May 4, 2017 (Petition Supplement); *see also* Letter from the petitioner re: 100- to 150-Seat Large Civil Aircraft from Canada—Petitioner's Response to Supplemental Questions, dated May 2, 2017 (General Issues Supplement).

[5] *See* Letter from the petitioner re: 100- to 150-Seat Large Civil Aircraft from Canada—Proposed Scope Clarification, dated May 9, 2017 (Scope Clarification).

of aircraft from Canada are being, or are likely to be, sold in the United States at less-than-fair value within the meaning of section 731 of the Act, and that such imports are threatening material injury to an industry in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information that is reasonably available to the petitioner supporting its allegations.

The Department finds that the petitioner filed this Petition on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(C) of the Act. The Department also finds that the petitioner demonstrated sufficient industry support with respect to the initiation of the AD investigation that the petitioner is requesting.[6]

Period of Investigation

Because the Petition was filed on April 27, 2017, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) is April 1, 2016, through March 31, 2017.

Scope of the Investigation

The product covered by this investigation is aircraft from Canada. For a full description of the scope of this investigation, *see* the ''Scope of the Investigation,'' in Appendix I of this notice.

Comments on Scope of the Investigation

We received additional information from the petitioner pertaining to the proposed scope, to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.[7]

As discussed in the preamble to the Department's regulations,[8] we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope). The Department will consider all comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination in this investigation and the companion CVD investigation concurrently being initiated. If scope comments include factual information,[9] all such factual information should be limited to public information. The Department requests all interested parties to submit such comments by 5:00 p.m. Eastern Time (ET) on Tuesday, June 6, 2017, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information (and also should be limited to public information), must be filed by 5:00 p.m. ET on Friday, June 16, 2017, which is 10 calendar days from the deadline for initial comments.[10] All such comments must be filed on the record of the concurrent CVD investigation.

The Department requests that any factual information the parties consider relevant to the scope of the investigation be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party may contact the Department and request permission to submit the additional information. As stated above, all such comments and information must be filed on the record of the concurrent CVD investigation.

Filing Requirements

All submissions to the Department must be filed electronically using Enforcement & Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS).[11] An electronically filed document must be received successfully in its entirety by the time and date it is due. Documents excepted from the electronic submission requirements must be filed manually (*i.e.,* in paper form) with Enforcement and Compliance's APO/Dockets Unit, Room 18022, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the applicable deadlines.

Comments on Product Characteristics for AD Questionnaire

The Department is giving interested parties an opportunity to provide comments on the appropriate physical characteristics of aircraft to be reported in response to the Department's AD questionnaire. This information will be used to identify the key physical characteristics of the merchandise under consideration in order to report the relevant costs of production accurately as well as to develop appropriate product-comparison criteria.

Interested parties may provide any information or comments that they determine are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) General product characteristics and (2) product-comparison criteria. However, interested parties should note that it is not always appropriate to use all product characteristics as product-comparison criteria. The Department bases product-comparison criteria on meaningful commercial differences between products. In other words, although there may be numerous physical product characteristics utilized by manufacturers to describe aircraft, it may be that only a select few product characteristics are commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, the Department attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing product characteristics, all product characteristics comments must be filed by 5:00 p.m. ET on May 31, 2017. Any rebuttal comments, which may include factual information (and should be limited to public information), must be filed by 5:00 p.m. EST on June 12, 2017, which is the first business day 10 calendar days from the deadline for initial comments.[12] All comments and submissions to the Department must be filed electronically using ACCESS, as explained above.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D)

[6] *See* ''Determination of Industry Support for the Petition'' section below.

[7] *See* Scope Clarification.

[8] *See Antidumping Duties; Countervailing Duties,* 62 FR 27296, 27323 (May 19, 2007).

[9] *See* 19 CFR 351.102(b)(21).

[10] *See* 19 CFR 351.303(b)(1).

[11] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011) for details of the Department's electronic filing requirements, which went into effect on August 5, 2011. Information on help using ACCESS can be found at *https://access.trade.gov/help.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook%20on%20Electronic%20Filling%20Procedures.pdf.*

[12] *See* 19 CFR 351.303(b)(1) (''For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.'')

of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product,[13] they do so for different purposes and pursuant to a separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[14]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the Petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigation. Based on our analysis of the information submitted on the record, we have determined that aircraft, as defined in the scope, constitutes a single domestic like product and we have analyzed industry support in terms of that domestic like product.[15]

In determining whether the petitioner has standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the ''Scope of the Investigation,'' in Appendix I of this notice. To establish industry support, the petitioner provided its own information regarding production of the domestic like product in 2016.[16] The petitioner states that there are no other producers of aircraft in the United States; therefore, the Petition is supported by 100 percent of the U.S. industry.[17]

Our review of the data provided in the Petition, the General Issues Supplement, and other information readily available to the Department indicates that the petitioner has established industry support for the Petition.[18] First, the Petition established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, the Department is not required to take further action in order to evaluate industry support (*e.g.,* polling).[19] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.[20] Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.[21] Accordingly, the Department determines that the Petition was filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.

The Department finds that the petitioner filed the Petition on behalf of the domestic industry because it is an interested party as defined in section 771(9)(C) of the Act and it has demonstrated sufficient industry support with respect to the AD investigation that it is requesting that the Department initiate.[22]

Allegations and Evidence of Threat of Material Injury and Causation

The petitioner alleges that the U.S. industry producing the domestic like product is threatened with material injury, by reason of imports (or sales for importation) of subject merchandise at less than normal value (NV). In addition, the petitioner alleges and provides supporting evidence that there is the potential that subject imports will imminently exceed the negligibility threshold provided under 771(24)(A) of the Act. The petitioner's arguments regarding the potential for imports from Canada to imminently exceed the negligibility threshold are consistent with the statutory criteria for ''negligibility in threat analysis'' under section 771(24)(A)(iv) of the Act, which provides that imports shall not be treated as negligible if there is a potential that subject imports from a country will imminently exceed the statutory requirements for negligibility.[23]

The petitioner contends that the threat of material injury is illustrated by the domestic industry's vulnerability, existing unused production capacity available to imminently and substantially increase exports of subject merchandise to the United States, significant increase in the market penetration of subject imports and likelihood of further increase in the volume and market penetration of subject imports, adverse price effects on domestic prices, and negative effects on product development and production.[24] We have assessed the allegations and supporting evidence regarding threat of material injury and causation, and we have determined that these allegations are properly supported by adequate

[13] *See* section 771(10) of the Act.

[14] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (CIT 1988), *aff'd* 865 F.2d 240 (Fed. Cir. 1989)).

[15] For a discussion of the domestic like product analysis in this case, *see* Antidumping Duty Investigation Initiation Checklist: 100- to 150-Seat Large Civil Aircraft from Canada (Canada AD Initiation Checklist), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering 100- to 150-Seat Large Civil Aircraft from Canada, (Attachment II). This checklist is dated concurrently with, and hereby adopted by, this notice and on file electronically *via* ACCESS. Access to documents filed *via* ACCESS is also available in the Central Records Unit, Room B8024 of the main Department of Commerce building.

[16] *See* General Issues Supplement, at 3–4 and Exhibit Supp.-8.

[17] *See* Petition, at 26, 44–45 and Exhibits 44 and 67.

[18] *See* Canada AD Initiation Checklist, at Attachment II.

[19] *See* section 732(c)(4)(D) of the Act; *see also* Canada AD Initiation Checklist, at Attachment II.

[20] *See* Canada AD Initiation Checklist, at Attachment II.

[21] *Id.*

[22] *Id.*

[23] *See* Petition, at 28–29 and Exhibit 44.

[24] *Id.,* at 1–24, 28–29, 46–78 and Exhibits 1–12, 17, 21–22, 24, 36–39, 40–41, 43–54, 66, 97–106, 108–109; *see also* General Issues Supplement, at 2–3 and Exhibits Supp.-6 and Supp.-7.

evidence, and meet the statutory requirements for initiation.[25]

Allegation of Sales at Less-Than-Fair Value

The following is a description of the allegation of sales at less-than-fair value upon which the Department based its decision to initiate this AD investigation of imports of aircraft from Canada. The sources of data for the U.S. price and NV, as well as, where applicable, related price adjustments, are discussed in greater detail in the initiation checklist, issued concurrently with this notice.[26]

Export Price

The petitioner based the U.S. price on future aircraft purchase commitments identified in the U.S. customer's financial statements that relate to a 2016 contract between the customer and the Canadian producer, Bombardier, Inc. (Bombardier), for the purchase of Bombardier's CS100 series aircraft.[27] The petitioner made deductions from the U.S. price for ancillary contract charges consistent with industry practice.[28]

Normal Value

Home Market Price

The petitioner provided home market price information based on an article in The Globe and Mail citing industry sources as to the price to be paid by Air Canada, after discounts, for aircraft purchased from Bombardier.[29] The petitioner stated that the finalized order related to the home market sale for an aircraft model comparable to the aircraft model sold in the United States.[30]

The petitioner provided information indicating that sales of aircraft in the home market were made at prices below the cost of production (COP) and, as a result, calculated NV based on constructed value (CV).[31] For further discussion of COP and NV based on CV, *see* below.[32]

Cost of Production and Constructed Value

Pursuant to section 773(b)(3) of the Act, COP consists of the cost of manufacturing (COM); selling, general, and administrative (SG&A) expenses; financial expenses; and packing expenses. The petitioner calculated COM based on published information and estimating tools that it uses in the normal course of business.[33] The petitioner calculated the total recurring manufacturing costs included in COM by dividing the total estimated recurring costs over the life cycle of Bombardier's C-Series program by the projected number of units produced over the same period based on Bombardier's published delivery schedule and announced production rates.[34] To calculate non-recurring research and development, the petitioner divided Bombardier's publicly disclosed non-recurring expenses by the projected number of units to be produced.[35] To determine factory overhead, SG&A, and financial expense rates, the petitioner relied on the data in Bombardier's 2016 audited financial statements.[36]

Because the home market price fell below COP, pursuant to sections 773(a)(4), 773(b), and 773(e) of the Act, as noted above, the petitioner calculated NV based on CV.[37] Pursuant to section 773(e) of the Act, CV consists of COM, SG&A, financial expenses, packing expenses, and profit. The petitioner calculated CV using the same average COM, SG&A expenses, and financial expenses used to calculate COP.[38] Since Bombardier's financial statements reflect a loss, and there are no other financial statements available for a large aircraft manufacturer in Canada, the petitioner relied on Boeing's 2016 audited financial statements to calculate the CV profit rate.[39]

Fair Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of aircraft from Canada, are being, or are likely to be, sold in the United States at less-than-fair value. Based on a comparison of EP to NV (based on CV), in accordance with sections 772, and 773(a) and (e) of the Act, the estimated dumping margin for aircraft is 79.82 percent.[40]

Initiation of Less-Than-Fair-Value Investigation

Based upon our examination of the AD Petition on aircraft from Canada, we find that the Petition meets the requirements of section 732 of the Act. Therefore, we are initiating an AD investigation to determine whether imports of aircraft from Canada are being, or are likely to be, sold in the United States at less-than-fair value. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination in this investigation no later than 140 days after the date of this initiation.

On June 29, 2015, the President of the United States signed into law the Trade Preferences Extension Act of 2015 (TPEA), which made numerous amendments to the Act.[41] The TPEA does not specify dates of application for those amendments. On August 6, 2015, the Department published an interpretative rule, in which it announced the applicability dates for each amendment to the Act, except for amendments contained in section 771(7) of the Act, which relate to determinations of material injury by the ITC.[42] The amendments to sections 771(15), 773, 776, and 782 of the Act are applicable to all determinations made on or after August 6, 2015, and, therefore, apply to this investigation.[43]

Respondent Selection

Although the Department normally relies on the number of producers/exporters identified in the petition and/or on import data from U.S. Customs and Border Protection (CBP) to determine whether to select a limited number of producers/exporters for individual examination in AD investigations, the petitioner identified only one company as a producer/exporter of aircraft from Canada: Bombardier, Inc. We currently know of no additional producers/exporters of the merchandise under consideration from Canada and the petitioner provided information from an independent source as support. Accordingly, the Department intends to examine the sole producer/

[25] *See* Canada AD Initiation Checklist, at Attachment III, Analysis of Allegations and Evidence of Threat of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering 100- to 150-Seat Large Civil Aircraft from Canada.

[26] *See generally* Canada AD Initiation Checklist.

[27] *Id; see also* Petition, at Exhibit 42.

[28] *Id; see also* Petition, at 118–110 and Exhibits 1 and 42.

[29] *Id,* at 6–7 *see also* Petition at 120 and Exhibits 41, 42, 148 and 154.

[30] *Id; see also* Petition, at 120–121.

[31] *Id.*

[32] In accordance with section 505(a) of the Trade Preferences Extension Act of 2015, amending section 773(b)(2) of the Act, for these investigations, the Department will request information necessary to calculate the CV and COP to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the COP of the product. The Department no longer requires a COP allegation to conduct this analysis.

[33] *See* Canada AD Initiation Checklist.

[34] *Id; see also* Petition, at 123–124.

[35] *Id; see also* Petition, at 124–125.

[36] *Id; see also* Petition, at 125.

[37] *Id; see also* Petition, at 126.

[38] *Id.*

[39] *Id.*

[40] *See* Canada AD Initiation Checklist.

[41] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

[42] *See Dates of Application of Amendments to the Antidumping and Countervailing Duty Laws Made by the Trade Preferences Extension Act of 2015,* 80 FR 46793 (August 6, 2015) (*Applicability Notice*).

[43] *Id.,* at 46794–95. The 2015 amendments may be found at *https://www.congress.gov/bill/114th-congress/house-bill/1295/text/pl.*

exporter identified in the petition. Parties wishing to comment on respondent selection must do so within five days of the publication of this notice in the **Federal Register**. Any such comments must be submitted no later than 5:00 p.m. ET on the due date, and must be filed electronically via ACCESS.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition has been provided to the Government of Canada *via* ACCESS. To the extent practicable, we will provide a copy of the public version of the Petition to the one known exporter named in the Petition, consistent with 19 CFR 351.203(c)(2).

ITC Notification

We will notify the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of aircraft from Canada are materially injuring, or threatening material injury to, a U.S. industry.[44] A negative ITC determination will result in the investigation being terminated;[45] otherwise, this investigation will proceed according to statutory and regulatory time limits.

Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i)–(iv). The regulation requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Parties should review the regulations prior to submitting factual information in this investigation.

Extension of Time Limits Regulation

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under CFR 19 351.301. For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, we may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, stand-alone submission: Under limited circumstances we will grant untimely-filed requests for the extension of time limits. Review *Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013), available at *http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in this investigation.

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[46] Parties are hereby reminded that revised certification requirements are in effect for company/government officials, as well as their representatives. Investigations initiated on the basis of petitions filed on or after August 16, 2013, and other segments of any AD or CVD proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Final Rule.*[47] The Department intends to reject factual submissions if the submitting party does not comply with the applicable revised certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under Administrative Protective Order (APO) in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures,* 73 FR 3634 (January 22, 2008). Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (*e.g.,* the filing of letters of appearance as discussed in 19 CFR 351.103(d)).

This notice is issued and published pursuant to section 777(i) of the Act and 19 CFR 351.203(c).

Dated: May 17, 2017.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The merchandise covered by this investigation is aircraft, regardless of seating configuration, that have a standard 100- to 150-seat two-class seating capacity and a minimum 2,900 nautical mile range, as these terms are defined below.

''Standard 100- to 150-seat two-class seating capacity'' refers to the capacity to accommodate 100 to 150 passengers, when eight passenger seats are configured for a 36-inch pitch, and the remaining passenger seats are configured for a 32-inch pitch. ''Pitch'' is the distance between a point on one seat and the same point on the seat in front of it.

''Standard 100- to 150-seat two-class seating capacity'' does not delineate the number of seats actually in a subject aircraft or the actual seating configuration of a subject aircraft. Thus, the number of seats actually in a subject aircraft may be below 100 or exceed 150.

A ''minimum 2,900 nautical mile range'' means:

(i) able to transport between 100 and 150 passengers and their luggage on routes equal to or longer than 2,900 nautical miles; or

(ii) covered by a U.S. Federal Aviation Administration (FAA) type certificate or supplemental type certificate that also covers other aircraft with a minimum 2,900 nautical mile range.

The scope includes all aircraft covered by the description above, regardless of whether they enter the United States fully or partially assembled, and regardless of whether, at the time of entry into the United States, they are approved for use by the FAA.

The merchandise covered by this investigation is currently classifiable under Harmonized Tariff Schedule of the United

[44] *See* section 733(a) of the Act.

[45] *Id.*

[46] *See* section 782(b) of the Act.

[47] *See Certification of Factual Information to Import Administration during Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* frequently asked questions regarding the *Final Rule,* available at *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

States (HTSUS) subheading 8802.40.0040. The merchandise may alternatively be classifiable under HTSUS subheading 8802.40.0090. Although these HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

[FR Doc. 2017–10733 Filed 5–25–17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–489–502]

Circular Welded Carbon Steel Pipes and Tubes From Turkey: Rescission of Countervailing Duty Administrative Review; 2016

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (the Department) is rescinding the administrative review of the countervailing duty order on circular welded carbon steel pipes and tubes from Turkey (steel pipes and tubes) for the period January 1, 2016, through December 31, 2016.

DATES: Effective May 26, 2017.

FOR FURTHER INFORMATION CONTACT: Jolanta Lawska, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–8362.

SUPPLEMENTARY INFORMATION:

Background

On May 9, 2017, based on a timely request for review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.213(b) by Borusan Mannesmann Boru Sanayi ve Ticaret A.S. and Borusan Istikbal Ticaret T.A.S. (collectively, Borusan),[1] the Department published in the **Federal Register** a notice of initiation of an administrative review of the countervailing duty order on steel pipes and tubes from Turkey covering the period January 1, 2016, through December 31, 2016, in accordance with 19 CFR 351.221(c)(1)(i).[2] On May 9, 2017, Borusan timely withdrew its request for an administrative review.[3] No other party requested a review of these producers and/or exporters of subject merchandise.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the publication of the notice of initiation of the requested review. In this review, Borusan timely withdrew its request by the 90-day deadline, and no other party requested an administrative review of the countervailing duty order. As a result, pursuant to 19 CFR 351.213(d)(1), we are rescinding the administrative review of the countervailing duty order on steel pipes and tubes from Turkey covering the period January 1, 2016, through December 31, 2016, in its entirety.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess countervailing duties on all appropriate entries. Because the Department is rescinding this administrative review in its entirety, the entries to which this administrative review pertained shall be assessed countervailing duties at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the publication of this notice in the **Federal Register**.

Notification Regarding Administrative Protective Orders

This notice also serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: May 19, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2017–10758 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See* Letter from Borusan, ''Circular Welded Carbon Steel Pipe and Tubes from Turkey, Case No. C–489–502: Request for Administrative Review (March 31, 2017).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 82 FR 21513 (May 9, 2017) (*Initiation Notice*).

[3] *See* Letter from Borusan, ''Circular Welded Carbon Steel Pipe and Tubes from Turkey, Case No. C–489–502: Withdrawal of Request for Administrative Review,'' dated May 9, 2017.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–822, A–583–820]

Certain Helical Spring Lock Washers From the People's Republic of China and Taiwan: Continuation of Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Effective May 26, 2017.

SUMMARY: As a result of the determinations by the Department of Commerce (the Department) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty orders on certain helical spring lock washers from the People's Republic of China (PRC) and Taiwan would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the antidumping duty orders.

FOR FURTHER INFORMATION CONTACT: Andre Gziryan, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone (202) 482–2201.

SUPPLEMENTARY INFORMATION: On November 1, 2016, the Department published the notice of initiation of the fourth sunset review of the antidumping duty orders on lock washers from the PRC and Taiwan pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).[1]

As a result of its review, the Department determined that revocation of the antidumping duty orders on certain helical spring lock washers from the PRC and Taiwan would likely lead to continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins of

[1] *See Initiation of Five-Year (Sunset) Reviews,* 81 FR 75808 (November 1, 2016).

dumping likely to prevail should the orders be revoked.[2]

On May 16, 2017, the ITC published its determination, pursuant to section 751(c)(1) of the Act, that revocation of the antidumping duty orders on certain helical spring lock washers from the PRC and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[3]

Scope of the Orders

The products covered by the orders are lock washers of carbon steel, of carbon alloy steel, or of stainless steel, heat-treated or non-heat-treated, plated or non-plated, with ends that are off-line. Lock washers subject to the orders are currently classifiable under subheadings 7318.21.0000, 7318.21.0030, and 7318.21.0090 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.[4]

Continuation of the Orders

As a result of these determinations by the Department and the ITC that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping orders on certain helical spring lock washers from the PRC and Taiwan. U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of these orders will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the orders not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This five-year (sunset) review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: May 22, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2017–10871 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–DS–P

[2] *See Certain Helical Spring Lock Washers from the People's Republic of China and Taiwan: Final Results of the Expedited Fourth Five-Year Sunset Reviews of the Antidumping Duty Orders,* 82 FR 12805 (March 7, 2017).

[3] *See Helical Spring Lock Washers from China and Taiwan; Determinations,* 82 FR 22560 (May 16, 2017) and *USITC Publication 4689* (May 2017), titled *Helical Spring Lock Washers from China and Taiwan: Investigation Nos. 731–TA–624–625* (Fourth Review).

[4] A full description of the scope of the order is contained in the Memorandum, ''Issues and Decision Memorandum for the Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders on Certain Helical Spring Lock Washers from the People's Republic of China (PRC) and Taiwan,'' dated March 7, 2017.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF450

Western Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting and hearing.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold a meeting of its Non-Commercial Fisheries Advisory Committee (NCFAC) to discuss and make recommendations on fishery management issues in the Western Pacific Region.

DATES: The NCFAC will meet on Thursday, June 8, 2017, from 10 a.m. to 12 noon. All times listed are local island times. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The NCFAC will meet at the Council Office, 1164 Bishop St, Suite 1400, Honolulu, HI 96813 and by teleconference. The teleconference will be conducted by telephone. The teleconference numbers are: U.S. toll-free: 1–888–482–3560 or International Access: +1 647 723–3959, and Access Code: 5228220.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; telephone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: Public comment periods will be provided in the agenda. The order in which agenda items are addressed may change. The meeting will run as late as necessary to complete scheduled business.

Schedule and Agenda for the NCFAC Meeting

Thursday, June 8, 2017, 10 a.m.–12 noon

1. Welcome and Introductions
2. Review of Agenda
3. Council Actions for 170th Meeting
   - A. Options for Fishing Regulations in the Northwestern Hawaiian Islands Monument Expansion Area
   - B. Research Priorities
   - i. Cooperative Research
   - ii. Magnuson Stevens Act Five-year Research Priorities
   - C. Sustainable Fisheries Fund Marine Conservation Plan
   - D. Re-specification for Annual Catch Limits for the Main Hawaiian Islands Kona crab Fishery
4. Non-Commercial Fishery Updates
   - A. Marine Recreational Information Program (MRIP)
   - i. MRIP Strategic Plan Update
   - i. MRIP Regional Implementation Plan Update
   - B. Pacific Islands Regional Implementation Plan Update
5. Non-Commercial Fisheries Module in the Annual Stock Assessment and Fishery Evaluation Reports
6. Non-Commercial Fishery Issues
7. Public Comment
8. Discussion and Recommendations
9. Other Business

Although other non-emergency issues not on the agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under § 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 22, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–10774 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–X451

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Skate Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Monday, June 12, 2017 at 9:30 a.m.

ADDRESSES:

Meeting address: The meeting will be held at the Holiday Inn, 31 Hampshire Street, Mansfield, MA 02048; telephone: (508) 339–2200.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Advisory Panel will review Plan Development Team (PDT) analysis regarding skate bait possession limits. They will discuss and select preferred alternatives for Framework 4 to the Skate Fishery Management Plan which modifies skate bait possession limits and associated measures. The panel will also review and discuss PDT analysis, to date, regarding the upcoming specifications framework which would set specifications for FYs 2018 and 2019 and would remove the prohibition on landing barndoor skates. Other business, as necessary.

Although other non-emergency issues not on the agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. This meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 22, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–10775 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF459

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's (MAFMC) Northeast Trawl Advisory Panel (NTAP) will hold a meeting.

DATES: The meeting will be held on Monday, June 12, 2017 from 9 a.m. to 5 p.m. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting will be held at the Downtown Providence Courtyard by Marriott, 32 Exchange Terrace, Providence, RI; telephone: (401) 272–1191.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 526–5255. The Council's Web site, *www.mafmc.org* will also have details on the proposed agenda and briefing materials.

SUPPLEMENTARY INFORMATION: The NTAP is a joint advisory panel of the Mid-Atlantic and New England Fishery Management Councils composed of Council members, fishing industry, academic, and government and non-government fisheries experts. The NTAP was established to bring commercial fishing, fisheries science, and fishery management professionals in the northeastern US together to identify concerns about regional research survey performance and data, to identify methods to address or mitigate these concerns, and to promote mutual understanding and acceptance of the results of this work among their peers and in the broader community.

Topics to be discussed by the NTAP include: Identify approaches to address or mitigate concerns about regional research survey performance and data; review of NEFSC WG Meeting and identify next steps; review previous work and discuss analyses and outputs; discuss plans for specific application in Yellowtail Flounder TRAC assessment; discuss use of time during 2018 on industry vessels (F/Vs Nobska and Karen Elizabeth); review NTAP's participation on one day Bigelow trips; discuss timing of next meeting and review actions identified.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526–5251, at least 5 days prior to the meeting date.

Dated: May 22, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–10799 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Science Advisory Board

AGENCY: Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce (DOC).

ACTION: Notice of public meetings.

SUMMARY: This notice sets forth the schedule and proposed agenda of two meetings of the Science Advisory Board (SAB). The members will discuss issues outlined in the section on Matters to be considered.

DATES: There are two meetings: the first meeting is scheduled for July 5, 2017 from 3:00 to 5:00 p.m. Eastern Daylight

Time (EDT) and the second meeting is scheduled for August 31, 2017 from 1:00 p.m. to 5:00 p.m. EDT. These times and the agenda topics described below are subject to change. For the latest agenda please refer to the SAB Web site: *http://sab.noaa.gov/SABMeetings.aspx.*

ADDRESSES: Conference call. Public access is available at: NOAA, SSMC 3 Room 11836, 1315 East-West Highway, Silver Spring, MD for the July 5 meeting and SSMC 3, Room 7836 for the August 31 meeting. Members of the public will not be able to dial in to this meeting.

FOR FURTHER INFORMATION CONTACT: Dr. Cynthia Decker, Executive Director, SSMC3, Room 11230, 1315 East-West Hwy., Silver Spring, MD 20910; Phone Number: 301–734–1156; Email: *Cynthia.Decker@noaa.gov;* or visit the SAB Web site at *http://sab.noaa.gov/SABMeetings.aspx.*

SUPPLEMENTARY INFORMATION: The NOAA Science Advisory Board (SAB) was established by a Decision Memorandum dated September 25, 1997, and is the only Federal Advisory Committee with responsibility to advise the Under Secretary of Commerce for Oceans and Atmosphere on strategies for research, education, and application of science to operations and information services. SAB activities and advice provide necessary input to ensure that National Oceanic and Atmospheric Administration (NOAA) science programs are of the highest quality and provide optimal support to resource management.

Status: The July 5, 2017 meeting will be open to public participation with a 5-minute public comment period at TBD PM EDT. The August 31, 2017 meeting will have a 5-minute public comment period at 5:20 p.m. EDT. The SAB expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of three minutes. Written comments for the July 5, 2017 meeting by June 28, 2017 and written comments for the August 31, 2017 meeting should be received in the SAB Executive Director's Office by August 24, 2017 to provide sufficient time for SAB review. Written comments received after by the SAB Executive Director after these dates will be distributed to the SAB, but may not be reviewed prior to the meeting date.

Special Accommodations: These meetings are physically accessible to people with disabilities. Requests for special accommodations may be directed to the Executive Director no later than 12 p.m. on June 28 for the July 5 meeting and by 12 p.m. on August 24 for the August 31 meeting.

Matters to be Considered: The meeting on July 5 will include discussions on short term work plan topics for the SAB and the revised Terms of Reference and proposed members for the proposed High Performance Computing subcommittee. The August 31 meeting will include further discussion on the SAB short term work plan and discussion of results of the subcommittee reviews. Meeting materials, including work products will be made available on the SAB Web site: *http://sab.noaa.gov/SABMeetings.aspx.*

Dated: May 22, 2017.

Paul Johnson,

Acting Deputy Chief Financial Officer/CAO, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. 2017–10798 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–KD–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF400

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Applications for one new scientific research permit and five scientific research permit renewals.

SUMMARY: Notice is hereby given that NMFS has received six scientific research permit application requests relating to Pacific salmon and steelhead. The proposed research is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts. The applications may be viewed online at: *https://apps.nmfs.noaa.gov/preview/preview_open_for_comment.cfm.*

DATES: Comments or requests for a public hearing on the applications must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific standard time on June 26, 2017.

ADDRESSES: Written comments on the applications should be sent to the Protected Resources Division, NMFS, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232–1274. Comments may also be sent via fax to 503–230–5441 or by email to *nmfs.nwr.apps@noaa.gov* (include the permit number in the subject line of the fax or email).

FOR FURTHER INFORMATION CONTACT: Rob Clapp, Portland, OR (ph.: 503–231–2314), Fax: 503–230–5441, email: *Robert.Clapp@noaa.gov*). Permit application instructions are available from the address above, or online at *https://apps.nmfs.noaa.gov.*

SUPPLEMENTARY INFORMATION:

Species Covered in This Notice

The following listed species are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): Endangered upper Columbia River (UCR); threatened Snake River (SR) spring/summer (spr/sum).

Steelhead (*O. mykiss*): Threatened UCR; threatened SR; threatened middle Columbia River (MCR), threatened Lower Columbia River (LCR).

Authority

Scientific research permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et seq.*) and regulations governing listed fish and wildlife permits (50 CFR parts 222–226). NMFS issues permits based on findings that such permits: (1) Are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

Anyone requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). Such hearings are held at the discretion of the Assistant Administrator for Fisheries, NMFS.

Applications Received

Permit 1379–7R

The Columbia River Inter-Tribal Fish Commission (CRITFC) is seeking to renew a permit that currently allows them to take listed salmonids (UCR steelhead and Chinook) while conducting research designed to (1) increase what we know about the status and productivity of various fish populations, (2) collect data on migratory and exploitation (harvest) patterns, and (3) develop baseline information on various population and habitat parameters in order to guide salmonid restoration strategies. Much of the work in the permit has been conducted for nearly 20 years—first

under permit 1134, and then under six previous versions of 1379. The permit would comprise three studies: Project 1—Juvenile Upriver Bright Fall Chinook Sampling at the Hanford Reach; Project 2—Adult Sockeye Sampling at Tumwater and Wells Dams; and Project 3—Acoustic trawl survey for Lake Wenatchee juvenile sockeye salmon.

The research, as a whole, would benefit listed fish by helping managers set in-river and ocean harvest regimes so that they have minimal impacts on listed populations. It would also help managers prioritize projects in a way that gives maximum benefit to listed species—including projects designed to help the listed fish recover. The researchers would use beach- and stick seines to capture and tag juvenile fish in the Hanford reach of the Columbia River and capture fish during mid-water trawls in Lake Wenatchee. Those fish that are not immediately released upon capture would be transported to a holding facility where they would be anesthetized, examined for marks, adipose-clipped, coded wire tagged, allowed to recover, and released. The researchers would also collect, anesthetize, tissue-sample, and tag adult salmonids at Tumwater and Wells Dams in Washington State. The CRITFC researchers do not intend to kill any of the fish being captured but a small number may die as an unintended result of the activities.

Permit 13381–3R

The Northwest Fisheries Science Center (NWFSC) is seeking to renew their permit to annually take natural juvenile SR spring/summer Chinook salmon and SR steelhead in various places in the Salmon River drainage in Idaho and at Little Goose and Lower Granite Dams on the lower Snake River. The purpose of the research is to continue monitoring parr-to-smolt survival and outmigration behavior in SR wild spring/summer Chinook salmon populations from Idaho. Steelhead juveniles that are inadvertently collected would also be tagged to help supplement an ongoing Idaho Department of Fish and Game study. The research would benefit the fish by continuing to supply managers with the information they need to budget water releases at hydropower facilities in ways designed to help protect migrating juvenile salmonids. The information gained would also be used to build long-term data sets on parr-to-smolt migration behavior and survival rates. This information, coupled with water quality, weather, and climate data, is intended to provide a foundation for understanding these populations' life histories—the knowledge of which is critical to building effective recovery actions. The listed fish would be captured (using seines, dip nets, and electrofishing), anesthetized, tagged, and released. A portion of these fish would also be re-captured at a smolt bypass facility, anesthetized, weighed, measured, and released. The researchers do not intend to kill any of the fish being captured, but a small percentage may die as an unintended result of the research activities.

Permit 13382–3R

The NWFSC is seeking to renew for five years a permit that currently allows them to annually take juvenile threatened SR spr/sum Chinook salmon and juvenile threatened SR steelhead at various places in the Snake River in Idaho and in various streams of Southeast Washington and Northeast Oregon. Most of the activities under this permit have been under way for nearly 20 years—first under Permit 1406 and then under previous versions of Permit 13382. Under the permit, the listed fish would be variously captured (using seines, dip nets, traps, and electrofishing), anesthetized, tissue sampled, weighed, measured, and released. They researchers would also add another study for this permit—one in which a small number of juvenile fish would be caught using electrofishing methods, anesthetized, and then held at varying temperature regimes to measure their cardiac performance. The fish would then in all cases be allowed to recover from the anesthetic and returned live to the place of their capture.

The purposes of the research are therefore (1) to continue monitoring the effects of supplementation among steelhead and spring/summer Chinook salmon populations in Idaho, and (2) measure cardiac performance in juvenile salmonids. The research would benefit the fish by continuing to supply managers with the information they need when seeking to use hatchery programs to conserve listed species. The researchers do not intend to kill any of the fish being captured, but some may die as an unintended result of the process.

Permit 17222–2R

The Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO) are seeking a five-year permit to annually take MCR steelhead during the course of research designed to determine the feasibility of PIT-tagging juvenile summer/fall Chinook (a non-listed species) in the Deschutes River, Oregon. The purpose of the research is to generate population metrics such as juvenile growth rates, smolt-to-adult return ratios, size/condition at emigration, etc. This information would be used to develop performance indicators for monitoring the fishes' status and trends. This research would benefit listed species by helping managers develop a picture of river health and salmonid population trends in the Deschutes River. That information, in turn, would be used in recovery planning efforts and generally incorporated into resource management decisions that may affect the Deschutes River. The researchers intend to use seines to capture the fish and all captured MCR steelhead will be released immediately. The researchers do not propose to kill any of the listed salmonids being captured, but a small number may die as an unintended result of the activities.

Permit 17306–2R

The Oregon Department of Fish and Wildlife (ODFW) is seeking a five-year permit to capture threatened MCR steelhead (adults and juveniles) in the upper Deschutes River, Oregon. The various proposed activities would include adult and juvenile snorkel surveys throughout the basin, screw trapping, backpack and boat electrofishing and mark/recapture studies, hook and line surveys, telemetry, seining, spawning ground surveys using weirs and redd counts, monitoring habitat restoration projects, and setting traps and nets in reservoirs for population monitoring. Data collected from this work would be used to inform management decisions in the Deschutes River watershed. Biologists from the ODFW have been conducting this work in the area for decades. The researchers do not intend to kill any of the fish being captured, but a small percentage may be killed as an inadvertent result of the activities.

Permit 21220

The National Ecological Observatory Network (NEON) is seeking a five-year permit to take adult and juvenile LCR steelhead while conducting in-depth ecosystem research at an aquatic monitoring site on Martha Creek on the Gifford-Pinchot National Forest in the State of Washington. The NEON researchers intend to collect a comprehensive suite of biotic and abiotic data at the site, including sampling for fish, macroinvertebrates, microbes, plants, algae, sediments, water quality, and reaeration. Additionally, they would make discharge measurements, conduct a

riparian habitat assessment and a morphological survey. The purpose of the research is to establish an ecological observatory with the goal of monitoring climate change, land use changes, and invasive species for the next 30 years.

The researchers would use backpack electrofishing equipment to capture fish. The fish would then be anesthetized, identified, photographed, measured, allowed to recover, and released back to the stream. Some tissue samples may be taken as well. The research would benefit listed fish by generating long-term data sets on the animals' health, abundance, and status in general. Those data, in turn, would be used to inform management decisions on the Gifford-Pinchot National Forest and the lower Columbia River ecosystem. The researchers do not intend to kill any of the fish being captured, but a small percentage may be killed as an inadvertent result of the activities.

This notice is provided pursuant to section 10(c) of the ESA. NMFS will evaluate the applications, associated documents, and comments submitted to determine whether the applications meet the requirements of section 10(a) of the ESA and Federal regulations. The final permit decisions will not be made until after the end of the 30-day comment period. NMFS will publish notice of its final action in the **Federal Register**.

Dated: May 22, 2017.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2017–10827 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Processed Products Family of Forms

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before July 25, 2017.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *pracomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Melissa Yencho, (301) 427–8193 or *melissa.yencho@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a current information collection.

National Oceanic and Atmospheric Administration (NOAA) annually collects information from seafood and industrial fishing processing plants on the volume and value of their processed fishery products and their monthly employment figures. NOAA also collects monthly production volume of fish meal, oil, and solubles. The information gathered is used by NOAA in the economic and social analyses developed when proposing and evaluating fishery management actions.

II. Method of Collection

In the current survey, NOAA Fisheries provides each processor with a pre-printed survey form that includes the products produced by that processor in the previous year. The processor only needs to fill in the quantity of product, value of product, monthly employment, and add any new products. New firms to the survey are provided blank forms. Responses are submitted by mail, via postage-paid envelopes provided by NOAA Fisheries.

III. Data

OMB Control Number: 0648–0018.

Form Number: NOAA Forms 88–13, 88–13C.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 747.

Estimated Time per Response: 30 minutes for an Annual Processed Products Report and 15 minutes for a monthly Fishery Products Report Fish Meal and Oil.

Estimated Total Annual Burden Hours: 392.

Estimated Total Annual Cost to Public: $0 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 22, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017–10787 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF452

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Skate Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Tuesday, June 13, 2017 at 9:30 a.m.

ADDRESSES:

Meeting address: The meeting will be held at the Holiday Inn, 31 Hampshire Street, Mansfield, MA 02048; telephone: (508) 339–2200.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director,

New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Committee will review Plan Development Team (PDT) analysis regarding skate bait possession limits. They will discuss and select preferred alternatives for Framework 4 to the Skate Fishery Management Plan which modifies skate bait possession limits and associated measures. The committee will also review and discuss PDT analysis, to date, regarding the upcoming specifications framework which would set specifications for FYs 2018 and 2019 and would remove the prohibition on landing barndoor skates. Other business, as necessary.

Although other non-emergency issues not on the agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under § 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. This meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 22, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–10778 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO–P–2017–0023]

Grant of Interim Extension of the Term of U.S. Patent No. 5,912,231; LOCILEX® (pexiganan)

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice of Interim patent term extension.

SUMMARY: The United States Patent and Trademark Office has issued an order granting interim extension for a one-year interim extension of the term of U.S. Patent No. 5,912,231.

FOR FURTHER INFORMATION CONTACT: Mary C. Till by telephone at (571) 272–7755; by mail marked to her attention and addressed to the Commissioner for Patents, Mail Stop Hatch-Waxman PTE, P.O. Box 1450, Alexandria, VA 22313–1450; by fax marked to her attention at (571) 273–7755; or by email to *Mary.Till@uspto.gov.*

SUPPLEMENTARY INFORMATION: Section 156 of Title 35, United States Code, generally provides that the term of a patent may be extended for a period of up to five years if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review, and that the patent may be extended for interim periods of up to one year if the regulatory review is anticipated to extend beyond the expiration date of the patent.

On May 9, 2017, Scripps Research Institute, the patent owner of record, timely filed an application under 35 U.S.C. 156(d)(5) for a second interim extension of the term of U.S. Patent No. 5,912,231. The patent claims a composition of the active ingredient pexiganan of the human drug product LOCILEX®. The application for patent term extension indicates that New Drug Application (NDA) 29–930 was submitted to the Food and Drug Administration (FDA) on July 24, 1998.

Review of the patent term extension application indicates that, except for permission to market or use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. 156, and that the patent should be extended for one year as required by 35 U.S.C. 156(d)(5)(B). Because the regulatory review period will continue beyond the extended expiration date of the patent, June 15, 2017, interim extension of the patent term under 35 U.S.C. 156(d)(5) is appropriate.

An interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 5,912,231 is granted for a period of one year from the extended expiration date of the patent.

Dated: May 22, 2017.

Robert Bahr,

Deputy Commissioner for Patent Examination Policy, United States Patent and Trademark Office.

[FR Doc. 2017–10964 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Submission for OMB Review; Comment Request; Trademark Trial and Appeal Board (TTAB) Actions

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: United States Patent and Trademark Office, Commerce

Title: Trademark Trial and Appeal Board (TTAB) Actions

OMB Control Number: 0651–0040.

Form Number(s):

- PTO 2120
- PTO 2151
- PTO 2153
- PTO 2188
- PTO 2189
- PTO 2190

Type of Request: Revision of a currently approved collection.

Number of Respondents: 78,000 per year.

Average Hours per Response: Between 10 minutes (0.17 hours) and 30 minutes (0.5 hours) to gather the necessary information, prepare the materials, and to submit it to the USPTO, depending upon the instrument used.

Burden Hours: 15,997.67 hours.

Cost Burden: $5,744,000.00.

Needs and Uses: This information is required by the Trademark Act of 1946, Sections 13, 14, and 20, 15 U.S.C. 1063, 1064, and 1070, respectively. The information in this collection is a matter of public record and is used by the public for a variety of private business purposes related to establishing and enforcing trademark rights. This information is important to the public, as both common law trademark owners and Federal trademark registrants must actively protect their own rights. This collection includes the information needed by the USPTO to review the various types of petitions to cancel the registration of a mark, notices of opposition to the registration of a mark, extensions of time to file an opposition, appeals, and other papers filed in connection with *inter partes* and *ex parte* proceedings.

Affected Public: Businesses or other for-profits; not-for-profit institutions.

Frequency: On occasion.

Respondent's Obligation: Required to Obtain or Retain Benefits.

OMB Desk Officer: Nicholas A. Fraser, email: *Nicholas_A._Fraser@omb.eop.gov.* Once submitted, the

request will be publicly available in electronic format through *reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

Further information can be obtained by:

• *Email: InformationCollection@uspto.gov.* Include ''0651–0040 copy request'' in the subject line of the message.

• *Mail:* Marcie Lovett, Records and Information Governance Division Director, Office of the Chief Technology Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

Written comments and recommendations for the proposed information collection should be sent on or before June 26, 2017 to Nicholas A. Fraser, OMB Desk Officer, via email to *Nicholas_A._Fraser@omb.eop.gov,* or by fax to 202–395–5167, marked to the attention of Nicholas A. Fraser.

Marcie Lovett,

Records and Information Governance Division Director, OCTO, United States Patent and Trademark Office.

[FR Doc. 2017–10759 Filed 5–25–17; 8:45 am]

BILLING CODE 3510–16–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to and deletions from the Procurement List.

SUMMARY: The Committee is proposing to add products and services to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes products previously furnished by such agencies.

DATES: Comments must be received on or before June 25, 2017.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION CONTACT: Amy B. Jensen, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the products and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

The following products and services are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Products

NSN(s)—Product Name(s): MR 804—Grill Basket
Mandatory Source(s) of Supply: Cincinnati Association for the Blind, Cincinnati, OH

NSN(s)—Product Name(s):
MR 10760—Activity Pack, Licensed, Pokemon, Includes Shipper 20760
MR 10761—Sticker Pack, Licensed, Pokemon, Includes Shipper 20760
MR 10762—Pen, Licensed, Pokemon, Includes Shipper 20762
MR 10763—Kid's Baking Tools, Licensed, Whisk and Spoon, Includes Shipper 20763
MR 10764—Kid's Baking Tools, Licensed, Turner and Spatula, Includes Shipper 20763
MR 10765—Kid's Baking Tools, Licensed, Rolling Pin and Cookie Cutters, Includes Shipper 20763
MR 10766—Kid's Baking Tools, Licensed, Decorating Set, Includes Shipper 20763
Mandatory Source(s) of Supply: Winston-Salem Industries for the Blind, Inc., Winston-Salem, NC

NSN(s)—Product Name(s):
MR 1176—Mop, Sticky
MR 1177—Refill, Mop, Sticky
Mandatory Source(s) of Supply: LC Industries, Inc., Durham, NC

The following information is applicable to all products listed above.

Mandatory for: The requirements of military commissaries and exchanges in accordance with the Code of Federal Regulations, 41 CFR 51–6.4.
Contracting Activity: Defense Commissary Agency
Distribution: C-List

NSN(s)—Product Name(s):
5340–00–682–1505—Padlock, Laminated Case, 1.5″ Wide Brass, with Chain, Set of 5
5340–00–838–5266—Padlock, Laminated Case, 1.5″ Wide Brass, with Chain, Set of 10
5340–01–050–7059—Padlock, Laminated Case, 1–9/16″ Wide Brass, with Chain, Set of 5
5340–00–838–5267—Padlock, Laminated Case, 1.5″ Wide Brass, with Chain, Set of 20
5340–00–158–3807—Padlock, Laminated Case, 1.75″ Wide Steel, with Chain
5340–00–158–3805—Padlock, Laminated Case, 1.75″ Wide Steel, No Chain
Mandatory for: Total Government Requirement
Mandatory Source(s) of Supply: LC Industries, Inc., Durham, NC
Contracting Activity: Defense Logistics Agency Land and Maritime
Distribution: B-List

Services

Service Type: Administrative Service
Mandatory for: US Navy, NAVSUP, Global Logistics Support, Personal Property/Households Goods Program, 937 N. Harbor Drive, San Diego, CA
Mandatory Source(s) of Supply: Lighthouse for the Blind of Houston, Houston, TX
Contracting Activity: NAVSUP Fleet Logistics Center

Service Type: Mail Management and Support Service
Mandatory for: US Navy, NAVSUP Fleet Logistics Center Norfolk, Naval Support Activity, 5450 Carlisle Pike, Building 112, Mechanicsburg, PA, 700 Robbins Avenue, Building 27D, Philadelphia, PA
Mandatory Source(s) of Supply: NewView Oklahoma, Inc., Oklahoma City, OK
Contracting Activity: US Navy, NAVSUP FLC Norfolk

Deletions

The following products are proposed for deletion from the Procurement List:

Products

NSN(s)—Product Name(s): MR 508—Candle, Spring Scents
Mandatory Source(s) of Supply: South Texas Lighthouse for the Blind, Corpus Christi, TX
Contracting Activity: Defense Commissary Agency

NSN(s)—Product Name(s):
8415–01–543–7018—Trousers, ECWCS. Level 2, PCU, Army, Brown, M–L
8415–01–542–7642—Trousers, ECWCS. Level 2, PCU, Army, Brown, XS
8415–01–542–8534—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, XL
8415–01–542–8538—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, XXLL
8415–01–542–8540—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, XXL
8415–01–542–8542—Trousers, ECWCS, Insulating Level 2, PCU, Army, Brown, S
8415–01–542–8546—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, L
8415–01–542–8549—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, L–L
8415–01–542–8552—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, XL
8415–01–542–8553—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, XL–L
8415–01–542–8555—Trousers, Lightweight Insulating, Level 2, ECWCS, PCU, Army, Brown, XXLL
8415–01–542–9612—Trousers, Lightweight Combat, Level 2, ECWCS, PCU, Army, Brown, MR

8415–01–542–8545—Shirt, Lightweight, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, XXLL
8415–01–542–9576—Shirt, Lightweight, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, S
8415–01–542–9598—Shirt, Lightweight, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, M
8415–01–542–9609—Shirt, Lightweight, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, XL–L
8415–01–542–9613—Shirt, Lightweight, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, XXXL
8415–01–542–9615—Shirt, Lightweight, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, XXXLL
8415–01–542–9617—Shirt, Lightweight, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, XXL
8415–01–543–7047—Shirt, Level 2, ECWCS, PCU, Army, Long Sleeved, Brown, M–L

Mandatory Source(s) of Supply: Southeastern Kentucky Rehabilitation Industries, Inc., Corbin, KY

Contracting Activity: Army Contracting Command—Aberdeen Proving Ground, Natick Contracting Division

NSN(s)—Product Name(s): 8410–01–069–6611—Shirt, Dress, Navy, Women's, Short Sleeved, White, 32x13

Mandatory Source(s) of Supply: Middle Georgia Diversified Industries, Inc., Dublin, GA

Contracting Activity: Defense Logistics Agency Troop Support

NSN(s)—Product Name(s):
8415–01–390–8537—Coat, Combat Type VI, Army, Woodland Camouflage, XS/XS
8415–01–390–8538—Coat, Combat Type VI, Army, Woodland Camouflage, XS/R
8415–01–390–8539—Coat, Combat Type VI, Army, Woodland Camouflage, Small/Short
8415–01–390–8540—Coat, Combat Type VI, Army, Woodland Camouflage, Small/X Long
8415–01–390–8541—Coat, Combat Type VI, Army, Woodland Camouflage, Medium/X Short
8415–01–390–8542—Coat, Combat Type VI, Army, Woodland Camouflage, Medium/XX Short
8415–01–390–8543—Coat, Combat Type VI, Army, Woodland Camouflage, Small/Long
8415–01–390–8544—Coat, Combat Type VI, Army, Woodland Camouflage, Medium/Regular
8415–01–390–8545—Coat, Combat Type VI, Army, Woodland Camouflage, Small/Regular
8415–01–390–8546—Coat, Combat Type VI, Army, Woodland Camouflage, X Small/Short
8415–01–390–8547—Coat, Combat Type VI, Army, Woodland Camouflage, Medium/X Long
8415–01–390–8548—Coat, Combat Type VI, Army, Woodland Camouflage, Medium/Short
8415–01–390–8549—Coat, Combat Type VI, Army, Woodland Camouflage, Medium/Long
8415–01–390–8550—Coat, Combat Type VI, Army, Woodland Camouflage, Large/Regular
8415–01–390–8551—Coat, Combat Type VI, Army, Woodland Camouflage, Large/X Long
8415–01–390–8552—Coat, Combat Type VI, Army, Woodland Camouflage, X Large/Long
8415–01–390–8553—Coat, Combat Type VI, Army, Woodland Camouflage, Large/Long
8415–01–390–8555—Coat, Combat Type VI, Army, Woodland Camouflage, XLR
8415–01–390–8557—Coat, Combat Type VI, Army, Woodland Camouflage, LXS
8415–01–390–9641—Coat, Combat Type VI, Army, Woodland Camouflage, XSS
8415–01–390–9646—Coat, Combat Type VI, Army, Woodland Camouflage, XSXS
8415–01–390–9648—Coat, Combat Type VI, Army, Woodland Camouflage, LS

Mandatory Source(s) of Supply: UNKNOWN

Contracting Activity: Defense Logistics Agency Troop Support

NSN(s)—Product Name(s): 2320–01–398–7190—Combat Identification Kit, HMMWV TOW Platform, Brown

Mandatory Source(s) of Supply: Crossroads Rehabilitation Center, Inc., Indianapolis, IN

Contracting Activity: W4GG HQ US Army TACOM, Warren, MI

NSN(s)—Product Name(s): 8415–00–NSH–0503—Shirt, Underwear, Collared, Chemical Protection, MPS, Army, 56

Mandatory Source(s) of Supply: Peckham Vocational Industries, Inc., Lansing, MI

Contracting Activity: W40M NORTHEREGION Contract Ofc, Fort Belvoir, VA

Amy B. Jensen,

Director, Business Operations.

[FR Doc. 2017–10901 Filed 5–25–17; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Addition and Deletion

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Addition to and deletion from the Procurement List.

SUMMARY: This action adds a service to the Procurement List that will be provided by a nonprofit agency employing persons who are blind or have other severe disabilities, and deletes a product from the Procurement List previously furnished by such agency.

DATES: Effective June 25, 2017.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia 22202–4149.

FOR FURTHER INFORMATION CONTACT: Amy B. Jensen, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Addition

On 12/23/2016 (81 FR 94340), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed addition to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agency to provide the service and impact of the addition on the current or most recent contractors, the Committee has determined that the service listed below is suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organization that will provide the service to the Government.

2. The action will result in authorizing a small entity to provide the service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the service proposed for addition to the Procurement List.

End of Certification

Accordingly, the following service is added to the Procurement List:

Service

Service Type: Sustainment, Restoration, and Modernization (SRM) Service

Mandatory for: US Army, DPW (excluding Residential Housing Areas and including Forbes Air Field, Topeka, KS), Fort Riley, KS

Mandatory Source(s) of Supply: Skookum Educational Programs, Bremerton, WA

Contracting Activity: DEPT OF THE ARMY, W2V6 USA ENG SPT CTR HUNTSVILLE

Deletion

On 4/21/2017 (82 FR 18741–18742), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletion from the Procurement List.

After consideration of the relevant matter presented, the Committee has

determined that the product listed below is no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.
2. The action may result in authorizing a small entity to furnish the product to the Government.
3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the product deleted from the Procurement List.

End of Certification

Accordingly, the following product is deleted from the Procurement List:

Product

NSN(s)—Product Name(s): 8540–00–266–9898—Paper, Doily
Mandatory Source(s) of Supply: LC Industries, Inc., Durham, NC
Contracting Activity: General Services Administration, New York, NY

Amy B. Jensen,

Director, Business Operations.

[FR Doc. 2017–10902 Filed 5–25–17; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2017–OS–0012]

Submission for OMB Review; Comment Request

ACTION: Notice.

SUMMARY: The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by June 26, 2017.

FOR FURTHER INFORMATION CONTACT: Fred Licari, 571–372–0493.

SUPPLEMENTARY INFORMATION:

Title, Associated Form and OMB Number: Application for Department of Defense Impact Aid for Children with Severe Disabilities; SD Form 816 and SD Form 816C; OMB Control Number 0704–0425.

Type of Request: Reinstatement without change.

Number of Respondents: 50.

Responses per Respondent: 1.

Annual Responses: 50.

Average Burden per Response: 8 hours.

Annual Burden Hours: 400 hours.

Needs and Uses: The information collection requirement is necessary to authorize DoD funds for local educational agencies (LEAs) that educate military dependent students with severe disabilities that meet certain criteria. This application will be requested of military-impacted LEAs to determine if they meet the DoD criteria to receive compensation for the cost of educating military dependent students with severe disabilities.

Affected Public: State, Local, or Tribal governments.

Frequency: On occasion.

Respondent's Obligation: Required to Obtain or Retain Benefits.

OMB Desk Officer: Ms. Jasmeet Seehra.

Comments and recommendations on the proposed information collection should be emailed to Ms. Jasmeet Seehra, DoD Desk Officer, at *Oira_submission@omb.eop.gov*. Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

• *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name, Docket ID number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

DOD Clearance Officer: Mr. Frederick Licari.

Written requests for copies of the information collection proposal should be sent to Mr. Licari at WHS/ESD Directives Division, 4800 Mark Center Drive, East Tower, Suite 03F09, Alexandria, VA 22350–3100.

Dated: May 22, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017–10806 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–19]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Kathy Valadez, (703) 697–9217 or Pamela Young, (703) 697–9107; DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–19 with attached Policy Justification.

Dated: May 23, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

APR 27 2017

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-19, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the NATO Support and Procurement Agency for defense articles and services estimated to cost $300 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification

Transmittal No. 17–19

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(l) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* NATO Support and Procurement Agency (NSPA)

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ 0 million
Other	$300 million
TOTAL	$300 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE): None

Non-MDE:

Follow-on support for three (3) C–17 aircraft to include participation in the Global Reach Improvement Program, contract labor for Class I modifications and kits, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine logistics support, inspections, and other U.S. Government and contractor engineering, logistics and program support.

(iv) *Military Department:* Air Force (X7–D–QAC)

(v) *Prior Related Cases, if any:* K8–D–QAG

(vi) *Sales Commission, Fee, etc., Paid, Offered. or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* None

(viii) *Date Report Delivered to Congress:* April 27, 2017

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

NATO Support and Procurement Agency (NSPA)—Continuation of C–17 Logistics Support Services and Equipment

The NATO Support and Procurement Agency (NSPA) has requested the possible sale of follow-on support for three (3) C–17 aircraft to include participation in the Global Reach Improvement Program, contract labor for Class I modifications and kits, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine logistics support, inspections, and other U.S. Government and contractor engineering, logistics and program support. The total estimated program cost is $300 million.

This proposed sale will contribute to the foreign policy and national security of the United States (U.S.) by providing sustainment for three (3) C–17s operated by a consortium of twelve nations, including the U.S. This program flies missions in and around Europe, Afghanistan, Iraq, the Levant, and North Africa. This proposed sale will provide a similar readiness level for these C–17s as U.S.-operated C–17s. The current FMS case supporting these C–17s will expire on 20 September 2017.

The proposed sale will advance U.S. and NATO policy goals of expanding the capabilities of strategic airlift to NATO allies and partners and sustain the ability to deploy in support of contingency operations outside of Europe. As the C–17 is a support asset, it would not affect the basic military balance in the region. NSPA will have no difficulty absorbing this support.

The prime contractor will be the Boeing Corporation of Chicago, Illinois. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the NATO Support and Procurement Agency.

There will be no adverse impact to U.S. defense readiness as a result of this proposed sale. All defense articles and services listed in this transmittal are authorized for release and export to the NSPA.

[FR Doc. 2017–10903 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–07]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Kathy Valadez, (703) 697–9217 or Pamela Young, (703) 697–9107; DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–07 with attached Policy Justification.

Dated: May 9, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

MAY 01 2017

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-07, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Kenya for defense articles and services estimated to cost $253 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification

Transmittal No. 17–07

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Kenya

(ii) *Total Estimated Value:*

Major Defense Equipment *	$0 million
Other	$253 million
Total	$253 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE): None

Non-MDE:

Twelve (12) MD 530F Weaponized Aircraft

Twenty-four (24) Heavy Machine Gun Pod (HMP) 400 Systems

Twenty-four (24) M260 Rocket Launchers

Four thousand and thirty-two (4,032) M151 Rockets

One thousand five hundred and thirty-six (1,536) 2.75-inch M274 Smoke signature Warhead Rockets

Four hundred thousand (400,000) rounds of .50 Caliber Ammunition

Also included is communications and navigation equipment, contractor logistics support, training, U.S. Government technical assistance, airframe and weapon system spare parts support. Contractor Field Service Representative (CFSR) support, and Special Airlift Assignment Mission (SAAM) flight delivery support.

(iv) *Military Department:* Army (UDQ)

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services*

Proposed to be Sold: None

(viii) *Date Report Delivered to Congress:* May 1, 2017

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kenya—MD 530 Aircraft

The Government of Kenya has requested a possible sale of twelve (12) MD 530F weaponized aircraft to include twenty-four (24) Heavy Machine Gun Pod (HMP) 400 systems; twenty-four (24) M260 rocket launchers; four thousand and thirty-two (4,032) M151 rockets; one thousand five hundred and thirty-six (1,536) 2.75-inch M274 smoke signature warhead rockets; and four hundred thousand (400,000) rounds of .50 caliber ammunition. Also included are communications and navigation equipment, contractor logistics support, training, U.S. Government technical assistance, airframe and weapon system spare parts support, Contractor Field Service Representative (CFSR) support, and Special Assigned Airlift Mission (SAAM) flight delivery support. The total estimated cost is $253 million.

This proposed sale contributes to the foreign policy and national security of the United States by improving the security of a strong regional partner who is a regional security leader, undertaking critical operations against al-Shabaab, and a troop contributor to the African Union Mission in Somalia (AMISOM).

The proposed sale of the MD 530F helicopters, weapons, ammunition, support items and technical support will advance Kenya's efforts to conduct scout and attack rotary wing aircraft operations in support of their AMISOM mission. The MD 530F will also replace Kenya's aging MD500 fleet, which is the current reconnaissance platform supporting Kenyan ground forces. This sale will significantly enhance the Kenyan Army's modernization efforts and increase interoperability with the U.S. Armed Forces and other partners in the region. Additionally, a strong national defense and dedicated military force will assist Kenya in its efforts to maintain stability in East Africa.

Kenya will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be MD Helicopters, Mesa, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of approximately twelve (12) additional contractor representatives in country for a period of 12 months.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

[FR Doc. 2017–09640 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–14]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Kathy Valadez, (703) 697–9217 or Pamela Young, (703) 697–9107; DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–14 with attached Policy Justification and Sensitivity of Technology.

Dated: May 9, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

APR 27 2017

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-14, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Slovakia for defense articles and services estimated to cost $150 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 17–14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Slovakia

(ii) *Total Estimated Value:*

Major Defense Equipment *	$ 0 million
Other	$150 million
Total	$150 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE): None

Non-MDE: Nine (9) Bell 429 Light Utility Helicopters with customer-unique modifications. Also included are WESCAM MX–10 cameras, training, spare parts, and logistical support, mission equipment, communication and navigation equipment, special tools and test equipment, ground support equipment, airframe and engine spare parts, technical data, publications, maintenance work order/electronic change proposals, technical assistance, repair and return, quality assurance team, and transportation of aircraft.

(iv) *Military Department:* Army

(v) *Prior Related Cases, if any:* None

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* April 27, 2017

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Slovakia—Bell 429 Light Utility Helicopters

Slovakia has requested a possible sale of nine (9) Bell 429 Light Utility Helicopters with customer-unique modifications. Also included are WESCAM MX–10 cameras, training, spare parts, and logistical support, mission equipment, communication and navigation equipment, special tools and test equipment, ground support equipment, airframe and engine spare parts, technical data, publications, maintenance work order/electronic change proposals, technical assistance, repair and return, quality assurance team, and transportation of aircraft. The estimated cost is $150 million.

This proposed sale will enhance the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally that has been, and continues to be an important force for political stability and economic progress within Europe.

The proposed sale of the Bell 429 light utility helicopters will improve Slovakia's capability to meet current and future threats. Slovakia will use the enhanced capability to strengthen its homeland defense and deter regional threats. Slovakia will have no difficulty absorbing these helicopters into its armed forces.

The proposed sale will not alter the basic military balance in the region.

The principal contractor will be Bell Helicopter of Piney Flats, Tennessee. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Slovakia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) *Sensitivity of Technology:*

1. The Bell 429 is a light twin, newly manufactured helicopter and is optimized for Instrument Flight Rules (IFR), Category A, and JAROPS–3 compliant operations. The Bell 429 features two/three multi-function displays, dual digital 3-axis autopilot and an integrated electronic data recorder provides enhanced situational awareness and post flight analysis. The Bell 429 standard configuration for Communications, Navigation and Surveillance (CNS) consists of Garmin GTN 650/750 NAV/COM/WAAS GPS system. The Identifier, Friend or Foe (IFF) will be the APX–123, which provides the Mode 4/5 capability. One (1) each Multi Sensor Cameras, L3 WESCAM MX10s will be equipped on four (4) of the nine (9) Bell 429 Helicopters. The communications suite is as follows: one (1) each AN/ARC–231 Multi-mode radios providing VHF FM, VHF–AM, UHF, HQII and DAMA SATCOM. Aircraft survivability equipment (ASE) will not be provided on this LOA.

Identification and security classification of sensitive technological information and/or restricted information contained in the equipment, major components, subsystems, software, technical data (Performance, Maintenance, R&M, etc.) documentation, training devices and services to be conveyed with the proposed sale to include a brief justification/explanation of why information is sensitive provided as follows:

(1) The AN/APX–123A, Identification Friend of Foe (IFF) Transponder, is a space diversity transponder and is installed on various military platforms. When installed in conjunction with platform antennas and the RCU (or other appropriate control unit), the transponder provides identification, altitude and surveillance reporting in response to interrogations from airborne, ground-based and/or surface interrogators. The transponder provides operational capabilities for Mark XIIA Identification Friend of Foe (IFF) capabilities of Modes 1, 2, 3/A,C and 4&5 and Mode S (levels 1, 2, and 3 capable). Additionally, the AN/APX–123 also provides automated ID, position and latitude of the aircraft, and unencrypted ADS–B and is compatible with the Traffic Alert and Collision Avoidance System (TCAS) II equipment.

(2) The WESCAM MX–10 is a small Multi-Sensor, Multi-Spectral Imaging System with Inertial Measurement Unit (IMU) and Embedded with Global Positioning Systems (GPS) Standard Positioning Service (SPS). The WESCAM MX–10 camera system contains a LN–200 IMU manufactured by Northrop Grumman in the United States. WESCAM MX–10 is embedded with GPS SPS. SPS is a three-dimensional position and time determination capability provided to a user equipped with a minimum capability GPS SPS receiver in accordance with GPS national policy.

(3) The AN/ARC–231 (V)(C) is a secure communication system that provides Line-of-Sight (LOS) communications and Beyond Line-of-Sight (BLOS) satellite communications (SATCOM), as well as Voice and data communications capabilities. In addition to Satellite Communications, the AN/ARC–231 (V)(C) provides Secure/Electronic Counter-Countermeasures (ECCM) communications in the following waveform, The Single Channel Ground and Airborne System (SINCGARS) and the HAVE QUICK (HQ). The AN/ARC–231 functions by transmitting and receiving the Radio Frequency (RF) in the 30 MHz–511.995 MHZ range. The Receiver Transmitter provides communication in Frequency Modulation (FM), Very High Frequency—Amplitude Modulation Air Traffic Control Band (VHF AM ATC), Very High Frequency—Frequency Modulation Public Service & Maritime Band, Ultra High Frequency—

Amplitude Modulation (UHF AM) HAVEQUICK/Ground-Air Band, Ultra high Frequency Satellite (UHF SATFCOM) Band and Ultra High Frequency—Frequency Modulation Public Service Band.

2. A determination has been made that the recipient country can provide the same degree of protection for the sensitive technology being released as the U.S. Government.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweighs the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Slovak Republic.

[FR Doc. 2017–09646 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–06]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Kathy Valadez, (703) 697–9217 or Pamela Young, (703) 697–9107; DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–06 with attached Policy Justification and Sensitivity of Technology.

Dated: May 23, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

APR 27 2017

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-06, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the NATO Support and Procurement Agency for defense articles and services estimated to cost $33.5 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification

Transmittal No. 17–06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(l) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* NATO Support and Procurement Agency (NSPA)

(ii) *Total Estimated Value:*

Major Defense Equipment * ..	$25.0 million
Other	$8.5 million
Total	$33.5 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

The NATO Support and Procurement Agency requested the sale of AN/AAQ–24(V) Large Aircraft Infrared Countermeasures (LAIRCM) components to support the upgrade of the LAIRCM system on three C–17 aircraft, along with spares.

Major Defense Equipment (MDE):

Fourteen (14) Guardian Laser Terminal Assemblies (GLTA) (9 + 5 spares)

Six (6) LAIRCM System Processor Replacements (LSPR) (3 + 3 spares)

Non-MDE:

This request also includes contractor spares, consumables, support equipment, technical data, aircraft installation, flight test, certification, publications, training, program and logistics support services.

(iv) *Military Department:* Air Force

(v) *Prior Related Cases, if any:* K8–D–QAE

(vi) *Sales Commission, Fee, etc., Paid, Offered. or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Attached Annex

(viii) *Date Report Delivered to Congress:* April 27, 2017

*as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

NATO Support and Procurement Agency (NSPA)—Large Aircraft Infrared Countermeasures (LAIRCM) System Components

The NATO Support and Procurement Agency (NSPA) requested the sale of fourteen (14) Guardian Laser Transmitter Assemblies (GLTA) and six (6) LAIRCM System Processor Replacements (LSPR) along with contractor spares, consumables, support equipment, technical data, aircraft installation, flight test, certification, publications and training in order to upgrade the AN/AAQ–24(V) LAIRCM system on three (3) of its C–17 aircraft. The estimated total value is $33.5 million.

This proposed sale contributes to the foreign policy and national security of the United States by enhancing the aircraft self-protection capabilities of C–17 aircraft operated by the NATO Airlift Management (NAM) Programme, a consortium of 12 nations, including the United States. The partner nations in this program fly missions in and around Europe, Afghanistan, Iraq, the Levant, and North Africa. This sale an enhanced military capability for the NAM, and will assist its associated nations in providing airlift for personnel and equipment to locations requiring enhanced threat countermeasures.

The proposed sale advances U.S. and NATO policy goals of expanding the capabilities of strategic airlift to NATO allies and partners. The capabilities associated with this proposed sale bolster the military strength of the NATO alliance and its partners by increasing the self-protection capabilities of NAM airlift aircraft. NSPA will have no difficulty absorbing this equipment.

As these systems are defensive in nature, the proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor for production is Northrup Grumman of Rolling Meadows, Illinois. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to NATO.

There will be no adverse impact to U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(l) of the Arms Export Control Act

Annex Item

No. vii

(vii) *Sensitivity of Technology:*

1. The AN/AAQ–24V Large Aircraft Infrared Countermeasures (LAIRCM) is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared-guided surface-to-air missiles. The system features digital technology and micro-miniature solid-state electronics. The system operates in all conditions, detecting incoming missiles and jamming infrared-seeker equipped missiles with aimed bursts of laser energy. The LAIRCM system components required to upgrade the system are the Guardian Laser Transmitter Assemblies (GLTA) and LAIRCM System Processor Replacement (LSPR). The upgraded LAIRCM for the C–17 uses three (3) GLTA and one (1) LSPR. LAIRCM system software, including Operational Flight Program is classified SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

a. The LSPR component analyzes the data from each Missile Warning System Sensor and automatically deploys the appropriate countermeasure via the GLTA.

b. The GLTA uses aimed bursts of laser energy to jam infrared seeker equipped missiles when directed by the LSPR. The hardware is UNCLASSIFIED. The software is SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

4. All defense articles and services listed in this transmittal are authorized for release and export to the NATO Support and Procurement Agency, NATO Airlift Management Program pursuant to the NATO C–17 SAC MOU.

[FR Doc. 2017–10898 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–11]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Kathy Valadez, (703) 697–9217 or Pamela Young, (703) 697–9107; DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of

section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–11 with attached Policy Justification and Sensitivity of Technology.

Dated: May 9, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

APR 27 2017

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-11, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost $137.6 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 17–11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* Government of Australia

(ii) *Total Estimated Value:*

Major Defense Equipment *	$119.5 million
Other	$ 18.1 million
Total	$137.6 million

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Up to seventy (70) AGM–88B High Speed Anti-Radiation Missiles (HARM) Tactical Missiles

Up to forty (40) AGM–88E Advanced Anti-Radiation Guided Missiles (AARGM) Tactical Missiles

Up to sixteen (16) CATM–88B HARM Captive Air Training Missiles (CATM)

Up to sixteen (16) CATM–88E AARGM CATM

Up to twenty-five (25) AGM–88B Control Sections

Up to twenty-five (25) AGM–88B Guidance Sections

Up to twenty (20) AGM–88E Control Sections

Up to twenty (20) AGM–88E Guidance Sections

Non-MDE includes: Up to forty-eight (48) Telemetry/Flight Termination Systems, U.S. Government and contractor engineering, technical and logistics support services, and other associated support equipment and services.

(iv) *Military Department:* Navy

(v) *Prior Related Cases, if any:* AT–P–AZN

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Annex Attached.

(viii) *Date Report Delivered to Congress:* April 27, 2017

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Australia– Anti-Radiation Missiles

Australia has requested a possible sale of up to seventy (70) AGM–88B High Speed Anti-Radiation Missiles (HARM) Tactical Missiles; up to forty (40) AGM–88E Advanced Anti-Radiation Guided Missiles (AARGM) Tactical Missiles; up to sixteen (16) CATM–88B HARM Captive Air Training Missiles (CATM); up to sixteen (16) CATM–88E AARGM CATM; up to twenty-five (25) AGM–88B Control Sections; up to twenty-five (25) AGM–88B Guidance Sections; up to twenty (20) AGM–88E Control Sections; up to twenty (20) AGM–88E Guidance Sections; up to forty eight (48) Telemetry/Flight Termination Systems; U.S. Government and contractor engineering, technical and logistics support services; and other associated support equipment and services. The total estimated cost is $137.6 million.

This sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major contributor to political stability, security, and economic development in the Western Pacific. Australia is an important Major non-NATO Ally and partner that contributes significantly to peacekeeping and humanitarian operations around the world. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

Australia is requesting these missiles for its Electronic Attack EA–18G Growler aircraft. The proposed sale will improve Australia's capability in current and future coalition efforts. Australia will use this capability as a deterrent to regional threats and to strengthen its homeland defense. Australia will have no difficultly absorbing these additional missiles into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The prime contractors will be Orbital ATK (OA), Ridgecrest, CA, and Raytheon Missile Systems Company, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of additional U.S. Government or contractor representatives to travel to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) *Sensitivity of Technology:*

1. The AGM–88E Advanced Anti-Radiation Guided Missile (AARGM) weapon system is an air-to-ground missile intended to suppress or destroy land or sea-based radar emitters associated with enemy air defenses and provides tactical air forces with a lethal countermeasure to enemy radar directed, surface-to-air missiles, and air defense artillery weapons systems. Destruction or suppression of enemy radars denies the enemy the use of air defense systems, thereby improving the survivability of our tactical aircraft. It uses a multimode seeker that incorporates global positioning system/inertial measurement unit (GPS/IMU) midcourse guidance, a radio frequency (RF) radiation homing receiver, an active millimeter wave seeker, an Integrated Broadcast Service Receiver (IBS–R) and a Weapons Impact Assessment (WIA) transmitter. The AARGM AGM–88E when assembled is classified SECRET. The AARGM Guidance Section (seeker hardware) and Control Section with the Target Detector is classified CONFIDENTIAL.

2. The AGM–88B High Speed Anti-Radiation Missiles (HARM) weapon system is an air-to-ground missile intended to suppress or destroy land or sea-based radar emitters associated with enemy air defenses and provides tactical air forces with a lethal countermeasure to enemy radar directed, surface-to-air missiles, and air defense artillery weapons systems. Destruction or suppression of enemy radars denies the enemy the use of air defense systems, thereby improving the survivability of our tactical aircraft. The AGM–88B HARM when assembled is classified CONFIDENTIAL. The HARM Guidance Section (seeker hardware), and Control Section with the Target Detector are classified CONFIDENTIAL.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements of this possible sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Australia can provide substantially the same degree of protection for the technology being released as the US Government. The sale is necessary in furtherance of the US foreign policy and national security objectives as outlined in the Policy Justification of the notification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Australia.

[FR Doc. 2017–09641 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17–13]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

FOR FURTHER INFORMATION CONTACT: Kathy Valadez, (703) 697–9217 or Pamela Young, (703) 697–9107; DSCA/DSA–RAN.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104–164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17–13 with attached Policy Justification and Sensitivity of Technology.

Dated: May 9, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable Paul D. Ryan
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

APR 27 2017

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-13, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of New Zealand for defense articles and services estimated to cost $1.46 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. Rixey
Vice Admiral, USN
Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 17–13

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) *Prospective Purchaser:* New Zealand

(ii) *Total Estimated Value:*

Major Defense Equipment *	$1.03 billion
Other	$ .43 billion
Total	$1.46 billion

(iii) *Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:*

Major Defense Equipment (MDE):

Four (4) P–8A Patrol Aircraft, which includes:

Eight (8) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS) (one (1) for each aircraft, two (2) for the ground operations support center, and two (2) spares)

Five (5) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ–24(V)N Large Aircraft Infrared Counter Measures (LAIRCM) system (one (1) for each aircraft and one (1) spare)

Five (5) System Processors for AN/AAQ–24(V)N LAIRCM system (one (1) for each aircraft and one (1) spare)

Thirty (30) AN/AAR–54 Missile Warning Sensors for the AN/AAQ–24(V)N LAIRCM system (six (6) for each aircraft and six (6) spares)

Ten (10) LN–251 with Embedded Global Positioning Systems (GPS)/Inertial Navigations Systems (EGIs) (two (2) for each aircraft and two (2) spares)

Non-MDE includes:

Commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared (IR) MX–20HD; AN/AAQ–2(V)1 Acoustic System; AN/APY–10 Radar; ALQ–240 Electronic Support Measures; support equipment; operation support systems; maintenance trainer/classrooms; publications; software, engineering, and logistics technical assistance; foreign Liaison officer support, contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training, support equipment and services.

(iv) *Military Department:* Navy (XX–P–SAH)

(v) *Prior Related Cases, if any:* This would be New Zealand's first purchase of the P–8A Patrol Aircraft. New Zealand has one related P–8A case, NZ–P–GEE, which provides P–8A study and technical analysis support.

(vi) *Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:* None

(vii) *Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:* See Annex Attached.

(viii) *Date Report Delivered to Congress:* April 27, 2017

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

New Zealand—P–8A Aircraft and Associated Support

New Zealand has requested the potential sale of up to four (4) P–8A Patrol Aircraft. Each includes: commercial engines, Tactical Open Mission Software (TOMS), Electro-Optical (EO) and Infrared (IR) MX–20HD, AN/AAQ–2(V)1 Acoustic System, AN/APY–10 Radar, ALQ–240 Electronic Support Measures. Also included are eight (8) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS JTRS); five (5) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ–24(V)N; five (5) System Processors for AN/AAQ–24(V)N; thirty (30) AN/AAR–54 Missile Warning Sensors for the AN/AAQ–24(V)N; ten (10) LN–251 with Embedded Global Positioning Systems (GPS)/Inertial Navigations Systems (EGIs); support equipment; operation support systems; maintenance trainer/classrooms; publications; software, engineering, and logistics technical assistance; foreign Liaison officer support, contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training, support equipment and services. The total estimated cost is $1.46 billion.

This proposed sale will enhance the foreign policy and national security of the United States by strengthening the security of a Major Non-NATO ally which has been, and continues to be, an important force for political stability within the region. New Zealand is a close ally in the region and an important partner on critical foreign policy and defense issues.

The Government of New Zealand intends to use these defense articles and services to continue its Maritime Surveillance Aircraft (MSA) capability, following retirement of its P–3K maritime patrol aircraft. The sale will strengthen collective defense and enhance New Zealand's regional and global allied contributions.

New Zealand has procured and operated U.S. produced P–3 MSA for over 40 years, providing critical capabilities to NATO and coalition maritime operations. New Zealand has maintained a close MSA acquisition and sustainment relationship with the U.S. Navy over this period. The proposed sale will allow New Zealand to recapitalize, modernize and sustain its MSA capability for the next 30 years. As a long-time P–3 operator, New Zealand will have no difficulty transitioning its MSA force to the P–8A and absorbing these aircraft into its armed forces.

The proposed sale of this equipment and support does not alter the basic military balance in the region.

The prime contractor will be The Boeing Company, Seattle, WA. Additional contractors include:

Air Cruisers Co LLC
Arnprior Aerospace, Canada
AVOX Zodiac Aerospace
BAE
Canadian Commercial Corporation (CCC)/EMS
Compass David Clark
DLS/NiaSat, Carlsbad, CA
DRS
Exelis, McLean VA
GC Micro, Petaluma, CA
General Electric, UK
Harris
Joint Electronics
Marin Baker
Northrop Grumman Corp, Falls Church, VA
Pole Zero, Cincinnati, OH
Raytheon, Waltham, MA
Raytheon, UK
Rockwell Collins, Cedar Rapids, IA
Spirit Aero, Wichita, KS
Symmetries Telephonics, Farmingdale, NY
Terma, Arlington, VA
Viking
WESCAM

There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require approximately five (5) contractor representatives to support the program in New Zealand.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 17–13

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) *Sensitivity of Technology:*

1. The P–8A aircraft is a militarized version of the Boeing 737–800 Next Generation (NG) commercial aircraft. The P–8A is replacing the P3C as the Navy's long-range Anti-Submarine Warfare (ASW), Anti-Surface Warfare (ASuW), Intelligence, Surveillance and Reconnaissance (ISR) aircraft capable of broad-area, maritime and littoral operations. The overall highest classification of the P–8A weapon

system is SECRET. The P–8A mission systems hardware is largely UNCLASSIFIED, while individual software elements (mission systems, acoustics, ESM, EWSP, etc.) are classified up to SECRET.

2. P–8A mission systems include:

a. Tactical Open Mission Software (TOMS). TOMS functions include environment planning, tactical aids, weapons planning aids, and data correlation. TOMS includes an algorithm for track fusion which automatically correlates tracks produced by on board and off board sensors.

b. Electro-Optical (EO) and Infrared (IR) MX–20HD. The EO/IR system processes visible EO and IR spectrum to detect and image objects.

c. AN/AAQ–2(V)1 Acoustic System. The Acoustic sensor system is integrated within the mission system as the primary sensor or the aircraft ASW missions. The system has multi-static active coherent (MAC) 64 sonobuoy processing capability and acoustic sensor prediction tools.

d. AN/APY–10 Radar. The aircraft radar is a direct derivative of the legacy AN/APS–137(V) installed in the P–3C. The radar capabilities include GPS selective availability anti-spoofing, SAR and ISAR imagery resolutions, and periscope detection mode.

e. ALQ–240 Electronic Support Measures (ESM). This system provides real time capability for the automatic detection, location, measurement, and analysis of RF-signals and modes. Real time results are compared with a library of known emitters to perform emitter classification and specific emitter identification (SEI).

f. Electronic Warfare Self Protection (EWSP). The P–8A aircraft Directional Infrared Countermeasures (DIRCM) suite consists of the ALQ–213 Electronic Warfare Management System (EWMS), ALE–47 Countermeasures Dispensing System (CMDS), and the AN/AAQ–24(V)N Large Aircraft Infrared Countermeasure (LAIRCM) Guardian Laser Transmitter Assemblies (GLTA) processor, and AAR–54 Missile Warning Sensors (MWS). The AN/AAQ–24(V)N LAIRCM is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared guided surface-to-air missiles. The system features digital technology and micro-miniature sold state electronics. LAIRCM system software, including Operation Flight Program is classified SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

g. Multifunctional Information Distribution System-Joint Tactical Radio System (MIDS JTRS) is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and vice, among air, ground, and sea elements. The MIDS JTRS terminal hardware, publications, performance specifications, operational capability, parameters, vulnerabilities to countermeasures, and software documentation are classified CONFIDENTIAL. The classified information to be provided consists of that which is necessary for the operation, maintenance, and repair (through intermediate level) of the data link terminal, installed systems, and related software.

3. If a technologically advanced adversary were to obtain access of the P–8A specific hardware and software elements, systems could be reverse engineering to discover USN capabilities and tactics. The consequences of the loss of this technology, to a technologically advanced or competent adversary, could result in the development of countermeasures or equivalent systems, which could reduce system effectiveness or be used in the development of a system with similar advanced capabilities.

4. A determination has been made that the recipient government can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to New Zealand.

[FR Doc. 2017–09654 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Availability of a Final Feasibility Study With Integrated Environmental Impact Statement, Ala Wai Canal Project, Oahu, HI

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of availability.

SUMMARY: The U.S. Army Corps of Engineers (USACE) announces the availability of a Public Review Final Feasibility Study with Integrated Environmental Impact Statement (EIS), for the Ala Wai Canal Project, Oahu, Hawaii. The Final Feasibility Study/EIS evaluates alternatives to manage flood risk within the Ala Wai watershed, which includes the neighborhoods of Makiki, Manoa, Palolo, Kapahulu, Moiliili, McCully, and Waikiki. It also documents the existing condition of environmental resources in areas considered for locating flood risk management features and potential impacts on those resources that could result from implementing each alternative. The State of Hawaii, Department of Land and Natural Resources is the non-Federal sponsor and the proposing agency for compliance with the Hawaii law on Environmental Impact Statements.

DATES: All written comments must be postmarked on or before June 25, 2017.

ADDRESSES: Written comments may be submitted to the Ala Wai Canal Project, U.S. Army Corps of Engineers, Honolulu District, ATTN: Derek Chow, Chief, Civil and Public Works Branch (CEPOH–PP–C), Building 230, Fort Shafter, HI 96858–5440 or via email to *AlaWaiCanalProject@USACE.Army.mil.* Oral and written comments may also be submitted at the public meeting described in the **DATES** section.

FOR FURTHER INFORMATION CONTACT: Mr. Derek Chow, U.S. Army Corps of Engineers, Honolulu District, 808–835–4026 or via email at *Derek.J.Chow@usace.army.mil.*

SUPPLEMENTARY INFORMATION: Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

The document is available for review at the following locations:

(1) Ala Wai Canal Project Web site: *http://www.poh.usace.army.mil/Missions/CivilWorks/CivilWorksProjects/AlaWaiCanal.aspx.*

(2) Kaimuki Public Library, 1041 Koko Head Avenue, Honolulu, HI 96816;

(3) Waikiki-Kapahulu Public Library, 400 Kapahulu Avenue, Honolulu, HI 96815;

(4) McCully-Moiliili Public Library, 2211 S. King Street, Honolulu, HI 96826;

(5) Manoa Public Library, 2716 Woodlawn Drive, Honolulu, HI 96822;

Copies may also be requested in writing at (see **ADDRESSES**).

Proposed Action. The proposed Ala Wai Canal Project, Oahu, Hawaii feasibility study is a single-purpose flood risk management project to reduce riverine flood risks to property and life safety in the Ala Wai Watershed. The Ala Wai Canal Watershed is located on the southeastern side of the island of Oahu, Hawaii. The watershed is 19 square miles and encompasses three sub-watersheds of Makiki, Manoa and Palolo Streams, which all drain into the Ala Wai Canal. The study area includes the most densely populated watershed in Hawaii with approximately 200,000 residents in the developed areas. In addition, Waikiki supports approximately 79,000 visitors on a daily basis.

This study was authorized under Section 209 of the Flood Control Act of 1962 (Pub. L. 87–874), a general study authority that authorizes surveys in harbors and rivers in Hawaii ''with a view to determining the advisability of improvements in the interest of navigation, flood control, hydroelectric power development, water supply, and other beneficial uses, and related land resources.''

Alternatives. The Final Feasibility Study/EIS considers a full range of nonstructural and structural flood risk management alternatives that meet the proposed action's purpose and need and incorporate measures to avoid and minimize impacts to native aquatic species, stream habitat, and other resources. In response to identified flood-related problems and opportunities, a range of alternatives were evaluated through an iterative screening and formulation process, resulting in identification of a recommended plan.

The recommended plan is the National Economic Development (NED) Plan and consists of the following components: Improvements to the flood warning system, 6 in-stream debris and detention basins in the upper reaches of the watershed, 1 stand-alone debris catchment feature, 3 multi-purpose detention basins in open space areas through the developed watershed, floodwalls along portions of the Ala Wai Canal, mitigation measures, and 2 associated pump stations to maintain internal drainage. Canal floodwalls would extend approximately 1.7 miles along the left (*makai*) bank and approximately 0.9 mile along the right (*mauka*) bank (including gaps for bridges).

Public Involvement. As part of the current public involvement process, all affected Federal, State, and local agencies, Native Hawaiian organizations, private organizations, and the public are invited to review and comment on the Final Feasibility Study with Integrated EIS. Comments may also be submitted as described in the **DATES** and **ADDRESSES** sections.

Other Environmental Review Requirements. To the extent practicable, NEPA and HRS Chapter 343 requirements will be coordinated in the preparation of the Final EIS.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 2017–10719 Filed 5–25–17; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN–2017–HQ–0002]

Proposed Collection; Comment Request

AGENCY: Commander, Navy Installations Command, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* Commander, Navy Installations Command announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by July 25, 2017.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.

• *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate for Oversight and Compliance, Regulatory and Advisory Committee Division, 4800 Mark Center Drive, Mailbox #24, Suite 08D09B, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the following:

Navy: Commander, Navy Installations Command, 716 Sicard St SE., ATTN: N3 Anti-Terrorism/Force Protection Branch, Washington Navy Yard, DC 20374.

Marine Corps: Headquarters, Marine Corps, ATTN: Law Enforcement and Corrections Branch, Security Division, Plans, Policies and Operations (PP&O), 3000 Pentagon, Room 4A324, Washington, DC 20350–3000.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Law Enforcement Officers Safety Act (LEOSA); Department of the Navy Law Enforcement Officers Safety Act Credential Application (LEOSA); OMB Control Number 0703–XXXX.

Needs and Uses: To verify eligibility of current DON Law enforcement officers for assigned duties and to determine if reassignment, reclassification, detail or other administrative action is warranted based on an officer's ability to obtain or maintain credential qualification requirements. To verify and validate eligibility of current, separating or separated and retired DON law enforcement officers to ship, transport, possess or receive Government-issued or private firearms or ammunition.

To verify and validate eligibility of current, separating or separated, and retired DON law enforcement officers to receive DON endorsed law enforcement credentials, to include LEOSA credentials. The information is captured for administrative, mission support and

law enforcement/legal use; if required. The information collected allows the Department of the Navy to effectively and efficiently process, validate, issue and track LEOSA applications and issuances.

Affected Public: Individuals or households.

Annual Burden Hours: 450.

Number of Respondents: 900.

Responses per Respondent: 1.

Annual Responses: 900.

Average Burden per Response: 0.50 hrs.

Frequency: On occasion.

Respondents are retired or separated Department of the Navy Law Enforcement Officers who qualify for the credentials of the LEOSA program. The Department of the Navy Law Enforcement Officers Safety Act (LEOSA) Credential Application form is used to collect, verify and validate qualifications of the applicant. If the application form is not submitted in conjunction with the appropriate documentation, the individuals reviewing the application cannot validate the qualifications of the applicant. This process is essential to ensuring only validated qualified law enforcement officials are issued the credentials.

Dated: May 23, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017–10860 Filed 5–25–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

[Catalog of Federal Domestic Assistance Number: 84.423A]

Applications for New Awards; Supporting Effective Educator Development Program; Correction

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Notice; correction.

SUMMARY: On April 20, 2017, we published in the **Federal Register** a notice inviting applications for new awards (NIA) for fiscal year (FY) 2017 for the Supporting Effective Educator Development program. On May 8, 2017, we published in the **Federal Register** a notice extending the deadlines for transmittal of applications and intergovernmental review.

This notice of correction removes one of the selection criteria from the NIA and extends the deadlines for transmittal of applications and intergovernmental review. All other requirements and conditions stated in the notice inviting applications remain the same.

DATES:

Deadline for Transmittal of Applications: June 23, 2017.

Deadline for Intergovernmental Review: August 22, 2017.

FOR FURTHER INFORMATION CONTACT: Richard Wilson, U.S. Department of Education, 400 Maryland Avenue SW., Room 4W111, Washington, DC 20202–5960. Telephone: (202) 453–6709, or by email: *SEED@ed.gov.*

If you use a telecommunications device (TDD) for the deaf or a text telephone (TTY), call the Federal Relay Service, toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: On April 20, 2017, we published, in the **Federal Register** (82 FR 18619), a notice inviting applications for new awards for FY 2017 for the SEED program. We are removing the fourth factor under the selection criterion for the Quality of the Management Plan. We are removing the fourth factor under the Quality of the Management Plan selection criterion because it was inadvertently duplicated. This factor is already listed under the Significance selection criterion and will remain under that criterion. With the removal of this factor, the Quality of Management Plan selection criterion will now have three factors by which it will be scored.

Due to the changes to the selection criteria, we are extending the deadlines for transmittal of applications and intergovernmental review to June 23, 2017 and August 22, 2017, respectively. This will ensure applicants have sufficient time to respond to the changes in their applications.

All other requirements and conditions stated in the NIA remain the same.

Corrections

In FR Doc. No. 2017–08042, in the **Federal Register** of April 20, 2017 (82 FR 18619), we make the following corrections:

(a) On page 18619, in the middle column, under the heading ''Deadline for Transmittal of Applications'' remove the words ''June 19, 2017'' and replace them with the words ''June 23, 2017''.

(b) On page 18619, in the middle column, under the heading ''Deadline for Intergovernmental Review,'' remove the words ''August 18, 2017'' and replace them with the words ''August 22, 2017''.

(c) On page 18625, in the first column, under the heading ''Deadline for Transmittal of Applications,'' remove the words ''June 19, 2017'' and replace them with the words ''June 23, 2017''.

(d) On page 18625, in the middle column, under the heading ''Deadline for Intergovernmental Review,'' remove the words ''August 18, 2017'' and replace them with the words ''August 22, 2017''.

(e) On page 18628, in the first column, remove the words ''(4) The extent to which the results of the proposed project are to be disseminated in ways that will enable others to use the information or strategies.''

Program Authority: Section 2242 of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (20 U.S.C. 6672).

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: May 23, 2017.

Margo Anderson,

Acting Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. 2017–10950 Filed 5–25–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0040]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; National Assessment of Educational Progress (NAEP) 2017–2019

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before June 26, 2017.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2017–ICCD–0040. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 224–84, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact NCES Information Collections at *NCES.Information.Collections@ed.gov.*

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: National Assessment of Educational Progress (NAEP) 2017–2019.

OMB Control Number: 1850–0928.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 759,283.

Total Estimated Number of Annual Burden Hours: 371,166.

Abstract: The National Assessment of Educational Progress (NAEP), conducted by the National Center for Education Statistics (NCES), is a federally authorized survey of student achievement at grades 4, 8, and 12 in various subject areas, such as mathematics, reading, writing, science, U.S. history, civics, geography, economics, technology and engineering literacy (TEL), and the arts. The National Assessment of Educational Progress Authorization Act (Pub. L. 107–279 Title III, section 303) requires the assessment to collect data on specified student groups and characteristics, including information organized by race/ethnicity, gender, socio-economic status, disability, and limited English proficiency. It requires fair and accurate presentation of achievement data and permits the collection of background, noncognitive, or descriptive information that is related to academic achievement and aids in fair reporting of results. The intent of the law is to provide representative sample data on student achievement for the nation, the states, and subpopulations of students and to monitor progress over time. The nature of NAEP is that burden alternates from a relatively low burden in national-level administration years to a substantial burden increase in state-level administration years when the sample has to allow for estimates for individual states and some of the large urban districts. This submission requests OMB's approval for main NAEP assessments in 2018 and 2019, including operational, pilot, and special studies. The NAEP results will be reported to the public through the Nation's Report Card as well as other online NAEP tools.

Dated: May 23, 2017.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–10875 Filed 5–25–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0072]

Agency Information Collection Activities; Comment Request; Integrated Partner Management (IPM) System

AGENCY: Department of Education (ED), Federal Student Aid (FSA).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before July 25, 2017.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2017–ICCD–0072. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 224–84, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202–377–4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed,

revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Integrated Partner Management (IPM) System.

OMB Control Number: 1845–NEW.

Type of Review: A new information collection.

Respondents/Affected Public: State, Local, and Tribal Governments; Private Sector.

Total Estimated Number of Annual Responses: 9,220.

Total Estimated Number of Annual Burden Hours: 7,890.

Abstract: Federal Student Aid has developed the Integrated Partner Management (IPM) system. IPM is the new solution for application processing and financial reporting, that will replace 3 legacy applications. Consolidation of these applications will improve timeliness, data integrity and Department's analysts' ability to get a comprehensive view from one application as opposed to the current disjointed views across multiple applications. The new IPM system will include the application for approval for institutions and financial partners (including lenders) to participate in Federal Student Financial Aid programs. The IPM system will also allow institutions and financial partners participating in the Title IV HEA programs to submit the required audited financial statements and compliance audits. IPM includes significant advances to both partners and FSA analysts in the process used for providing oversight to FSA partners in the Title IV and improvements in the tools and technologies currently in place. IPM will transition a process that is currently heavily paper based to an easy to navigate, automated work-flow process. Under the IPM system the institutions log into a secure Department Web site, enter information pertaining to their eligibility, audit and finances and attach electronic documents to support eligibility, audit and financial statement submissions.

Dated: May 23, 2017.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–10876 Filed 5–25–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Nuclear Energy Advisory Committee

AGENCY: Department of Energy, Office of Nuclear Energy.

ACTION: Notice of open meeting and request for comment on the Nuclear Energy Advisory Committee (NEAC) International Subcommittee Report.

SUMMARY: This notice announces a meeting of the Nuclear Energy Advisory Committee and request for comments. The Federal Advisory Committee Act requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Tuesday June 20, 2017; 9:00 a.m.–4:30 p.m.

ADDRESSES: Renaissance Washington DC Hotel, 999 Ninth St. NW., Washington, DC 20001.

Request for Comment on the NEAC International Subcommittee Report. The draft report is posted on NEAC's Web site: *https://energy.gov/ne/services/nuclear-energy-advisory-committee* and comments on the report can be sent via email to: *NEAC@nuclear.energy.gov*. All comments are due by June 2, 2017.

FOR FURTHER INFORMATION CONTACT: Bob Rova, Designated Federal Officer, U.S. Department of Energy, 19901 Germantown Rd. Germantown, MD 20874; telephone: (301) 903–9096; email: *robert.rova@nuclear.energy.gov*.

SUPPLEMENTARY INFORMATION:

Background: The Nuclear Energy Advisory Committee (NEAC), formerly the Nuclear Energy Research Advisory Committee (NERAC), was established in 1998 by the U.S. Department of Energy (DOE) to provide advice on complex scientific, technical, and policy issues that arise in the planning, managing, and implementation of DOE's civilian nuclear energy research programs. The committee is composed of 17 individuals of diverse backgrounds selected for their technical expertise and experience, established records of distinguished professional service, and their knowledge of issues that pertain to nuclear energy.

Purpose of the Meeting: To inform the committee of recent developments and current status of research programs and projects pursued by the Department of Energy's Office of Nuclear Energy and receive advice and comments in return from the committee.

Tentative Agenda: The meeting is expected to include presentations that provide the committee updates on activities for the Office of Nuclear Energy. In addition, there will be presentations by Nuclear Energy Advisory Committee subcommittees and a discussion/vote on the committee's acceptance of the International Subcommittee report. The agenda may change to accommodate committee business. For updates, one is directed to the NEAC Web site: *http://energy.gov/ne/services/nuclear-energy-advisory-committee*.

Public Participation: Individuals and representatives of organizations who would like to offer comments and suggestions may do so on the day of the meeting, Tuesday, June 20, 2017. Approximately thirty minutes will be reserved for public comments. Time allotted per speaker will depend on the number who wish to speak, but is not expected to exceed 5 minutes. Anyone who is not able to make the meeting or has had insufficient time to address the committee is invited to send a written statement to Bob Rova, U.S. Department of Energy 1000 Independence Avenue SW., Washington, DC 20585, or email: *robert.rova@nuclear.energy.gov*.

Minutes: The minutes of the meeting will be available by contacting Mr. Rova at the address above or on the Department of Energy, Office of Nuclear Energy's Web site at: *http://energy.gov/ne/services/nuclear-energy-advisory-committee*.

Issued in Washington, DC, on May 19, 2017.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2017–10877 Filed 5–25–17; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[Case No. CR–006]

Notice of Petition for Waiver of AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc. From the Department of Energy Commercial Refrigerator, Freezer, and Refrigerator-Freezer Test Procedures and Partial Granting of an Interim Waiver

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice of petition for waiver, partial grant of an interim waiver, and request for public comment.

SUMMARY: This notice announces receipt of and publishes a petition for waiver from AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc. (AHT) seeking an exemption from specified portions of the U.S. Department of Energy (DOE) test procedure for determining the energy consumption of commercial refrigerators, freezers, and refrigerator-freezers (collectively ''commercial refrigeration equipment'') under the regulations. AHT seeks to use an alternate test procedure to address issues involved in testing forty-eight basic models identified by AHT as part of its petition that do not have a typical defrosting cycle (*i.e.,* the cooling coils are built into the body of the units and require defrosting once or twice per week). Consequently, AHT seeks to test and rate these basic models as ice cream freezers only and to use an alternate two-part test procedure to account for the infrequent defrosts. This notice also announces that DOE is declining to grant AHT an interim waiver regarding multi-mode operation, but DOE is granting an interim waiver to address the defrost cycles, with modifications to AHT's requested approach. DOE solicits comments, data, and information concerning AHT's petition and its suggested alternate test procedure to inform its final decision.

DATES: DOE will accept comments, data, and information with regard to the AHT petition until June 26, 2017.

ADDRESSES: You may submit comments, identified by Case Number CR–006, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Email: AS_Waiver_Requests@ee.doe.gov* Include the case number [Case No. CR–006] in the subject line of the message. Submit electronic comments in WordPerfect, Microsoft Word, PDF, or ASCII file format, and avoid the use of special characters or any form of encryption.
- *Postal Mail:* Mr. Bryan Berringer, U.S. Department of Energy, Building Technologies Office, Mailstop EE–5B, Petition for Waiver Case No. CR–006, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–0371. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.
- *Hand Delivery/Courier:* Appliance and Equipment Standards Program, U.S. Department of Energy, Building Technologies Office, 950 L'Enfant Plaza SW., 6th Floor, Washington, DC 20024. Telephone: (202) 586–6636. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

Docket: The docket, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

FOR FURTHER INFORMATION CONTACT:

Mr. Bryan Berringer, U.S. Department of Energy, Building Technologies Office, Mailstop EE–5B, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–0371. Email: *AS_Waiver_Request@ee.doe.gov.*

Ms. Johanna Jochum, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC–33, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585–0103. Telephone: (202) 287–6307. Email: *Johanna.Jochum@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

I. Background and Authority

Title III, Part C [1] of the Energy Policy and Conservation Act of 1975 (EPCA), Public Law 94–163 (42 U.S.C. 6311–6316, as codified), established the Energy Conservation Program for Certain Industrial Equipment, which includes commercial refrigeration equipment.[2] Part C includes definitions, energy conservation standards, test procedures, labeling provisions, and the authority to require information and reports from manufacturers. Further, Part C authorizes the Secretary of Energy to prescribe test procedures that are reasonably designed to produce results that measure energy efficiency, energy use, or estimated operating costs during a representative average-use cycle, and that are not unduly burdensome to conduct. (42 U.S.C. 6314(a)(2)) The test procedure for commercial refrigeration equipment is contained in the Code of Federal Regulations (CFR) at 10 CFR part 431, subpart C, appendix B, ''*Amended Uniform Test Method for the Measurement of Energy Consumption of Commercial Refrigerators, Freezers, and Refrigerator-Freezers.*''

DOE's regulations set forth at 10 CFR 431.401 contain provisions that allow a person to seek a waiver from the test procedure requirements for a particular basic model of a type of covered equipment when the petitioner's basic model for which the petition for waiver was submitted contains one or more design characteristics that either (1) prevent testing according to the prescribed test procedures; or (2) cause the prescribed test procedures to evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. 10 CFR 431.401(a)(1). A petitioner must include in its petition various information, including a detailed discussion of the need for the requested waiver and any alternate test procedures known to the petitioner to evaluate the basic model in a manner representative of its energy consumption. See 10 CFR 431.401(b)(1).

DOE may grant a waiver subject to conditions, including adherence to alternate test procedures. 10 CFR 431.401(f)(2). As soon as practicable after the granting of any waiver, DOE will publish in the **Federal Register** a notice of proposed rulemaking to amend its regulations so as to eliminate any need for the continuation of such waiver. As soon thereafter as practicable, DOE will publish in the **Federal Register** a final rule. 10 CFR 431.401(l).

The waiver process also allows DOE to grant an interim waiver if it appears likely that the petition for waiver will be granted and/or if DOE determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the petition for waiver. 10 CFR 431.401(e)(2). Within one year of issuance of an interim waiver, DOE will either: (i) Publish in the **Federal Register** a determination on the petition for waiver; or (ii) publish in the **Federal Register** a new or amended

[1] For editorial reasons, upon codification in the U.S. Code, Part C was redesignated as Part A–1.

[2] All references to EPCA in this document refer to the statute as amended through the Energy Efficiency Improvement Act of 2015 (EEIA), Public Law 114–11 (April 30, 2015).

test procedure that addresses the issues presented in the waiver. 10 CFR 431.401(h)(1). When DOE amends the test procedure to address the issues presented in a waiver, the waiver will automatically terminate on the date on which use of that test procedure is required to demonstrate compliance. 10 CFR 431.401(h)(2).

II. AHT's Petition for Waiver of Test Procedure and Application for Interim Waiver

On October 25, 2016, AHT filed a petition for waiver and interim waiver from the DOE test procedure for commercial refrigeration equipment set forth in 10 CFR part 431, subpart C, appendix B. (AHT, No. 0001 at pp. 1–10 [3]) AHT petitioned for waiver for six model lines [4] that are capable of multi-mode operation (*i.e.,* as ice cream freezer and commercial refrigerator) and that do not have typical defrosting cycles (*i.e.,* the cooling coils are built into the body of the units and require defrosts once per week). In the petition, AHT states that the DOE test procedure is not clear regarding how to test multi-mode equipment. Additionally, AHT states that the test procedure's 24-hour test period starting with a defrost would grossly overstate the energy used by these models due to their longer defrost cycles (once per week).

To address multi-mode operation, AHT requests that their equipment be tested and rated only as ice cream freezers (with integrated average temperature of −15 °F +/− 2.0 °F and use of total display area (TDA) to determine associated energy conservation standards).

To address infrequent defrosts, AHT requests that their equipment be subject to an alternate two-part test procedure. The first part would be a 24-hour test starting in steady state conditions and including eight hours of door opening (according ASHRAE Standard 72). The energy consumed in this test would be recorded as ET1. The second part would be a defrost cycle test starting after steady state conditions are established and ending after the defrost cycle is complete. The duration of the defrost cycle, t_{DI}, and the energy consumed during this defrost cycle, ET2, would be recorded and combined with ET1 based on the once-per-week defrost frequency. In AHT's March 6, 2017 letter, AHT noted that although the standard duration of the defrost cycle was once-per-week, the basic models have an optional manual override that allows up to two defrost cycles per week and recommended revising the October 25 test procedure to reflect that. (AHT, No. 0008[5]) DOE considered this proposal in developing the alternative test procedure.

III. Alternate Test Procedure

EPCA requires that manufacturers use DOE test procedures when making representations about the energy consumption and energy consumption costs of products covered by the statute. (42 U.S.C. 6293(c); 6314(d)) Consistent representations about the energy efficiency of covered equipment are important for consumers to evaluate equipment when making purchasing decisions and for manufacturers to demonstrate compliance with applicable DOE energy conservation standards.

AHT proposes testing the commercial refrigeration equipment at issue in their petition according to the following alternate test procedure.

The equipment would be tested and rated as ice cream freezers (with integrated average temperature of −15 °F +/− 2.0 °F).

The equipment would be subject to the following testing instead of the corresponding defrost testing in the test procedure. The first part would be a 24-hour test starting in steady state conditions and including eight hours of door opening (according ASHRAE Standard 72). The energy consumed in this test would be recorded as ET1.

The second part would be a defrost cycle test starting after steady state conditions are established. The defrost cycle would be initiated and the second part of testing would terminate after the defrost cycle is complete. The energy consumed during this defrost cycle, ET2, and the duration of the defrost cycle, t_{DI}, would be recorded.

Based on the measured energy consumption in these two tests, the daily energy consumption (DEC), in kilowatt-hours (kWh), would be calculated as:

[3] A notation in this form provides a reference for information that is in the docket for this test procedure waiver (Docket No. EERE–2017–BT–WAV–0027) (available at *https://www.regulations.gov/docket?D=EERE-2017-BT-WAV-0027).* This notation indicates that the statement preceding the reference is document number 1 in the docket and appears at pages 1–10 of that document.

[4] The specific basic models for which the petition applies are ice cream freezer and commercial refrigerator basic models IBIZA 100 NAM–R, IBIZA 100 NAM–IC, IBIZA 145 NAM–R, IBIZA 145 NAM–IC, IBIZA 210 NAM–R, IBIZA 210 NAM–IC, MALTA 145 NAM–R, MALTA 145 NAM–IC, MALTA 185 NAM–R, MALTA 185 NAM–IC, MANHATTAN 175 NAM–R, MANHATTAN 175 NAM–IC, MANHATTAN 210 NAM–R, MANHATTAN 210 NAM–IC, MIAMI 145 NAM–R, MIAMI 145 NAM–IC, MIAMI 185 NAM–R, MIAMI 185 NAM–IC, MIAMI 210 NAM–R, MIAMI 210 NAM–IC, MIAMI 250 NAM–R, MIAMI 250 NAM–IC, PARIS 145 NAM–R, PARIS 145 NAM–IC, PARIS 185 NAM–R, PARIS 185 NAM–IC, PARIS 210 NAM–R, PARIS 210 NAM–IC, PARIS 250 NAM–R, PARIS 250 NAM–IC, SYDNEY 175 NAM–R, SYDNEY 175 NAM–IC, SYDNEY 210 NAM–R, SYDNEY 210 NAM–IC, SYDNEY 213 NAM–R, SYDNEY 213 NAM–IC, SYDNEY 223 NAM–R, SYDNEY 223 NAM–IC, SYDNEY 230 NAM–R, SYDNEY 230 NAM–IC, SYDNEY 250 NAM–R, SYDNEY 250 NAM–IC, SYDNEY XL 175 NAM–R, SYDNEY XL 175 NAM–IC, SYDNEY XL 210 NAM–R, SYDNEY XL 210 NAM–IC, SYDNEY XL 250 NAM–R, and SYDNEY XL 250 NAM–IC. These basic model names were provided by AHT in April 2016 as a supplement to its petition. (AHT, No. 0003; *https://www.regulations.gov/document?D=EERE-2017-BT-WAV-0027-0003.*)

Notably, in addition to the above listed ice cream freezer and commercial refrigerator basic models, AHT's petition for waiver and interim waiver previously included commercial freezer basic models IBIZA 100 NAM–F, IBIZA 145 NAM–F, IBIZA 210 NAM–F, MALTA 145 NAM–F, MALTA 185 NAM–F, MANHATTAN 175 NAM–F, MANHATTAN 210 NAM–F, MIAMI 145 NAM–F, MIAMI 185 NAM–F, MIAMI 210 NAM–F, MIAMI 250 NAM–F, PARIS 145 NAM–F, PARIS 185 NAM–F, PARIS 210 NAM–F, PARIS 250 NAM–F, SYDNEY 175 NAM–F, SYDNEY 210 NAM–F, SYDNEY 213 NAM–F, SYDNEY 223 NAM–F, SYDNEY 230 NAM–F, SYDNEY 250 NAM–F, SYDNEY XL 175 NAM–F, SYDNEY XL 210 NAM–F, and SYDNEY XL 250 NAM–F. (AHT, No. 0003; *https://www.regulations.gov/document?D=EERE-2017-BT-WAV-0027-0003*) However, on May 2, 2017, DOE received a letter from AHT that withdrew these commercial freezer basic models from its petition for waiver and interim waiver request. AHT indicated that it plans to submit a separate waiver request for these basic models at a later date. (AHT, No. 0007 at pp. 1; *https://www.regulations.gov/document?D=EERE-2017-BT-WAV-0027-0007*) Thus, these commercial freezer basic models were not considered as a part of this Notice.

[5] *https://www.regulations.gov/document?D=EERE-2017-BT-WAV-0027-0008.*

$$DEC = ET1 \times \frac{(1440 - t_{NDI})}{1440} + \frac{E_{td}}{7}$$

and

$$t_{NDI} = \frac{t_{DS}}{7}$$

and

$$t_{DS} = t_{DI} * D$$

and

$$E_{td} = ET2 * D$$

Where:

DEC = Daily Energy Consumption in kilowatt-hours (kWh);
*ET*1 = energy expended during the first part of the test, in kWh;
*ET*2 = energy expended during the second part of the test, in kWh;
E_{td} = energy expended by defrosts per week
t_{NDI} = normalized length of defrosting time per day, in minutes;
t_{DS} = sum of defrost time per week;
D = maximum number of defrosts per week
7 = conversion factor of days per week;
1440 = conversion factor to adjust to a 24-hour period in minutes per day.[6]

As stated in the Summary above, DOE is declining to grant an interim waiver to AHT regarding the multi-mode operation issue, and is granting an interim waiver to address the defrost issue with modifications to AHT's proposed approach. AHT is required to test the basic models according to each of the equipment class definitions that it meets, and must do so according to the test procedure for commercial refrigeration equipment prescribed by DOE as specified in section V of this document. Pursuant to its regulations applicable to waivers and interim waivers from applicable test procedures at 10 CFR 431.401, and after consideration of public comments on the petition, DOE will consider whether to set an alternate test procedure for the equipment identified by AHT. DOE will provide that decision in a subsequent Decision and Order.

IV. Summary of Declining To Grant an Interim Waiver: Multi-Mode Operation

AHT first is seeking a waiver for commercial refrigeration equipment that have multi-mode operation. DOE understands, on the basis of AHT's petition, that the equipment at issue have single compartments; in other words, the equipment are not ''commercial hybrids'' under the definition at 10 CFR 431.62. The applicable regulations define a ''commercial freezer'' as a unit that, among other criteria, is ''capable of operating below 32 °F.'' 10 CFR 431.62. An ''ice-cream freezer'' is a commercial freezer ''that is designed to operate at or below −5 °F'' and is meant for ''storing, displaying, or dispensing . . . ice cream.'' *Id.* A ''commercial refrigerator'' is a unit that, among other criteria, is ''capable of operating at or above 32 °F.'' *Id.*

With respect to multi-mode operation, DOE has taken the position in the most recent commercial refrigeration equipment test procedure final rule, that self-contained equipment or remote condensing equipment with thermostats capable of operating at temperatures that span multiple equipment categories must be certified and comply with DOE's regulations for each applicable equipment category. 79 FR 22291 (April 21, 2014).

In light of the 2014 final rule, DOE declines at this time to provide AHT an interim waiver allowing testing only in the ice cream freezer mode. Additionally, DOE notes that DOE's current regulations allow for the use of alternative efficiency determination methods (AEDMs), which allow manufacturers to simulate the energy use of untested basic models once a manufacturer has a validated AEDM and could be used to simulate results at other rating temperatures. 10 CFR 429.70.

V. Summary of Granting an Interim Waiver: Long Defrost Cycles

Regarding the second issue of infrequent defrosts, DOE understands that defrosts are highly dependent upon the as-installed conditions of the commercial refrigeration equipment. DOE has adopted the industry procedure that accounts for the energy consumption associated with a defrost cycle by requiring a defrost at the start of the test period. Under the current applicable test procedure, all manufacturers test at ''typical'' conditions and allow commercial customers to compare performance of competing units in the marketplace at such conditions.

DOE agrees that the test protocol that AHT proposes may better reflect energy consumption on the equipment identified in the petition for waiver. As AHT stated in the petition for waiver, the test procedure requires beginning the test period at the start of a defrost cycle and recording data for 24 hours. Based on AHT's petition and additional supporting information, DOE understands that these model lines are not capable of defrosting once every 24 hours as simulated by the DOE test procedure. Instead, AHT identified model lines that use a control strategy that requires a single defrost once per week and allows the commercial customer to initiate an additional defrost each week, as needed. Accordingly, DOE is granting an interim waiver to AHT on this issue, but with modifications to AHT's requested approach as described below.[7]

The two-part test method outlined in AHT's petition for waiver is an appropriate method to account for defrost energy consumption when the

[6] DOE notes that AHT's proposed test procedure included a scrivener's error. That error has been corrected to reflect AHT's intended proposal.

[7] This interim waiver does not apply to the commercial freezer models that were previously listed in AHT's petition and subsequently withdrawn by AHT on May 2, 2017. For those models, AHT must test in accordance with the applicable DOE test procedure at 10 CFR part 431, subpart C, appendix B.

defrost interval is known. The DOE test procedures for consumer refrigerators, refrigerator-freezers, and freezers include a similar method. AHT indicated in its petition for waiver that the controls for these basic models initiate a defrost once per week and indicated that the controls for the equipment allow for user-initiated defrosts as often as twice per week. DOE assumes that users would likely use this feature to minimize frost build up, and, therefore, DOE has accounted for two defrosts per week in the energy use equation in the interim waiver. DOE notes that if AHT were to change the defrost control schemes for this equipment, then they would be new basic models to which this interim waiver does not apply.

In order for AHT to appropriately select the test period for the defrost portion of the test, DOE added specific provisions to clarify that test period to AHT's proposed alternative test procedure. For example, capturing only the defrost occurrence may omit other aspects of the defrost cycle that would impact energy performance, such as the temperature recovery period immediately following the defrost cycle. To better reflect unit operation during a defrost, DOE is clarifying that the defrost test period include any complete compressor cycles immediately before or after the defrost and temperature recovery compressor cycle with cabinet temperatures that are not within 0.5°F of the average cabinet temperature measured during the first test with stable operation. DOE references the consumer refrigerator and refrigerator-freezer test procedure at 10 CFR part 430, subpart B, Appendix A to incorporate this requirement into the interim waiver.

Therefore, DOE has issued an Order, stating:

After careful consideration of all the material submitted by AHT in this matter, DOE grants an interim waiver regarding the specified basic models. Accordingly, it is *ordered* that:

(1) AHT must, going forward, test and rate the following AHT basic models as set forth in paragraph (2) below:

IBIZA 100 NAM–R, IBIZA 100 NAM–IC, IBIZA 145 NAM–R, IBIZA 145 NAM–IC, IBIZA 210 NAM–R, IBIZA 210 NAM–IC, MALTA 145 NAM–R, MALTA 145 NAM–IC, MALTA 185 NAM–R, MALTA 185 NAM–IC, MANHATTAN 175 NAM–R, MANHATTAN 175 NAM–IC, MANHATTAN 210 NAM–R, MANHATTAN 210 NAM–IC, MIAMI 145 NAM–R, MIAMI 145 NAM–IC, MIAMI 185 NAM–R, MIAMI 185 NAM–IC, MIAMI 210 NAM–R, MIAMI 210 NAM–IC, MIAMI 250 NAM–R, MIAMI 250 NAM–IC, PARIS 145 NAM–R, PARIS 145 NAM–IC, PARIS 185 NAM–R, PARIS 185 NAM–IC, PARIS 210 NAM–R, PARIS 210 NAM–IC, PARIS 250 NAM–R, PARIS 250 NAM–IC, SYDNEY 175 NAM–R, SYDNEY 175 NAM–IC, SYDNEY 210 NAM–R, SYDNEY 210 NAM–IC, SYDNEY 213 NAM–R, SYDNEY 213 NAM–IC, SYDNEY 223 NAM–R, SYDNEY 223 NAM–IC, SYDNEY 230 NAM–R, SYDNEY 230 NAM–IC, SYDNEY 250 NAM–R, SYDNEY 250 NAM–IC, SYDNEY XL 175 NAM–R, SYDNEY XL 175 NAM–IC, SYDNEY XL 210 NAM–R, SYDNEY XL 210 NAM–IC, SYDNEY XL 250 NAM–R, and SYDNEY XL 250 NAM–IC.

(2) The applicable method of test for the AHT basic models listed in paragraph (1) is the test procedure for commercial refrigeration equipment prescribed by DOE at 10 CFR part 431, subpart C, appendix B, except that the test period shall be selected as follows.

The first part of the test shall be a 24-hour test starting in steady-state conditions and including eight hours of door opening (according to ASHRAE Standard 72). The energy consumed in this test, ET1, shall be recorded.

The second part of the test shall be a defrost cycle, including any operation associated with a defrost. The start and end points of the defrost cycle test period shall be determined according to the instructions for consumer refrigerators and refrigerator-freezers outlined in 10 CFR part 430, subpart B, appendix A, section 4.2.1.1 (for cycling compressor systems) or section 4.2.1.2 (for non-cycling compressor systems). The energy consumed in this test, ET2, and duration, t_{DI}, shall be recorded.

Based on the measured energy consumption in these two tests, the daily energy consumption (DEC) in kWh shall be calculated as:

$$DEC = ET1 \times \frac{(1{,}440 - t_{NDI})}{1{,}440} + \frac{ET2}{3.5}$$

and

$$t_{NDI} = \frac{t_{DI}}{3.5}$$

Where:

DEC = daily energy consumption, in kWh;

*ET*1 = energy consumed during the first part of the test, in kWh;

*ET*2 = energy consumed during the second part of the test, in kWh;

t_{NDI} = normalized length of defrosting time per day, in minutes;

t_{DI} = length of time of defrosting test period, in minutes;

3.5 = time between defrost occurrences, in days; and

1440 = conversion factor, minutes per day.

(3) Representations. AHT must make representations about the energy use of the equipment identified in paragraph (1) for compliance, marketing, or other purposes only to the extent that such equipment have been tested in accordance with the provisions set forth above and such representations fairly disclose the results of such testing in accordance with 10 CFR part 429, subpart B.

(4) This interim waiver shall remain in effect consistent with the provisions of 10 CFR 431.401.

(5) This interim waiver is issued on the condition that the statements, representations, and documentary materials provided by the petitioner are valid. If AHT makes any modifications to the defrost controls of these basic models, the waiver would no longer be valid and AHT would either be required use the current Federal test method or submit a new application for a test procedure waiver. DOE may revoke or modify this waiver at any time if it determines the factual basis underlying the petition for waiver is incorrect, or the results from the alternate test procedure are unrepresentative of the basic models' true energy consumption characteristics.

(6) Granting of this interim waiver does not release AHT from the certification requirements set forth at 10 CFR part 429.

Because DOE has found it likely that AHT's waiver petition will be granted, with modifications as described earlier in this section, DOE is granting an interim waiver to address the defrost cycles of the relevant basic models. DOE is now seeking comment from interested stakeholders on whether either the interim waiver approach or AHT's proposed test is likely to be representative of the energy use of the basic models that are the subjects of the waiver petition, or whether another alternative test may be more appropriate.

VI. Summary and Request for Comments

Through this notice, DOE announces receipt of AHT's petition for waiver from the DOE test procedure for certain basic models of AHT commercial refrigeration equipment and announces DOE's decision to partially grant AHT's request for an interim waiver. DOE is publishing AHT's petition for waiver in its entirety, pursuant to 10 CFR 431.401(b)(1)(iv). The petition contains no confidential information. The petition includes a suggested alternate test procedure, as specified in section III of this notice, to determine the energy consumption of AHT's specified basic models of commercial refrigeration equipment. DOE may consider including this alternate procedure in a subsequent Decision and Order based on comments from interested parties. However, DOE is granting a partial interim waiver using a modified test approach as described in section V of this notice. DOE is denying the portion of AHT's request regarding the multi-mode operation.

DOE solicits comments from interested parties on all aspects of the petition, including the suggested alternate test procedure and calculation methodology. Pursuant to 10 CFR 431.401(d), any person submitting written comments to DOE must also send a copy of such comments to the petitioner. The contact information for the petitioner is Scott Blake Harris, Harris, Wiltshire & Grannis LLP, 1919 M Street NW., Eighth Floor, Washington, DC 20036. All comment submissions must include the agency name and Case Number CR–006 for this proceeding. Submit electronic comments in WordPerfect, Microsoft Word, Portable Document Format (PDF), or text (American Standard Code for Information Interchange (ASCII)) file format and avoid the use of special characters or any form of encryption. Wherever possible, include the electronic signature of the author. DOE does not accept telefacsimiles (faxes).

Pursuant to 10 CFR 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit two copies to DOE: One copy of the document marked ''confidential'' with all of the information believed to be confidential included, and one copy of the document marked ''non-confidential'' with all of the information believed to be confidential deleted. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

Issued in Washington, DC, on May 18, 2017.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

BEFORE THE UNITED STATES DEPARTMENT OF ENERGY WASHINGTON, DC 20585

In the Matter of: Energy Efficiency Program: Test Procedure for Commercial Refrigeration Equipment

Docket No. EERE–2013–BT–TP–0025; RIN 1904–AC99.

I. PETITION OF AHT COOLING SYSTEMS FOR WAIVER OF TEST PROCEDURE FOR COMMERCIAL REFRIGERATION EQUIPMENT

AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc. (collectively AHT) [1] respectfully submit this Petition for Waiver and Application for Interim Waiver [2] from DOE's test procedure for commercial refrigeration equipment.[3]

AHT is a world leader in the production of plug-in refrigerators and freezers for the commercial sector. It currently manufactures its products in Austria, and imports them into the United States through its wholly-owned subsidiary in South Carolina. AHT USA is also about to open a new manufacturing facility in the Charleston area. AHT products are distributed to major supermarket retail chains, convenience stores, wholesalers, and consumer-packaged goods companies throughout the United States and Canada. AHT's pursuit of innovation has led it continuously to develop and market cutting-edge technology. Its philosophy focuses on sustainability, energy efficiency, innovation, and customer benefit. AHT's products, as is reflected by their use of propane as a refrigerant, are among the most energy efficient and environmentally friendly in the world.

Commercial refrigeration equipment, such as AHT's, will soon be subject to a new regulatory regime. This includes new test procedures [4] and efficiency standards.[5] The new procedures will apply to representations of energy efficiency or use made on and after March 28, 2017. The new standards will apply to products manufactured on or after March 27, 2017.

In part because of their advanced design and features, many AHT commercial refrigerators and freezers cannot be fairly evaluated by DOE's mandated testing protocols. First, because of their implicit assumptions, it is not clear which of the DOE tests should be applied to the AHT appliances. Second, any of the DOE tests would overstate the amount of energy used by the AHT appliances. Accordingly, a waiver of those test requirements is necessary.

I. BASIC MODELS FOR WHICH A WAIVER IS REQUESTED

The basic models for which a waiver is requested are set forth in Appendix I. These models are all display merchandisers with transparent doors. They are distributed in commerce under the AHT brand name.

II. NEED FOR THE REQUESTED WAIVER

As noted, the DOE test procedures will take effect on March 28, 2017. It is not clear which DOE test procedure should apply to AHT's advanced models, and all would grossly overstate the energy used by these models. There are two critical features of the AHT models that raise issues under the forthcoming testing procedure.

A. The AHT Appliances Are Multi-Mode.

The AHT appliances for which we seek a waiver are all multi-mode models; they have three modes of operation among which the user can choose merely by turning a switch. In one mode, the units operate as an ice cream freezer. In another mode, they operate as a regular commercial freezer. In yet another mode, they operate as a commercial refrigerator. The advantage to a user of having a single appliance that can operate in three different modes

[1] AHT's U.S. subsidiary is AHT Cooling Systems USA Inc., 3235 Industry Drive, North Charleston, South Carolina 29418 (tel. 843–767–6855). AHT's worldwide headquarters are AHT Cooling Systems GmbH, Werkgasse 57, 8786 Rottenmann, Austria (tel. 011–43–3614/2451–0).

[2] *See* 10 CFR 431.401 (petitions for waiver and interim waiver).

[3] *Id.* Part 431, Subpart C, Appendix B.

[4] *Id.* Part 431, Subpart C, Appendix B, as adopted, 79 FR 22277 (April 21, 2014).

[5] *Id.* § 431.66, as adopted, 79 FR 17725 (March 28, 2014).

is obvious. And if a retail operator can purchase one appliance that can operate in three modes, rather than having to buy multiple appliances to meet the same needs, there are sustainability benefits as well. The problem is that the DOE rules implicitly assume that an appliance is exclusively an ice cream freezer, exclusively a standard commercial freezer, or exclusively a commercial refrigerator.[6] And the DOE rules mandate different testing protocols for an ice cream freezer than they do for a standard commercial freezer or a commercial refrigerator.

DOE testing rules often require that products be tested in their default configuration, or in the typical configuration. In the case of the AHT multi-mode appliances however, there isn't a ''default'' configuration or one ''typical'' configuration. The machines are designed to be easily and equally usable in all three modes. DOE precedent also suggests that when there is no default or typical mode for testing purposes, products with multiple configurations should be tested in the most energy consumptive mode. In this case, that would mean that AHT should test its products in the ice cream freezer mode and treat them as such for regulatory purposes.

Accordingly, AHT asks for a ''waiver'' to be allowed to do precisely that.

The only obvious alternative to testing in the most energy consumptive mode would be to require testing in all three modes. But such a requirement would be unique, burdensome, and inconsistent with the Energy Policy and Conservation Act (EPCA), which requires that the test procedures ''shall be reasonably designed'' and ''shall not be unduly burdensome to conduct.''[7] Moreover, in this situation it is not clear how one would evaluate whether an appliance passed a multiple test regime, particularly since testing the appliances as ice cream freezers would require using total display area (TDA) as the normalizing metric, while testing them in the other modes would require using volume as a normalizing metric. Such a testing regime would be both confusing and burdensome.

Finally, testing these appliances as ice cream freezers makes most sense because DOE has determined that TDA is the best metric for display equipment with transparent doors, and is moving increasingly in that direction in its testing protocols. As DOE has concluded, ''where the function is to display merchandise for sale, TDA best quantifies the ability of a piece of equipment to perform that function.''[8] That is surely true here.

B. The AHT Appliances Do Not Have a Typical Defrosting Cycle.

The AHT appliances are innovative, and perhaps unique, in one other respect: Their cooling coils are built into the body of the units. This means the cooling coils are not exposed to the air and do not get covered with frost. This also means the coils do not need to be defrosted. The DOE test procedure understandably assumes that commercial refrigerators and freezers have cooling or evaporator coils that need to be defrosted for the equipment to function effectively. Indeed, the Technical Support Document for the test procedure essentially defines ''defrosting'' to mean melting ice from evaporator coils:

As the air in the refrigerated space is cooled, water vapor condenses on the surface of the evaporator coil. . . . There are several methods available for defrosting the evaporator coil . . .[9]

In addition, the ASHRAE test procedure mandated by the DOE regulations provides that the defrost adequacy assurance test ''shall verify that any defrost setting and arrangement is adequate to melt all frost and ice from coils and flues and drain it out of the refrigerator.''[10] Based on the assumption that all refrigerators and freezers that have evaporator coils from which frost must be melted regularly in order to function, the test procedure calls for starting testing with a full defrost cycle, and may require additional defrost cycles in a 24-hour period before the test is complete (depending on the expected operation of the model).

AHT appliances, however, have no need to defrost their coils. Rather, small amounts of frost can build up on the inner walls of the cabinet when the appliances are in a freezer mode. But this is a strictly esthetic matter that is easily resolved. Thus, rather than running one or more defrosting cycles a day to keep the machines operating efficiently, AHT appliances have a defrost (in the generic sense rather than as defined by DOE/ASHRAE) function that operates just once per week to keep the machines looking good.[11] As a result, the test procedure, which provides for at least one full defrost cycle in a 24-hour period is not appropriate for these models. *It would overstate the energy usage from the defrosting function by at least a factor of seven.*

Accordingly, AHT asks for a waiver to test its appliances with the defrost cycle activated in a way that reflects the actual operation of the units. To this end, AHT proposes to test the appliances in two phases. Phase one shall be a 24-hour test according to ASHRAE 72 including eight hours of door openings but without defrost. The second phase should be a separate measurement of the energy used during the defrost cycle. One-seventh of the measured energy in phase two should be added to the energy measured in phase one. This approach would translate the once-a-week defrost cycle into an average daily energy usage factor.

III. PROPOSED ALTERNATE TEST PROCEDURE

In line with the waivers outlined above, AHT proposes the following alternate test procedure to evaluate the performance of the basic models listed in Appendix I of this petition and application.

Effective March 28, 2017, AHT shall be required to test the performance of the basic models listed in Appendix I according to the test procedures for commercial refrigeration equipment prescribed by DOE at 10 CFR Part 431, Subpart C, Appendix B, except as follows.

The basic models shall be tested and rated as ice cream freezers (Integrated Average Temperature of −15°F +/−2.0°F and use of TDA).

The basic models shall be subject to the following testing instead of the corresponding defrost testing in the test procedure.

The first part shall be a 24-hour test starting in steady state conditions and including eight hours of door opening (according ASHRAE Standard 72). The energy consumed in this test shall be recorded, *ET1.*

The second part shall be a defrost cycle test starting after steady state conditions are established. The defrost cycle is initiated and terminates after the defrost cycle is complete. The energy consumed during this defrost

[6] *Id.* § 431.66.

[7] 42 U.S.C. 6293(b)(3).

[8] 79 FR 17725, 17741 (March 28, 2014).

[9] DOE, Technical Support Document: Energy Efficiency Program for Consumer Products and Commercial and Industrial Equipment; Commercial Refrigeration Equipment (Feb. 2014), § 3.3.1.11 (Defrost Cycle; Defrost Mechanism).

[10] ANSI/ASHRAE Standard 72–2005, ''Method of Testing Commercial Refrigerators and Freezers,'' § 7.8 (Defrost Adequacy Assurance). ASHRAE 72–2005 is incorporated by reference in the DOE test procedure. 10 CFR 431.63(d)(1).

[11] We also note that AHT appliances have a manual override, such that a user *could* activate the defrost cycle a second time in any one week period. But the default automatic setting, and we expect the typical use, is one defrost cycle per week.

cycle, *ET2,* and the duration of the defrost cycle, t_{DI}, shall be recorded.

Based on the measured energy consumption in these two tests, the daily energy consumption (DEC) in kWh shall be calculated as

$$DEC = ET1 \times \frac{(1440 - t_{NDI})}{1440} + \frac{ET2}{7}$$

and

$$t_{NDI} = \frac{t_{DI}}{7}$$

Where:

DEC = Daily Energy Consumption in kilowatt-hours (kWh);

*ET*1 = energy expended during the first part of the test, in kWh;

*ET*2 = energy expended during the second part of the test, in kWh;

t_{NDI} = normalized length of defrosting time per day, in minutes;

t_{DI} = length of time of one defrosting cycle, in minutes;

7 = conversion factor of days per week;

1440 = conversion factor to adjust to a 24-hour period in minutes per day.

The waiver shall continue until DOE adopts an applicable amended test procedure.

IV. REQUEST FOR INTERIM WAIVER

AHT also requests an interim waiver for its testing and rating of the basic models listed in Appendix I. Based on its merits, the petition for waiver is likely to be granted. Further, it is essential that an interim waiver be granted, as AHT plans to distribute units of the models that would be affected by the DOE rule as otherwise applicable on and after the March 28, 2017, compliance date. Without waiver relief, AHT will be at a competitive disadvantage in the market for these important products and would suffer economic hardship. AHT would be subject to requirements that clearly should not apply to such products.

V. OTHER MANUFACTURERS

A list of manufacturers of all other basic models distributed in commerce in the United States and known to AHT to incorporate overall design characteristic(s) similar to those found in the basic model(s) that are the subject of the petition is set forth in Appendix II.

* * * * *

AHT requests expedited treatment of the Petition and Application.

Respectfully submitted,

Scott Blake Harris,

John A. Hodges,

Harris, Wiltshire & Grannis LLP, 1919 M Street NW., Washington, DC 20036, (202) 730–1313.

Counsel to AHT Cooling Systems GmbH and AHT Cooling Systems USA Inc.

October 25, 2016.

Appendix I

The waiver and interim waiver requested herein should apply to testing and rating of the following basic models that are manufactured by AHT:

SYDNEY ^ *
MIAMI ^ *
PARIS ^ *
MANHATTAN ^ *
MALTA ^ *
IBIZA ^ *

The models use the following model number layout:

SYDNEY, MIAMI, etc.—Represent the name of the model platform.

(^)—Represents characters in the model number that correspond to the size.

(*)—Represents characters in the model number that correspond to marketing features.

The * and ^ characters have no impact on the compartment function, product class, or test method.

Appendix II

The following are manufacturers of all other basic models distributed in commerce in the United States and known to AHT to incorporate overall design characteristic(s) similar to those found in the basic model(s) that are the subject of the petition for waiver.

AMF Sales & Associates (importing LUCKDR)
ARNEG USA
Avanti Products LLC
Beverage Air
Dellfrio (importing Liebherr cabinets)
Electrolux Home Products
Excellence
Fogel de Centroamerica S.A.
Foshan City Shunde District Sansheng Electrical Manufacture Co., Ltd.

Hillphoenix
Hussmann
Innovative DisplayWorks Inc.
Jiangsu Baixue Electric Appliances Co., Ltd.
Metalfrio Solutions Mexico S.A.
Mimet S.A.
Minus Forty Technologies Corp.
MTL Cool
Novum USA
Ojeda USA
Panasonic
PREMIERE Corporation
Sanden Vendo
Silver King
Stajac Industries
Thermell Manufacturing
True Manufacturing Co.
Turbo-Air
Vestfrost Solutions

[FR Doc. 2017–10865 Filed 5–25–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC17–8–000]

Commission Information Collection Activities (FERC Form 73 & FERC–600); Comment Request

AGENCY: Federal Energy Regulatory Commission.

ACTION: Comment request.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting its information collections [FERC Form 73 (Oil Pipeline Service Life Data) and FERC–600 (Rules of Practice and Procedure: Complaint Procedures)] to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below.

DATES: Comments on the collections of information are due by June 26, 2017.

ADDRESSES: Comments filed with OMB, identified by the OMB Control Nos. 1902–0019 (FERC Form 73) or 1902–0180 (FERC–600) should be sent via email to the Office of Information and Regulatory Affairs: *oira_submission@omb.gov*, Attention: Federal Energy Regulatory Commission Desk Officer.

The Desk Officer may also be reached via telephone at 202–395–0710.

A copy of the comments should also be sent to the Commission, in Docket No. IC17–8–000, by either of the following methods:

- *eFiling at Commission's Web site: http://www.ferc.gov/docs-filing/efiling.asp.*
- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* by telephone at (202) 502–8663, and by fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION: The Commission previously issued a Notice in the **Federal Register** (82 FR 14893, 3/23/2017) requesting public comments. The Commission received no comments on the FERC Form 73 or the FERC–600 and is making this notation in its submittal to OMB.

Type of Request: Three-year extension of the information collection requirements for all collections described below with no changes to the current reporting requirements. Please note that each collection is distinct from the next.

Comments: Comments are invited on: (1) Whether the collections of information are necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collections of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collections; and (4) ways to minimize the burden of the collections of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FERC Form 73, Oil Pipeline Service Life Data

OMB Control No.: 1902–0019.

Abstract: The Commission has authority over interstate oil pipelines as stated in the Interstate Commerce Act, 49 U.S.C. 6501, *et al.* As part of the information necessary for the subsequent investigation and review of an oil pipeline company's proposed depreciation rates, the pipeline companies are required to provide service life data as part of their data submissions if the proposed depreciation rates are based on the remaining physical life calculations. This service life data is submitted on FERC Form 73, ''Oil Pipeline Service Life Data''. The FERC Form 73 is used by the Commission to implement the statutory provisions of Sections 306 and 402 of the Department of Energy Organization Act, 42 U.S.C. 7155 and 7172, and Executive Order No. 12009, 42 FR 46277 (September 13, 1977).[1]

The submitted data are used by the Commission to assist in the selection of appropriate service lives and book depreciation rates. Book depreciation rates are used by oil pipeline companies to compute the depreciation portion of their operating expense which is a component of their cost of service which in turn is used to determine the transportation rate to assess customers. FERC staff's recommended book depreciation rates become legally binding when issued by Commission order. These rates remain in effect until a subsequent review is requested and the outcome indicates that a modification is justified. The Commission implements these filings in 18 CFR parts 347 and 357.

Type of Respondent: Oil Pipeline companies.

Estimate of Annual Burden: The Commission estimates the annual public reporting burden for the information collection as:

FERC Form 73, Oil Pipeline Service Life Data

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response[2] (4)	Total annual burden & total annual cost (3) * (4) = (5)	Cost per respondent ($) (5) ÷ (1)
Oil Pipelines Undergoing Investigation or Review.	3	1	3	40 hrs.; $3,060	120 hrs.; $9,180	$3,060

FERC–600, Rules of Practice and Procedure: Complaint Procedures

OMB Control No.: 1902–0180.

Abstract: The information is used by the Commission to implement the statutory provisions of the Federal Power Act (FPA), 16 U.S.C. 791a–825r; the Natural Gas Act (NGA), 15 U.S.C. 717–717w; the Natural Gas Policy Act (NGPA), 15 U.S.C. 3301–3432; the Public Utility Regulatory Policies Act of 1978 (PURPA), 16 U.S.C. 2601–2645; the Interstate Commerce Act (ICA), 49 U.S.C. App. 1 *et. seq.;* the Outer Continental Shelf Lands Act, 43 U.S.C. 1301–1356; and the Energy Policy Act of 2005, (Pub. L. 109–58) 119 Stat. 594.

For the natural gas industry, section 14(a) of the NGA[3] provides that the Commission may permit any person to file with it a statement in writing, under oath or otherwise, as it shall determine, as to any or all facts and circumstances concerning a matter which may be the subject of an investigation.

For public utilities, section 307(a) of the FPA[4] provides that the Commission may permit any person to file with it a statement in writing, under oath or otherwise, as it shall determine, as to any or all facts and circumstances concerning a matter which may be the subject of an investigation.

[1] For FERC Form 73 filing instructions and materials, please see *http://www.ferc.gov/docs-filing/forms.asp#form73.*

[2] Commission staff thinks that respondents to the collection are similarly situated in terms of salary and benefits. $76.50/hour is the average of the salary plus benefits for FERC employees for 2017.

[3] 15 U.S.C. 717m; *accord* 15 U.S.C. 717d.

[4] 16 U.S.C. 825f(a); *accord* 16 U.S.C. 824e.

Section 215(d) (5) of the FPA [5] provides that the Commission, upon its own motion or upon complaint, may order the Electric Reliability Organization to submit to the Commission a proposed reliability standard or a modification to a reliability standard that addresses a specific matter if the Commission considers such a new or modified reliability standard appropriate to carry out this section.

For hydropower projects, section 19 of the FPA [6] provides that, as a condition of a license, jurisdiction is conferred upon the Commission, upon complaint of any person aggrieved or upon its own initiative, to exercise such regulation and control over services, rates, and charges until such time as the State shall have provided a commission or other authority for such regulation and control.

For qualifying facilities, section 210(h)(2)(B) of PURPA [7] provides that any electric utility, qualifying cogenerator, or qualifying small power producer may petition the Commission to enforce the requirements of the Commission's PURPA regulations.

For oil pipelines, in Part 1 of the Interstate Commerce Act, sections 1, 6 and 15 (recodified by Pub. L. 95–473 and found as an appendix to Title 49 U.S.C.),[8] the Commission is authorized to investigate the rates charged by oil pipeline companies subject to its jurisdiction. If an oil rate has been filed and allowed by the Commission to go into effect without suspension and hearing, the Commission can investigate the effective rate on its own motion or by complaint filed with the Commission. Section 13 of the ICA [9] provides that any person can file a complaint complaining of anything done or omitted to be done by an oil pipeline.

In Order No. 602,[10] the Commission revised its regulations governing complaints filed with the Commission under the above statutes. Order No. 602 was designed to encourage and support consensual resolution of complaints, and to organize the complaint procedures so that all complaints are handled in a timely and fair manner. In order to achieve this result, the Commission revised Rule 206 of its Rules of Practice and Procedure (18 CFR 385.206) to require that a complaint satisfy certain informational requirements, to require that answers be filed in a shorter, 20-day time frame, and to provide that parties may employ various types of alternative dispute resolution procedures to resolve their disputes.

The data in complaints filed by interested/affected parties regarding jurisdictional oil, natural gas, electric and hydropower operations, facilities, and services are used by the Commission in establishing a basis to make an initial determination regarding the merits of the complaint and whether or not to undertake further investigation. Investigations may range from whether there is undue discrimination in rates or services to questions regarding market power of regulated entities to environmental concerns. In order to make an informed determination, it is important to know the specifics underlying any oil, gas, electric, and hydropower complaint ''up-front'' in a timely manner and in sufficient detail to allow the Commission to act swiftly. In addition, such complaint data helps the Commission and interested parties to monitor, *e.g.,* the market for undue discrimination or exercises of market power. The information is voluntary but submitted pursuant to prescribed filing requirements. The Commission implements these filing requirements in the Code of Federal Regulations (CFR) under 18 CFR parts 343 and 385.

Type of Respondent: Interested/affected parties regarding oil, natural gas, electric and hydropower operations, facilities, and services.

Estimate of Annual Burden: The Commission estimates the annual public reporting burden for the information collection as:

FERC–600 (Rules of Practice and Procedure: Complaint Procedures)

	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response [2] (4)	Total annual burden & total annual cost (3) * (4) = (5)	Cost per respondent ($) (5) ÷ (1)
FERC–600	62	1	62	160 hrs.; $12,240	9,920 hrs.; $758,880	$12,240

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10859 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–3168–020; ER17–1636–001.

Applicants: Great River Hydro, LLC, ArcLight Energy Marketing, LLC.

Description: Notice of Non-Material Change in Status of ArcLight Energy Marketing, LLC, et al.

Filed Date: 5/19/17.

Accession Number: 20170519–5184.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1632–000.

Applicants: Alabama Power Company.

Description: § 205(d) Rate Filing: Tallahassee Interconnection Contract Filing to be effective 4/20/2017.

Filed Date: 5/19/17.

Accession Number: 20170519–5072.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1633–000.

Applicants: Georgia Power Company.

Description: § 205(d) Rate Filing: Tallahassee Interconnection Contract Filing to be effective 4/20/2017.

Filed Date: 5/19/17.

Accession Number: 20170519–5073.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1634–000.

Applicants: Gulf Power Company.

Description: § 205(d) Rate Filing: Tallahassee Interconnection Contract Filing to be effective 4/20/2017.

Filed Date: 5/19/17.

Accession Number: 20170519–5074.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1635–000.

Applicants: Mississippi Power Company.

[5] 16 U.S.C. 824o(d)(5).

[6] 16 U.S.C. 812.

[7] 16 U.S.C. 824a–3(h)(2)(B).

[8] 49 App. U.S.C. 1 *et seq* (1988).

[9] *Id. 13.*

[10] 64 FR 17087 (April 8, 1999)

Description: § 205(d) Rate Filing: Tallahassee Interconnection Contract Filing to be effective 4/20/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5075.
Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1636–000.
Applicants: Great River Hydro, LLC.
Description: § 205(d) Rate Filing: MBR Tariff to be effective 5/20/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5086.
Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1637–000.
Applicants: PacifiCorp.
Description: § 205(d) Rate Filing: PacifiCorp Energy Construction Agmt—SVEC Paisley Gen to be effective 5/8/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5097.
Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1638–000.
Applicants: Southern California Edison Company.
Description: Tariff Cancellation: Notices of Cancellation IFA & DSA Milliken Landfill Project SA Nos. 75 & 76 to be effective 8/9/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5106.
Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1639–000.
Applicants: AEP Generation Resources Inc.
Description: § 205(d) Rate Filing: AEP GR Conesville Zimmer Reactive Filing RS3 to be effective 5/9/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5151.
Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1640–000.
Applicants: PJM Interconnection, L.L.C.
Description: Tariff Cancellation: Notice of Cancellation of Original Service Agreement No. 4626, Queue #AA1–135 to be effective 5/10/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5194.
Comments Due: 5 p.m. ET 6/9/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10820 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos., ER17–718–000, ER17–721–000, ER17–729–000]

PJM Interconnection, L.L.C.; Midcontinent Independent System Operator Inc.; PJM Transmission Owners; Notice of Workshop

Take notice that the Staff of the Federal Energy Regulatory Commission plans to hold a workshop to address issues raised in the captioned dockets regarding the Targeted Market Efficiency Projects proposal. A specific date and time for the workshop will be set via supplemental notice. The workshop will be held at the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The workshop will be transcribed. All interested parties are invited to attend.

Dated: May 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10822 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Number: PR17–43–000.
Applicants: Columbia Gas of Maryland, Inc.
Description: Tariff filing per 284.123(b),(e)/: CMD SOC Rates effective May 1 2017; Filing Type: 980.
Filed Date: 5/10/17.
Accession Number: 201705105066.
Comments/Protests Due: 5 p.m. ET 5/31/17.

Docket Numbers: RP12–609–000.
Applicants: Texas Gas Transmission, LLC.
Description: Report Filing: 2016 Operational Purchases and Sales Report.
Filed Date: 5/1/17.
Accession Number: 20170501–5134.
Comments Due: 5 p.m. ET 5/24/17.

Docket Numbers: RP13–212–000.
Applicants: Boardwalk Storage Company, LLC.
Description: Report Filing: 2016 Operational Purchases and Sales Report.
Filed Date: 5/1/17.
Accession Number: 20170501–5135.
Comments Due: 5 p.m. ET 5/24/17.

Docket Numbers: RP17–748–000.
Applicants: Southeast Supply Header, LLC.
Description: § 4(d) Rate Filing: Scheduling and Curtailment Cleanup to be effective 6/17/2017.
Filed Date: 5/17/17.
Accession Number: 20170517–5037.
Comments Due: 5 p.m. ET 5/30/17.

Docket Numbers: RP17–749–000.
Applicants: Anadarko Energy Services Company, AVAD Operating, LLC.
Description: Joint Petition of Anadarko Energy Services Company and AVAD Operating, LLC for Temporary Waivers of Capacity Release Regulations and Policies, and Request for Shortened Comment Period and Expedited Treatment.
Filed Date: 5/17/17.
Accession Number: 20170517–5097.
Comments Due: 5 p.m. ET 5/24/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 18, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10857 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP95–408–084.
Applicants: Columbia Gas Transmission, LLC.
Description: Annual Report on Sharing Profits from Base Gas Sales with Customers of Columbia Gas Transmission, LLC.
Filed Date: 05/01/2017.
Accession Number: 20170501–5451.
Comment Date: 5:00 p.m. Eastern Time on Thursday, May 25, 2017.

Docket Numbers: RP17–750–000.
Applicants: Kinetica Deepwater Express, LLC.
Description: Kinetica Deepwater Express, LLC submits tariff filing per 154.204: Tariff Revision Filing to be effective 7/1/2017.
Filed Date: 05/18/2017.
Accession Number: 20170518–5054.
Comment Date: 5:00 p.m. Eastern Time on Tuesday, May 30, 2017.

Docket Numbers: RP17–751–000.
Applicants: Equitrans, L.P.
Description: Equitrans, L.P. submits tariff filing per 154.204: Equitrans' Clean Up Filing—May 2017 to be effective 6/19/2017.
Filed Date: 05/19/2017.
Accession Number: 20170519–5004.
Comment Date: 5:00 p.m. Eastern Time on Wednesday, May 31, 2017.

Docket Numbers: RP17–752–000.
Applicants: Rockies Express Pipeline LLC.
Description: Penalty Charge Reconciliation Filing of Rockies Express Pipeline LLC.
Filed Date: 05/19/2017.
Accession Number: 20170519–5185.
Comment Date: 5:00 p.m. Eastern Time on Wednesday, May 31, 2017.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 22, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10858 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC17–85–000.
Applicants: Entergy New Orleans, Inc.
Description: Supplement to February 24, 2017 Application for Approval under § 203 of the Federal Power Act of Entergy New Orleans, Inc.
Filed Date: 5/19/17.
Accession Number: 20170519–5058.
Comments Due: 5 p.m. ET 5/30/17.

Docket Numbers: EC17–119–000.
Applicants: Drift Sand Wind Project, LLC.
Description: Application for Authorization under § 203 of the Federal Power Act, Request for Shortened Notice Period, Expedited Consideration and Confidential Treatment of Drift Sand Wind Project, LLC.
Filed Date: 5/18/17.
Accession Number: 20170518–5183.
Comments Due: 5 p.m. ET 6/8/17.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER17–1629–000.
Applicants: Niagara Mohawk Power Corporation, New York Independent System Operator, Inc.
Description: Section 205(d) Rate Filing: OATT 6.17 Schedule 17 re: Western New York Facilities Charge to be effective 7/18/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5007.
Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1630–000.
Applicants: Duke Energy Progress, LLC, Duke Energy Florida, LLC, Duke Energy Carolinas, LLC.
Description: Section 205(d) Rate Filing: OATT Attachment C–2 Amendment Filing to be effective 7/19/2017.
Filed Date: 5/19/17.
Accession Number: 20170519–5052.
Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1631–000.
Applicants: PJM Interconnection, L.L.C.
Description: Section 205(d) Rate Filing: Amendment to Service Agreement No. 4604; Queue Nos. U4–028/U4–029 to be effective 12/19/2016.
Filed Date: 5/19/17.
Accession Number: 20170519–5054.
Comments Due: 5 p.m. ET 6/9/17.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES17–19–000.
Applicants: ITC Great Plains, LLC.
Description: Amendment to April 27, 2017 Application of ITC Great Plains, LLC under § 204 of the Federal Power Act and part 34 of the Commission's Regulations.
Filed Date: 5/19/17.
Accession Number: 20170519–5009.
Comments Due: 5 p.m. ET 5/30/17.

Docket Numbers: ES17–20–000.
Applicants: ITC Midwest LLC.
Description: Amendment to April 27, 2017 Application of Midwest LLC under § 204 of the Federal Power Act and part 34 of the Commission's Regulations.
Filed Date: 5/19/17.
Accession Number: 20170519–5010.
Comments Due: 5 p.m. ET 5/30/17.

Docket Numbers: ES17–21–000.
Applicants: International Transmission Company.
Description: Amendment to April 27, 2017 Application of International Transmission Company under § 204 of the Federal Power Act and part 34 of the Commission's Regulations.
Filed Date: 5/19/17.
Accession Number: 20170519–5011.
Comments Due: 5 p.m. ET 5/30/17.

Docket Numbers: ES17–22–000.
Applicants: Michigan Electric Transmission Company, LLC.
Description: Amendment to April 27, 2017 Application of Michigan Electric Transmission Company, LLC under § 204 of the Federal Power Act and part 34 of the Commission's Regulations.
Filed Date: 5/19/17.
Accession Number: 20170519–5012.
Comments Due: 5 p.m. ET 5/30/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern

time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10819 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17–256–000]

Texas Gas Transmission, LLC; Notice Revising Comment Date

On May 9, 2017, the Commission issued a notice of application (May 9 Notice) in the above captioned proceeding.[1] As stated in the May 9 Notice, Texas Gas Transmission, LLC (Texas Gas), requests authorization to (i) abandon in place the Morgan City Compressor Station, which consists of one 9,100 horsepower (hp) gas-fired turbine compressor unit, a compressor building, yard and station piping, and appurtenant auxiliary facilities located in St. Mary Parish, Louisiana, (ii) abandon in place one 9,100 hp gas-fired turbine compressor unit and its compressor building at the Lafayette (also known as Youngsville) Compressor Station, located in Lafayette Parish, Louisiana, and (iii) relinquish the firm design capacity associated with the facilities.

On May 18, 2017, Texas Gas notified the Commission that the original April 26 Application had incorrectly listed the location of the Morgan City Compressor Station. The correct location of the Morgan City Compressor Station is Assumption Parish, Louisiana. To remedy this error and in accordance with section 157.6(d) of the Commission's regulations, Texas Gas states that it will make a good faith effort to re-notify all towns, communities, and local, state, and federal governments and agencies (Stakeholders) located in St. Mary Parish, Louisiana, of this error. In addition, Texas Gas states that it has made an effort to notify all such Stakeholder entities in Assumption Parish, Louisiana of the proposed abandonment activities at the Morgan City Compressor Station. To give interested parties who were not on the original landowner list an opportunity to comment, the comment date for this application has been revised, to the date listed at the end of this notice.

This application is on file with the Commission and is open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659. Any questions regarding this application may be directed to Kathy D. Fort, Manager, Certificates & Tariffs, Gulf South Pipeline Company, LP, 9 Greenway Plaza, Suite 2800, Houston, Texas 77046, by telephone at (713) 479–8252, or by email to *kathy.fort@bwpmlp.com.*

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice[2] the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit seven copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 7 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

Comment Date: 5:00 p.m. Eastern Time on June 9, 2017.

[1] *Texas Gas Transmission, LLC,* 82 FR 22,539 (2017).

[2] The 90-day timeframe restarts from the date of this notice.

Dated: May 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10821 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2211–009]

Duke Energy Indiana, LLC; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Non-capacity amendment of license.

b. *Project No.:* 2211–009.

c. *Date Filed:* April 28, 2017.

d. *Applicant:* Duke Energy Indiana, LLC.

e. *Name of Project:* Markland Hydroelectric Project.

f. *Location:* The project is located at the U.S. Army Corps of Engineers' Markland Locks and Dam on the Ohio River in Switzerland County, Indiana.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)–825(r).

h. *Applicant Contact:* Mr. Jeffrey G. Lineberger, Director, Water Stragety and Hydro Licensing, 526 South Church Street, Mail Code EC12Y, Charlotte, NC 28202, (704) 382–5942.

i. *FERC Contact:* Steven Sachs, (202) 502–8666, *Steven.Sachs@ferc.gov*.

j. Deadline for filing comments, motions to intervene, and protests is 30 days from the issuance of this notice by the Commission. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/doc-sfiling/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–2211–009.

k. *Description of Request:* The applicant requests that its license be amended to allow for the replacement of much of the mechanical and electrical equipment at the project. The applicant proposes to replace each of the three turbine runners, wicket gates, main power transformer, and high voltage electrical system. The applicant also proposes to refurbish the generators and related control equipment, and install new intake and draft tube gates. The proposal would cause the authorized installed capacity of the project to drop from 64.8 to 63 megawatts, and would reduce the total maximum hydraulic capacity from 39,000 to 38,100 cubic feet per second. However, due to the efficiency of the new equipment, the estimated annual generation would increase by approximately 34.2 gigawatt-hours.

l. *Locations of the Applications:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. The filing may also be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502- 8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Motions to Intervene, or Protests:* Anyone may submit comments, a motion to intervene, or a protest in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, motions to intervene, or protests must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title COMMENTS, MOTION TO INTERVENE, or PROTEST as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the temporary variance request. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: May 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10823 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC17–120–000.

Applicants: Viridity Energy Solutions Inc., ORIX Corporation.

Description: Application of Viridity Energy Solutions Inc., *et al.* for Authorization under Section 203 of the Federal Power Act.

Filed Date: 5/19/17.

Accession Number: 20170519–5244.

Comments Due: 5 p.m. ET 6/9/17.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2331–065; ER10–2317–056; ER10–2319–056; ER10–2330–063; ER13–1351–038.

Applicants: J.P. Morgan Ventures Energy Corporation, BE Alabama LLC,

BE CA LLC, Florida Power Development LLC, Utility Contract Funding, L.L.C.

Description: Notice of Non-Material Change in Status of the J.P. Morgan Sellers.

Filed Date: 5/19/17.

Accession Number: 20170519–5258.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1610–001.

Applicants: Southwest Power Pool, Inc.

Description: Tariff Amendment: Mountrail-Williams Electric Cooperative Formula Rate Ministerial Filing to be effective 7/1/2017.

Filed Date: 5/19/17.

Accession Number: 20170519–5220.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1629–001.

Applicants: New York Independent System Operator, Inc.

Description: Tariff Amendment: Amendment to properly locate proposed new Section 6.17 in the OATT to be effective 7/18/2017.

Filed Date: 5/22/17.

Accession Number: 20170522–5058.

Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: ER17–1641–000.

Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.

Description: § 205(d) Rate Filing: 2017–05–19_SA 3016 ATXI–UEC–AIC TIA to be effective 5/19/2017.

Filed Date: 5/19/17.

Accession Number: 20170519–5201.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1642–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: Amendment to AEP Depreciation Rates (ER17–829) to be effective 1/15/2016.

Filed Date: 5/19/17.

Accession Number: 20170519–5209.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1643–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: Revisions to Attachment AE to Modify Offer Database Roll Forward Logic to be effective 7/20/2017.

Filed Date: 5/19/17.

Accession Number: 20170519–5239.

Comments Due: 5 p.m. ET 6/9/17.

Docket Numbers: ER17–1644–000.

Applicants: Idaho Power Company.

Description: § 205(d) Rate Filing: Removal of Simultaneous Submission Window to be effective 7/19/2017.

Filed Date: 5/22/17.

Accession Number: 20170522–5000.

Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: ER17–1645–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3325 WAPA & Corn Belt Power Interconnection Agreement to be effective 5/2/2017.

Filed Date: 5/22/17.

Accession Number: 20170522–5015.

Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: ER17–1646–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2017–05–22_SA 3015 Red Lake Falls-OTP GIA (R101) to be effective 5/23/2017.

Filed Date: 5/22/17.

Accession Number: 20170522–5039.

Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: ER17–1647–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2017–05–22_SA 2194 Elk Wind Energy-ITC GIA (H007 J443) to be effective 5/23/2017.

Filed Date: 5/22/17.

Accession Number: 20170522–5041.

Comments Due: 5 p.m. ET 6/12/17.

Docket Numbers: ER17–1649–000.

Applicants: Florida Power & Light Company.

Description: § 205(d) Rate Filing: FPL–FMPA Service Agreement No. 274 to be effective 10/1/2017.

Filed Date: 5/22/17.

Accession Number: 20170522–5124.

Comments Due: 5 p.m. ET 6/12/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and § 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 22, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10826 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3255–014]

Lyonsdale Associates, LLC; Notice of Application Accepted for Filing, Soliciting Comments, Protests and Motions To Intervene

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Proceeding:* Extension of License Term.

b. *Project No.:* P–3255–014.

c. *Date Filed:* January 30, 2017.

d. *Licensee:* Lyonsdale Associates, LLC.

e. *Name and Location of Project:* Lyonsdale Hydroelectric Project, located on the Moose River in Lewis County, New York.

f. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

g. *Licensee Contact Information:* Mr. David Fox, Director, Cube Hydro Partners, LLC, 2 Bethesda Metro Center, Suite 1330, Bethesda, MD 20814, Phone: (240) 482–2707, Email: *dfox@cubehydro.com.*

h. *FERC Contact:* Mr. Ashish Desai, (202) 502–8370, *Ashish.Desai@ferc.gov.*

i. Deadline for filing comments, motions to intervene and protests, is 30 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, and recommendations, using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–3255–014.

j. *Description of Proceeding:* The licensee, Lyondale Associates, LLC, requests the Commission extend the term of the license, from February 28, 2023 to May 31, 2026. The licensee received a 40-year license for the project on March 22, 1983. The licensee states that in order to facilitate a basin-wide

relicensing approach with several other nearby projects, it needs to extend the license term to synchronize the license expiration dates with those other projects. The licensee's request includes letters from the U.S. Fish and Wildlife Service and the New York State Department of Environmental Conservation supporting the license extension.

k. This notice is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the Docket number (P–3255–014) excluding the last three digits in the docket number field to access the notice. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call toll-free 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov.* For TTY, call (202) 502–8659.

l. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

m. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

n. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title COMMENTS, PROTEST, or MOTION TO INTERVENE as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to the request to extend the license term. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: May 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10824 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD17–8–000]

Reliability Technical Conference; Supplemental Notice of Technical Conference

Take notice that the Federal Energy Regulatory Commission (Commission) will hold a Technical Conference on Thursday, June 22, 2017, from 9:30 a.m. to 4:30 p.m. This Commissioner-led conference will be held in the Commission Meeting Room at the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The purpose of the conference is to discuss policy issues related to the reliability of the Bulk-Power System. Attached is an agenda for this event.

The conference will be open for the public to attend. There is no fee for attendance. However, members of the public are encouraged to preregister online at: *https://www.ferc.gov/whats-new/registration/06-22-17-form.asp.*

Information on this event will be posted on the Calendar of Events on the Commission's Web site, *http://www.ferc.gov,* prior to the event. The conference will also be webcast and transcribed. Anyone with Internet access who desires to listen to this event can do so by navigating to the Calendar of Events at *http://www.ferc.gov* and locating this event in the Calendar. The event will contain a link to the webcast. The Capitol Connection provides technical support for webcasts and offers the option of listening to the meeting via phone-bridge for a fee. If you have any questions, visit *http://www.CapitolConnection.org* or call (703) 993–3100. Transcripts of the technical conference will be available for a fee from Ace-Federal Reporters, Inc. at (202) 347–3700.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov* or call toll free 1 (866) 208–3372 (voice) or (202) 502–8659 (TTY), or send a fax to (202) 208–2106 with the required accommodations.

For more information about this conference, please contact:

Sarah McKinley, Office of External Affairs, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–8368, *sarah.mckinley@ferc.gov.*

Dated: May 19, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–10825 Filed 5–25–17; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9962–46–Region 5]

Notification of a Public Meeting of the Great Lakes Advisory Board

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) announces a public meeting of the Great Lakes Advisory Board (the Board). The purpose of this meeting is to discuss the Great Lakes Restoration Initiative (GLRI) covering FY15–19 and other relevant matters. Due to unforeseen administrative circumstances, EPA is announcing this meeting with less than 15 calendar days' public notice.

DATES: The meeting will be held on Tuesday, May 30, 2017 from 10:00 a.m. to 4:00 p.m. Central Time, 11:00 a.m. to 5:00 p.m. Eastern Time. An opportunity will be provided to the public to comment.

ADDRESSES: The meeting will be held at the EPA office, 77 W. Jackson, Lake Superior Conference Room, 12th Floor, Chicago, Illinois. For those unable to attend in person, this meeting will also be available telephonically. The teleconference number is (866) 299–3188 and the teleconference code is (312) 353–7948.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing further information regarding this meeting may contact Rita Cestaric, Designated Federal Officer (DFO), by email at *Cestaric.Rita@epa.gov.* General information about the Board can be found at *http://glri.us/advisory/index.html.*

SUPPLEMENTARY INFORMATION:

Background: The Board is a federal advisory committee chartered under the Federal Advisory Committee Act (FACA), Public Law 92–463. EPA established the Board in 2013 to provide independent advice to the EPA Administrator in his capacity as Chair of the federal Great Lakes Interagency Task Force (IATF). The Board complies with the provisions of FACA.

Availability of Meeting Materials: The agenda and other materials in support of the meeting will be available at *http://glri.us/advisory/index.html.*

Procedures for Providing Public Input: Federal advisory committees provide independent advice to federal agencies. Members of the public can submit relevant comments for consideration by the Board. Input from the public to the committees will have the most impact if it provides specific information for consideration. Members of the public wishing to provide comments should contact the DFO directly.

Oral Statements: In general, individuals or groups requesting an oral presentation at this public meeting will be limited to three minutes per speaker, subject to the number of people wanting to comment. Interested parties should contact the DFO in writing (preferably via email) at the contact information noted above by May 26, 2017 to be placed on the list of public speakers for the meeting.

Written Statements: Written statements must be received by May 26, 2017 so that the information may be made available to the committees for consideration. Written statements should be supplied to the DFO in the following formats: One hard copy with original signature and one electronic copy via email. Commenters are requested to provide two versions of each document submitted: One each with and without signatures because only documents without signatures may be published on the GLRI Web page.

Accessibility: For information on access or services for individuals with disabilities, please contact the DFO at the email address noted above, preferably at least seven days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: May 2, 2017.

Tinka G. Hyde,

Director, Great Lakes National Program Office.

[FR Doc. 2017–10932 Filed 5–23–17; 4:15 pm]

BILLING CODE P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9033–4]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or *http://www.epa.gov/nepa.*

Weekly receipt of Environmental Impact Statements (EISs)
Filed 05/15/2017 Through 05/19/2017
Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *http://www.epa.gov/compliance/nepa/eisdata.html.*

EIS No. 20170084, Final, Caltrans, CA, Interstate 10 Corridor Project, Review Period Ends: 06/26/2017, Contact: Aaron Burton 909–383–2841

EIS No. 20170085, Final, NRC, MO, Construction Permit for the Northwest Medical Isotopes Radioisotope Production Facility, Review Period Ends: 06/26/2017, Contact: David Drucker 301–415–6223

EIS No. 20170086, Final, USACE, TX, Sabine Pass to Galveston Bay, Review Period Ends: 06/26/2017, Contact: Janelle Stokes 409–766–3039

EIS No. 20170087, Final, HUD, CA, ADOPTION—Rim Fire Recovery, Review Period Ends: 06/26/2017, Contact: Kathleen McNulty 415–489–6644. The U.S. Housing of Urban Development/State of California Housing and Community Development is adopting the U.S. Forest Service Final EIS # 20140249, filed 08/28/2014 with EPA. The HUD/HCD was not a cooperating agency for this project. Therefore, recirculation of the document is necessary under Section 1506.3(b) of Council on Environmental Quality Regulations

EIS No. 20170088, Final, USACE, HI, Ala Wai Canal Project, Flood Risk Management, Review Period Ends: 06/26/2017, Contact: Derek Chow 808–835–4026

EIS No. 20170089, Final, BLM, ID, Craters of the Moon National Monument and Preserve Proposed Management Plan Amendment, Review Period Ends: 06/26/2017, Contact: Lisa Cresswell 208–732–7270

EIS No. 20170090, Final, HUD/HCD, CA, ADOPTION—Rim Fire Reforestation, Review Period Ends: 06/26/2017, Contact: Kathleen McNulty 415–489–6644. The U.S. Housing of Urban Development/State of California Housing and Community Development is adopting the U.S. Forest Service Final EIS # 20160088, filed 04/21/2016 with EPA. The HUD/HCD was not a cooperating agency for this project. Therefore, recirculation of the document is necessary under Section 1506.3(b) of Council on Environmental Quality Regulations

Amended Notices

EIS No. 20170076, Final Supplement, USACE, MO, Mississippi River Between the Ohio and Missouri Rivers (Regulating Works), Review Period Ends: 06/27/2017, Contact: Kip Runyon 314–331–8396. Revision to FR Notice Published 05/12/2017; Extending the Comment Period from 06/12/2017 to 06/27/2017

Dated: May 23, 2017.

Dawn Roberts,

Management Analyst, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2017–10922 Filed 5–25–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2016–0686; FRL–9962–62–OW]

EPA's Proposed Modeling Approaches for a Health-Based Benchmark for Lead in Drinking Water—Final List of Peer Reviewers, Final Charge Questions and Notice of the Public Peer Review Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final peer reviewer selection and public peer review meeting.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing the final peer reviewers assembled by Eastern Research Group, Inc., (ERG) for the external peer review of EPA's ''Proposed Modeling Approaches for a Health-Based Benchmark for Lead in Drinking Water'' (lead modeling report).

DATES: The public peer review meeting will be held on:

1. June 27, 2017, 8:30 a.m. to 5 p.m., eastern standard time; and
2. June 28, 2017, 8:30 a.m. to 2 p.m., eastern standard time.

The registration deadline to attend the meeting in-person or via teleconference, and to request to make a brief oral statement at the meeting, is June 22, 2017. See the **SUPPLEMENTARY INFORMATION** section for instructions of how to register.

ADDRESSES: The public peer review meeting will be held at the St. Gregory Hotel, located at 2033 M Street NW., Washington, DC. The phone number for the teleconference line will be provided to registered observers prior to the meeting.

FOR FURTHER INFORMATION CONTACT: Questions regarding logistics or registration for the external peer review meeting should be directed to ERG, 110 Hartwell Avenue, Lexington, MA 02421; by email *peerreview@erg.com* (subject line: Lead in Drinking Water Peer Review); or by phone: (781) 674–7362 (ask for Laurie Waite).

SUPPLEMENTARY INFORMATION:

I. Registration Instructions

To attend the peer review meeting as an observer, either in-person or via teleconference, register no later than June 22, 2017. You may register (1) online at *https://projects.erg.com/conferences/peerreview/register-lead-drinkwater.htm;* (2) by sending an email to *peerreview@erg.com* (subject line: Lead in Drinking Water Peer Review Meeting) and include your name, title and affiliation, full address, email and phone number, or (3) by phone at (781) 674–7362 (ask for Laurie Waite). Please indicate which day(s) you plan to attend the meeting and whether you plan to attend the meeting via teleconference or in-person. Space is limited and registrations will be accepted on a first-come, first-served basis. There will be a limited amount of time for oral statements from the public at the beginning of the peer review meeting on the first day. If you wish to make an oral statement during the meeting, you must notify ERG of your request to speak by registering no later than June 22, 2017. ERG will accept requests to make oral statements on a first-come, first-served basis, and may limit the amount of time for each speaker as well as the number of speakers due to time constraints. ERG will notify speakers of specific time limits for their oral statements prior to the meeting.

II. Information on the Draft Lead Modeling Report and Peer Review Charge Questions

EPA announced the release of the draft lead modeling report and draft peer review charge questions for purposes of public comment on January 19, 2017, in the **Federal Register** (82 FR 6546). The original 45-day public comment period ended on March 6, 2017, but the public comment period was extended 30 days to April 5, 2017, due to stakeholders' request. EPA will consider peer reviewer and public comments when finalizing the draft lead modeling report. EPA also obtained public comment on the draft peer review charge questions. The final charge questions, the draft lead modeling report and public comments submitted during the public comment period may be viewed at *https://www.regulations.gov.* (Docket ID No. EPA–HQ–OW–2016–0686).

III. Final List of Peer Reviewers

Consistent with guidelines for the peer review of highly influential scientific assessments, EPA tasked ERG, a contractor, to assemble a panel of experts to evaluate the draft lead modeling report. ERG received 14 nominations in response to EPA's January 19, 2017, **Federal Register** notice (82 FR 6546) requesting nominations and identified over 40 additional potential candidates through its own search process. From this set, a total of 26 experts responded to ERG to indicate their interest in and qualifications for this review. After evaluating these 26 individuals against the selection criteria described in the **Federal Register** notice, ERG identified an interim list of 13 qualified candidates. EPA solicited public comments on the interim list on March 20, 2017, in the **Federal Register** (82 FR 14361). ERG considered the public comments received and consulted with EPA's Science Integrity Official. Considering all these inputs, ERG selected 8 final peer reviewers who, collectively, best meet EPA's selection criteria, provide expertise spanning the multiple subject matter areas covered by the draft lead modeling report, and to the extent feasible, best provide a balance of perspectives. The final 8 selected peer reviewers are provided as follows.

Name of Peer Reviewer, Degree, Place of Employment

1. Panos Georgopoulos, Ph.D., Rutgers University
2. Philip Goodrum, Ph.D., Integral Consulting, Inc.
3. Ian von Lindern, Ph.D., TerraGraphics International
4. Anne Loccisano, Ph.D., Exponent, Inc.
5. Marc A. Nascarella, Ph.D., Massachusetts Department of Public Health
6. Michèle Prévost, Ph.D., Polytechnique Montreal
7. P. Barry Ryan, Ph.D., Emory University
8. Kathleen Vork, Ph.D., California Office of Environment Health Hazard Assessment

EPA requests that no individual or organization in any way contact the peer reviewers regarding the subject of the peer review meeting, send them written materials regarding the subject of the meeting, or make any offers or requests to any of them that appear to be linked to their participation in the peer review. ERG will direct the reviewers to report any such contacts directly to ERG, and take appropriate action in consultation with EPA to ensure the independence and impartiality of the peer review.

IV. Information About the Peer Review Meeting

EPA has charged the peer reviewers with evaluating and preparing written comments on the draft lead modeling report. Specifically, reviewers will work individually to provide general comments, their overall impressions of the draft lead modeling report, and responses to the charge questions. Reviewers will also consider the appropriateness of the quality, accuracy, and relevance of the data in the lead modeling report. Prior to the meeting, ERG will provide the peer reviewers with a summary of the public comments (along with the full text of all comments) on the draft lead modeling report and peer review charge questions that were submitted to EPA's public docket (Docket ID No. EPA–HQ–OW–2016–0686) during the public comment period.

Dated: May 8, 2017.

Michael H. Shapiro,

Acting Assistant Administrator, Office of Water.

[FR Doc. 2017–10933 Filed 5–25–17; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL HOUSING FINANCE AGENCY

[No. 2017–N–06]

Proposed Collection; Comment Request

AGENCY: Federal Housing Finance Agency.

ACTION: 30-Day notice of submission of information collection for approval from Office of Management and Budget.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the

Federal Housing Finance Agency (FHFA or the Agency) is seeking public comments concerning a new information collection known as ''Contractor Workforce Inclusion Good Faith Efforts.'' This information collection has not yet been assigned a control number by the Office of Management and Budget (OMB). FHFA intends to submit the information collection to OMB for review and approval of a three-year control number.

DATES: Interested persons may submit comments on or before June 26, 2017.

ADDRESSES: Submit comments to the Office of Information and Regulatory Affairs of the Office of Management and Budget, Attention: Desk Officer for the Federal Housing Finance Agency, Washington, DC 20503, Fax: (202) 395–3047, Email: *OIRA_submission@omb.eop.gov.* Please also submit comments to FHFA, identified by ''Proposed Collection; Comment Request: 'Contractor Workforce Inclusion Good Faith Efforts, (No. 2017–N–06)' '' by any of the following methods:

- *Agency Web Site: www.fhfa.gov/open-for-comment-or-input.*
- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments. If you submit your comment to the *Federal eRulemaking Portal,* please also send it by *email* to FHFA at *RegComments@fhfa.gov* to ensure timely receipt by the agency.
- *Mail/Hand Delivery:* The mailing address for comments is: Alfred M. Pollard, General Counsel, Federal Housing Finance Agency, 400 Seventh Street SW., Eighth Floor, Washington, DC 20219. Courier/Hand Delivery packages must be delivered on business days between 9 a.m. and 5 p.m.

We will post all public comments we receive without change, including any personal information you provide, such as your name and address, email address, and telephone number, on the FHFA Web site at *http://www.fhfa.gov.* In addition, copies of all comments received will be available for examination by the public on business days between the hours of 10 a.m. and 3 p.m., at the Federal Housing Finance Agency, Eighth Floor, 400 Seventh Street SW., Washington, DC 20219. To make an appointment to inspect comments, please call the Office of General Counsel at (202) 649–3804.

FOR FURTHER INFORMATION CONTACT: Sharron Levine, Director, Office of Minority and Women Inclusion, *Sharron.Levine@fhfa.gov,* (202) 649–3496; Karen Lambert, Associate General Counsel, *Karen.Lambert@fhfa.gov,* (202) 649–3094; or Eric Raudenbush, Associate General Counsel, *Eric.Raudenbush@fhfa.gov,* (202) 649–3084 (these are not toll-free numbers); Federal Housing Finance Agency, 400 Seventh Street SW., Washington, DC 20219. The Telecommunications Device for the Hearing Impaired is (800) 877–8339.

SUPPLEMENTARY INFORMATION:

A. Need for and Use of the Information Collection

Section 342(a)(1)(A) of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (the Dodd-Frank Act) requires FHFA and certain other Federal agencies each to establish an Office of Minority and Women Inclusion (OMWI) responsible for all matters of the agency relating to diversity in management, employment, and business activities.[1] Section 342(c)(1) requires the OMWI Director at each agency to develop and implement standards and procedures to ensure, to the maximum extent possible, the fair inclusion and utilization of minorities, women, and minority- and women-owned businesses in all business and activities of the agency at all levels, including procurement, insurance, and all types of contracts. Section 342(c)(2) requires that the OMWI Director include in the agency's procedures for evaluating contract proposals and hiring service providers a component that gives consideration to the diversity of an applicant, to the extent consistent with applicable laws. That statutory provision also requires that each agency's procedures include a written statement that a contractor shall ensure, to the maximum extent possible, the fair inclusion of women and minorities in the workforce of the contractor and, as applicable, subcontractors.

Further, section 342(c)(3)(A) of the Dodd-Frank Act requires that each agency's standards and procedures include a procedure for determining whether an agency contractor or subcontractor has failed to make a good faith effort to include minorities and women in its workforce. If the OMWI Director determines that a contractor or subcontractor has failed to make such a good faith effort, section 342(c)(3)(B)(i) provides that the OMWI Director shall recommend to the agency administrator that the contract be terminated. Section 342(c)(3)(B)(ii) provides that, upon receipt of such a recommendation, the agency administrator may either terminate the contract, make a referral to the Office of Federal Contract Compliance Programs (OFCCP) of the Department of Labor, or take other appropriate action.

As a means of implementing the requirements of section 342(c) of the Dodd-Frank Act, FHFA developed a Minority and Women Inclusion Clause (MWI Clause) that it now includes in all Agency contracts with a dollar value greater than the ''simplified acquisition threshold''—currently, $150,000—established in the Federal Acquisition Regulation (FAR).[2] The MWI Clause requires a contractor to confirm its commitment to equal opportunity in employment and contracting, and to implement that commitment by ensuring, to the maximum extent possible consistent with applicable law, the fair inclusion of minorities and women in its workforce. The MWI Clause also requires that a contractor include the substance of the MWI Clause in all subcontracts with a dollar value greater than $150,000 awarded under the contract. (Hereinafter, contractors that are subject to the MWI Clause and subcontractors that are subject to a similar clause required to be included in a subcontract are referred to as ''covered'' contractors and subcontractors.)

Finally, the MWI Clause requires a contractor to provide, when requested by FHFA, documentation demonstrating that the contractor, as well as any covered subcontractor, has made a good faith effort to ensure the fair inclusion of minorities and women in its workforce. The MWI Clause provides that such documentation may include, but is not limited to: (1) The contractor's total number of employees, and the number of minority and women employees, by race, ethnicity, and gender (*e.g.,* an EEO–1 Employer Information Report (Form EEO–1)); (2) a list of the subcontracts the contractor awarded including the dollar amount, date of the award, and the ownership status of the subcontractor by race, ethnicity, and/or gender; (3) information similar to that required under the first item above for each subcontractor; and (4) the contractor's plan to ensure that minorities and women have appropriate opportunities to enter and advance within its workforce, including outreach efforts (hereinafter, a ''workforce inclusion plan''). A request for documentation by FHFA pursuant to this provision of the MWI Clause would constitute a ''collection of information'' within the meaning of the PRA.

While FHFA has included the MWI Clause in all contracts with a dollar value greater than $150,000

[1] 12 U.S.C. 5452.

[2] *See* FAR 2.101. The FAR appears at 48 CFR chapter 1.

consummated since November 7, 2013, the Agency has not, to this point, asked any contractor or covered subcontractor to provide documentation pursuant to the clause. FHFA is now developing procedures that the OMWI Director will follow in determining whether covered contractors and subcontractors have made good faith efforts to comply with the MWI Clause. The Agency expects that, once it adopts those procedures, it will begin to request the types of documentation described in the MWI Clause from covered contractors and subcontractors.

The purpose of this information collection is to fulfill the requirements of section 342(c)(3)(B) of the Dodd-Frank Act. The collected information will allow FHFA's OMWI Director to determine whether covered contractors and subcontractors have complied with their contractual obligations to make good faith efforts to ensure, to the maximum extent possible consistent with applicable law, the fair inclusion of minorities and women in their respective workforces.

B. Burden Estimate

FHFA estimates that the average annual burden imposed on all respondents by this information collection over the next three years will be 368 hours. Because, as explained below, the amount of burden imposed upon a contractor by this information collection will differ depending upon whether the contractor has 50 or more employees, FHFA has based its total burden estimate on two separate sets of calculations—(I) one for contractors and subcontractors with 50 or more employees (48 hours); and (II) another for contractors and subcontractors with fewer than 50 employees (320 hours).

FHFA includes the MWI Clause in Agency contracts with a dollar value greater than $150,000. Under the MWI Clause, FHFA may also request information about covered subcontractors' ownership status, workforce demographics, and workforce inclusion plans. Contractors would request this information from their covered subcontractors, who, because the substance of the MWI Clause would be included in their subcontracts, would have a contractual obligation to keep records and report data as required under the MWI Clause.

FHFA data on the dollar value of contracts awarded by the Agency from the beginning of fiscal year 2013 through the third quarter of fiscal year 2016 shows that 63 contractors were subject to the MWI Clause. FHFA believes that 44 of those contractors have 50 or more employees, while 19 contractors have fewer than 50 employees. FHFA estimates that no more than two subcontracts with a dollar value of $150,000 or more were awarded by Agency contractors during that same time period. Both of those subcontractors have 50 or more employees each. Thus, over the preceding three years, a total of 65 contractors and subcontractors were subject to the MWI Clause—46 of which have 50 or more employees and 19 of which have fewer than 50 employees.

Based on these figures, FHFA estimates that, on average over the next three years, 48 contractors and subcontractors with 50 or more employees and 20 contractors or subcontractors with fewer than 50 employees will be subject to the MWI Clause at any given time. For purposes of these burden estimates, FHFA has assumed that each contractor or subcontractor will provide documentation under the MWI Clause once per year, although it is unlikely that the Agency will actually request documentation from every contractor and subcontractor in every year.

I. Documentation Submitted by Contractors With 50 or More Employees

FHFA estimates that the average annual burden on contractors with 50 or more employees will be 48 hours (0 recordkeeping hours + 48 reporting hours).

Because Federal contractors with 50 or more employees are already required to maintain the same types of records that may be requested pursuant to the MWI Clause under regulations implementing Title VII of the Civil Rights Act of 1964 [3] and Executive Order 11246 (E.O. 11246),[4] this information collection will not impose new recordkeeping burdens on such contractors or subcontractors. FAR 52.222–26, Equal Opportunity, requires that such contractors' contracts and subcontracts include a clause implementing E.O. 11246. OFCCP regulations require each contractor with 50 or more employees and a Federal contract or subcontract of $50,000 or more to maintain records on the race, ethnicity, gender, and EEO–1 job category of each employee.[5] OFCCP regulations also require each such contractor to: (1) Demonstrate that it has made a good faith effort to remove identified barriers, expand employment opportunities, and produce measureable results;[6] and (2) develop and maintain a written program summary describing the policies, practices, and procedures that the contractor uses to ensure that applicants and employees received equal opportunities for employment and advancement.[7] In lieu of creating and maintaining a separate workforce inclusion plan to submit in satisfaction of the MWI Clause, a contractor or subcontractor with 50 or more employees could submit the written program summary that it is already required to maintain under the OFCCP regulations to demonstrate its good faith efforts to ensure the fair inclusion of minorities and women in its workforce.

With respect to reporting burden, FHFA estimates that it will take each contractor or subcontractor with 50 or more employees approximately one hour to retrieve, review, and submit the documentation specified in the MWI Clause. Thus, the estimate of the annual burden upon contractors or subcontractors with 50 or more employees associated with reporting requirements under this information collection is 48 hours (48 respondents × 1 hour per respondent).

II. Documentation Submitted by Contractors With Fewer Than 50 Employees

FHFA estimates that the average annual burden on contractors and subcontractors with fewer than 50 employees will be 320 hours (300 recordkeeping hours + 20 reporting hours).

OFCCP regulations require contractors with fewer than 50 employees to maintain records on the race, ethnicity, and gender of each employee.[8] FHFA believes that such contractors also keep EEO–1 job category information in the normal course of business, despite the fact that they are not required by law to do so. However, contractors or subcontractors with fewer than 50 employees may not have the type of written program summary that is required of larger contractors under the OFCCP regulations or any similar document that could be submitted as a workforce inclusion plan under the MWI Clause. Accordingly, such contractors or subcontractors may need to create a workforce inclusion plan to comply with the MWI Clause.

In order to estimate the burden associated with creating a workforce inclusion plan, FHFA considered the OFCCP's burden estimates for the time needed to develop the written program

[3] 42 U.S.C. 2000e, *et seq.*

[4] Exec. Order No. 11246, 30 FR 12319 (Sept. 28, 1965).

[5] *See* 41 CFR 60–1.7.

[6] *See* 41 CFR 60–2.17.

[7] *See* 41 CFR 60–2.31.

[8] *See* 41 CFR 60–3.4.

summaries required under its regulations.[9] In its OMB Supporting Statement, the OFCCP estimated that a contractor with 1 to 100 employees would take approximately 73 burden hours to create an initial written program summary. While the OFCCP regulations require contractors to perform time-consuming quantitative analyses when developing their written program summaries, such analyses would not be required in connection with the creation of a workforce inclusion plan. For this reason, FHFA believes that a contractor could develop a workforce inclusion plan in about one-third of the time that it would take to develop the written program summary required under the OFCCP regulations.

FHFA estimates that a contractor or subcontractor with fewer than 50 employees would spend approximately 25 hours creating a workforce inclusion plan for the first time. The Agency estimates that each contractor would then spend approximately 10 hours annually in updating and maintaining its plan. This results in an estimated average annual recordkeeping burden over the next three years on each contractor or subcontractor with fewer than 50 employees of 15 hours [(25 + 10 +10)/3 years]. Thus, FHFA estimates that the average annual recordkeeping burden on all contractors and subcontractors with fewer than 50 employees over the next three years will be 300 hours (20 respondents × 15 hours per respondent).

As with larger entities, FHFA estimates that it will take each contractor and subcontractor with fewer than 50 employees approximately one hour to retrieve, review, and submit the documentation specified in the MWI Clause. Thus, FHFA estimates that the average annual reporting burden on all contractors and subcontractors with fewer than 50 employees over the next three years will be 20 hours (20 respondents × 1 hour per respondent).

C. Comment Request

In accordance with the requirements of 5 CFR 1320.8(d), FHFA published an initial notice requesting comments regarding this information collection in the **Federal Register** on November 18, 2016.[10] The 60-day comment period closed on January 17, 2017. No comments were received.

In accordance with the requirements of 5 CFR 1320.10(a), FHFA is publishing this second notice to request comments regarding the following: (1) Whether the collection of information is necessary for the proper performance of FHFA functions, including whether the information has practical utility; (2) the accuracy of FHFA's estimates of the burdens of the collection of information; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on members and project sponsors, including through the use of automated collection techniques or other forms of information technology. Comments should be submitted in writing to both OMB and FHFA as instructed above in the Comments section.

Dated: May 19, 2017.

Kevin Winkler,

Chief Information Officer, Federal Housing Finance Agency.

[FR Doc. 2017–10879 Filed 5–25–17; 8:45 am]

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[9] *See* PRA Supporting Statement for the OFCCP Recordkeeping and Requirements-Supply and Service Program, OMB Control No. 1250–0003, at *http://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=201602-1250-001.*

[10] *See* 81 FR 81766 (Nov. 18, 2016).

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0179l Docket 2017–0053 Sequence 5]

Information Collection; Service Contracts Reporting Requirements

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an existing information clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve a new information collection requirement for Service Contracts Reporting Requirements.

DATES: Submit comments on or before July 25, 2017.

ADDRESSES: Submit comments in response to OMB Control 9000–0179, by any of the following methods:

- *Regulations.gov: http://www.regulations.gov.* Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link ''Submit a Comment'' that corresponds with OMB Control 9000–0179 at the ''Submit a Comment'' screen. Please include your name, company name (if any), and ''OMB Control 9000–0179'' on your attached document.
- *Mail:* General Services Administration (MVCB), ATTN: Ms. Joanne Sosa, 1800 F Street NW., Washington, DC 20405.

Instructions: Please submit comments only and cite OMB Control 9000–0179, in all correspondence related to this case. Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Curtis E. Glover, Sr., Procurement Analyst, Office of Acquisition Policy, at 202–501–1448 or via email at *curtis.glover@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

Section 743(a) of Division C of the Consolidated Appropriations Act, 2010 (Pub. L. 111–117) requires executive agencies covered by the Federal Activities Inventory Reform (FAIR) Act (Pub. L. 105–270), except DoD, to submit to the Office of Management and Budget (OMB) annually an inventory of activities performed by service contractors. DoD is exempt from this reporting requirement because 10 U.S.C. 2462 and 10 U.S.C. 2330a(c) already require DoD to develop an annual service contract inventory.

House Report 111–366 notes, in connection with section 743, that, ''in the absence of complete and reliable information on the extent of their reliance on service contractors, Federal agencies are not well-equipped to determine whether they have the right balance of contractor and in-house resources needed to accomplish their missions. Therefore, this rule intends to supplement agency annual service contract reporting requirements with the contractor provided service contract reporting information.

The information is to be submitted pursuant to clauses 52.204–14 and 52.204–15. Certain prime service contractors will provide annually—

a. The contract number, and, as applicable, order number;
b. The total dollar amount invoiced for services performed during the previous Government fiscal year under the contract;

c. The number of contractor direct labor hours expended on the services performed during the previous Government fiscal year; and
d. Data reported by subcontractors.

The prime contractor shall require each first-tier subcontractor performing under the contract to provide annually—

a. The subcontract number (including subcontractor name and if available, Unique Entity Identifier number; and
b. The number of first-tier subcontractor direct-labor hours expended on the services performed during the previous Government fiscal year.

In order to invoice the government for time-and-material/labor-hour (T&M/LH) and cost-reimbursement contracts, contractors already track labor hours expended, so the rule will cover T&M/LH and cost-reimbursement contracts over the simplified acquisition threshold.

Fixed price contracts are covered if the estimated total value is at $500,000 or more in FY 2016 and thereafter.

For indefinite-delivery contracts, including but not limited to, indefinite-delivery indefinite-quantity (IDIQ) contracts, Federal Supply Schedule (FSS) contracts, Governmentwide Acquisition contracts (GWACs), and multi-agency contracts, reporting requirements will be determined based on the expected dollar amount and type of the orders issued under the contracts.

The burden has increased from the one in **Federal Register** Notice 78 FR 16268 dated March 14, 2013 due to more respondents being included in the overall total based on FY 2016 FPDS data. The threshold for Fixed-price contract reports are now covered if the estimated total value is at $500,000 or more.

B. Annual Reporting Burden

Respondents: 111,172.
Responses/respondent: 1.
Total annual responses: 111,172.
Preparation hours per response: 2.
Total response burden hours: 222,344.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining copies of proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW., Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0179, Service Contracts Reporting Requirements, in all correspondence.

Dated: May 22, 2017.

Lorin S. Curit,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2017–10849 Filed 5–25–17; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10454, CMS–10558 and CMS–10650]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by July 25, 2017.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for "Comment or Submission" or "More Search Options" to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address:

CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number _____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' Web site address at *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html.*

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: Reports Clearance Office at (410) 786–1326.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10454 Disclosure of State Rating Requirements
CMS–10558 Information Collection for Machine Readable Data for Provider Network and Prescription Formulary Content for FFM QHPs
CMS–10650 State Permissions for Enrollment in Qualified Health Plans in the Federally Facilitated Exchange & Non-Exchange Entities

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of

information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Disclosure of State Rating Requirements; *Use:* The final rule ''Patient Protection and Affordable Care Act; Health Insurance Market Rules; Rate Review'' implements sections 2701, 2702, and 2703 of the Public Health Service Act (PHS Act), as added and amended by the Affordable Care Act, and sections 1302(e) and 1312(c) of the Affordable Care Act. The rule directs that states submit to CMS certain information about state rating and risk pooling requirements for their individual, small group, and large group markets, as applicable. Specifically, states will inform CMS of age rating ratios that are narrower than 3:1 for adults; tobacco use rating ratios that are narrower than 1.5:1; a state-established uniform age curve; geographic rating areas; whether premiums in the small and large group market are required to be based on average enrollee amounts (also known as composite premiums); and, in states that do not permit any rating variation based on age or tobacco use, uniform family tier structures and corresponding multipliers. In addition, states that elect to merge their individual and small group market risk pools into a combined pool will notify CMS of such election. This information will allow CMS to determine whether state-specific rules apply or Federal default rules apply. It will also support the accuracy of the federal risk adjustment methodology. *Form Number:* CMS–10454 (OMB Control Number 0938–1258); *Frequency:* On Occasion; *Affected Public:* State, Local, or Tribal Governments, Private Sector; *Number of Respondents:* 47; *Number of Responses:* 47; *Total Annual Hours:* 2,239. (For policy questions regarding this collection, contact Russell Tipps at 301–492–4371.)

2. *Type of Information Collection Request:* Revision of a currently approved information collection request; *Title of Information Collection:* Information Collection for Machine Readable Data for Provider Network and Prescription Formulary Content for FFM QHPs; *Use:* Under 45 CFR 156.122(d)(1)(2) and 156.230(c) and in the final rule, *Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2018* (CMS–9934–F), standards for qualified health plan (QHP) issuers are established for the submission of provider and formulary data in a machine- readable format to the Department of Health and Human Services (HHS) and for posting on issuer Web sites. These standards provide greater transparency for consumers, including by allowing software developers to access formulary and provider data to create innovative and informative tools. *Form Number:* CMS–10558 (OMB Control Number 0938–1284); *Frequency:* Annually; *Affected Public:* Private Sector, State, Business, and Not-for Profits; *Number of Respondents:* 397; *Number of Responses:* 397; *Total Hours:* 208. (For questions regarding this collection contact Joshua Annas at (301) 492-4407.)

3. *Type of Information Collection Request:* New collection of information request; *Title of Information Collection:* State Permissions for Enrollment in Qualified Health Plans in the Federally Facilitated Exchange & Non-Exchange Entities; *Use:* The Patient Protection and Affordable Care Act, Public Law 111–148, enacted on March 23, 2010, and the Health Care and Education Reconciliation Act, Public Law 111–152, enacted on March 30, 2010 (collectively, ''Affordable Care Act''), expand access to health insurance for individuals and employees of small businesses through the establishment of new Affordable Insurance Exchanges (Exchanges), also called Marketplaces, including the Small Business Health Options Program (SHOP). The Exchanges, which became operational on January 1, 2014, enhance competition in the health insurance market, expand access to affordable health insurance for millions of Americans, and provide consumers with a place to easily compare and shop for health insurance coverage.

This Information Collection Request (ICR) serves as the formal request for a new data collection clearance associated with the HHS Notice of Benefit and Payment Parameters for 2018 Final Rule (2018 Payment Notice). This ICR includes data collections related to the ability of states to permit agents and brokers to assist qualified individuals, qualified employers, or qualified employees enrolling in Qualified Health Plans in the Federally Facilitated Exchange (§ 155.220) and ICRs related to non-exchange entities (§ 155.260). *Form Number:* CMS–10650 (OMB Control Number 0939—NEW); *Frequency:* Annually; *Affected Public:* Private Sector, State, Business, and Not-for Profits; *Number of Respondents:* 107,207; *Number of Responses:* 107,207; *Total Annual Hours:* 512,141. (For questions regarding this collection contact Joshua Annas at (301–492–4407).

Dated: May 23, 2017.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2017–10944 Filed 5–25–17; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2013–N–0523]

Agency Information Collection Activities: Proposed Collection; Comment Request; Applications for Food and Drug Administration Approval To Market a New Drug

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the requirements governing applications for FDA approval to market a new drug.

DATES: Submit either electronic or written comments on the collection of information by June 26, 2017. Late, untimely filed comments will not be considered. Electronic comments must be submitted on or before July 25, 2017. The *https://www.regulations.gov* electronic filing system will accept comments until midnight Eastern Time

at the end of July 25, 2017. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

ADDRESSES: You may submit comments as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov*.

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand delivery/Courier (for written/paper submissions):* Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Division of Dockets Management, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2013–N–0523 for ''Agency Information Collection Activities; Proposed Collection; Comment Request; Applications for FDA Approval to Market a New Drug.'' Received comments, those filed in a timely manner (see **DATES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov*. Submit both copies to the Division of Dockets Management. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf*.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Domini Bean, Office of Operations, Food and Drug Administration, Three White Flint North, 10A63, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–5733, *PRAStaff@fda.hhs.gov*.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes Agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal Agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Application for FDA Approval To Market a New Drug

OMB Control Number 0910–0001—Extension

Under section 505(a) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 355(a)), a new drug may not be commercially marketed in the United States, imported, or exported from the United States, unless an approval of an application filed with FDA under section 505(b) or (j) of the FD&C Act is effective with respect to such drug. The Agency has codified regulations regarding applications for FDA approval to market a new drug under 21 CFR part 314. This collection of information supports the regulatory requirements found in those regulations. The collection of information is necessary for FDA to make a scientific and technical determination whether the product is safe and effective for use, and is summarized as follows:

Section 314.50(a) requires that an application form (Form FDA 356h) be submitted that includes information about the applicant, the submission, and a checklist of enclosures.

Section 314.50(b) requires that an index be submitted with the archival

copy of the application and that it reference certain sections of the application.

Section 314.50(c) requires that a summary of the application be submitted that presents a good general synopsis of all the technical sections and other information in the application.

Section 314.50(d) requires that the NDA contain the following technical sections about the new drug: (1) Chemistry, manufacturing, and controls; (2) nonclinical pharmacology and toxicology; (3) human pharmacokinetics and bioavailability; (4) microbiology; (5) clinical data; (6) statistical; and (7) pediatric use sections.

Section 314.50(e) requires the applicant to submit samples of the drug if requested by FDA. In addition, the archival copy of the application must include copies of the label and all labeling for the drug.

Section 314.50(f) requires that case report forms and tabulations be submitted with the archival copy.

Section 314.50(h) requires that patent information, as described under § 314.53, be submitted with the application. However, burden hours for § 314.50(h) are approved under OMB control numbers 0910–0513, Patent Certification Forms 3542 and 3542a and 0910–0786, Abbreviated New Drug Applications and 505(b)(2) Applications and are therefore not included among the estimates found in table 1.

Section 314.50(i) requires that patent certification information be submitted in section 505(b)(2) applications for patents claiming the drug substance, drug product, or method of use. Sections 314.50(i)(1)(i)(C) and 314.54(i) and (j) require that patent certification information be submitted for each patent listed in the ''Approved Drug Products with Therapeutic Equivalence Evaluations'' (the Orange Book) for a drug product approved in an NDA that is pharmaceutically equivalent to the proposed drug product in the original 505(b)(2) application and was submitted and was approved before the original 505(b)(2) application was submitted. Burden for these provisions is included under OMB control number 0910–0786.

Section 314.50(j) requires that applicants who request a period of marketing exclusivity submit certain information with the application.

Section 314.50(k) requires that the application contain a financial certification or disclosure statement or both.

Section 314.50(l) requires that an archival, review, and field copy of the application be submitted, including the content of labeling and all labeling and labels.

Section 314.52 requires that any notice of certification of invalidity, unenforceability, or non-infringement of a patent to each patent owner and the NDA holder be sent by a section 505(b)(2) applicant that relies on a listed drug. A 505(b)(2) applicant is required to amend its application at the time notice is provided to include a statement certifying that the required notice has been provided. A 505(b)(2) applicant also is required to amend its application to document receipt of the required notice. Burden hours for these provisions are included in OMB control number 0910–0786.

Section 314.53 sets forth the patent information requirements for applicants who submit applications or amendments to the application filed under section 505(b)(2) of the FD&C Act or supplements to the approved 505(b)(2) application. Burden hours for these collections are approved in OMB control number 0910–0786.

Section 314.54 sets forth the content requirements for applications filed under section 505(b)(2) of the FD&C Act. The burden estimate for 505(b)(2) applications is included in table 1 under the estimates for § 314.50(a) through (g) and (i) through (*l*).

Section 314.55 sets forth the assessment requirements for each application. The burden estimate for 505(b)(2) applications is included in table 1 under the estimates for § 314.50(a) through (g) and (i) through (*l*).

Section 314.60 sets forth reporting requirements and patent certification requirements for sponsors who amend an unapproved 505(b)(2) application. Burden hours for the § 314.60(f) collections are approved under OMB control number 0910–0786.

Section 314.65 states that the sponsor must notify FDA when withdrawing an unapproved application.

Sections 314.70 and 314.71 require that supplements be submitted to FDA for certain changes to an approved application.

Section 314.72 requires sponsors to report to FDA any transfer of ownership of an application.

Section 314.80(c)(1) and (2) sets forth requirements for expedited adverse drug experience postmarketing reports and followup reports, as well as for periodic adverse drug experience postmarketing reports (Form FDA 3500A).

Section 314.80(i) establishes recordkeeping requirements for reports of postmarketing adverse drug experiences. The burden hours for § 314.80(i) are approved under OMB control numbers 0910–0230, Adverse Drug Experience Reporting and 0910–0291, MedWatch: FDA's Medical Reporting Program and therefore burden estimates are not included in table 1.

Section 314.81(b)(1) requires that NDA and ANDA field alert reports be submitted to FDA (Forms FDA 3331 and 3331a).

Section 314.81(b)(2) requires that annual reports be submitted to FDA (Form FDA 2252).

Section 314.81(b)(3)(i) requires that drug advertisements and promotional labeling be submitted to FDA (Form FDA 2253).

Section 314.81(b)(3)(iii) sets forth reporting requirements for sponsors who withdraw an approved drug product from sale. The burden hours for § 314.81(b)(3)(iii) are approved under OMB control number 0910–0045, Registration of Producers of Drugs and Listing of Drugs in Commercial Distribution and therefore are not included in table 1.

Section 314.90 sets forth requirements for sponsors who request waivers from FDA for compliance with §§ 314.50 through 314.81. The information collection burden estimate for NDA waiver requests is included in table 1 under the estimates for each section that is in part 314, subpart B.

Section 314.93 sets forth requirements for submitting a suitability petition to request a change from a listed drug in accordance with §§ 10.20 and 10.30. The burden hours for § 314.93 are approved under OMB control number 0910–0191, Administrative Practices and Procedures; Formal Evidentiary Public Hearing and are not included in table 1.

Section 314.94(a) through (d) require that an ANDA contain the following information: (1) Application form; (2) table of contents; (3) basis for ANDA submission; (4) conditions of use; (5) active ingredients; (6) route of administration, dosage form, and strength; (7) bioequivalence; (8) labeling; (9) chemistry, manufacturing, and controls; (10) samples; and (11) patent certification.

Section 314.95 requires that any notice of certification of invalidity or non-infringement of a patent to each patent owner and the NDA holder be sent by ANDA applicants.

Section 314.96 sets forth requirements for amendments to an unapproved ANDA.

Section 314.97 sets forth requirements for submitting supplements to an approved ANDA for certain changes to the application. Approval of burden hours for information collections for

§§ 314.95, through 314.97 are covered under OMB control number 0910–0786.

Section 314.98(a) sets forth postmarketing adverse drug experience reporting and recordkeeping requirements for ANDAs. The burden hours for § 314.98(a) are approved under OMB control numbers 0910–0230 and 0910–0291 and are not included in table 1.

Section 314.98(b) requires other postmarketing reports for ANDAs: (1) Field alert reports (Form FDA 3331a); (2) annual reports (Form FDA 2252); and (3) advertisements and promotional labeling (Form FDA 2253). (The information collection burden estimate for field alert reports is included in table 1 under § 314.81(b)(1); the estimate for annual reports is included under § 314.81(b)(2); the estimate for advertisements and promotional labeling is included under § 314.81(b)(3)(i).)

Section 314.99(a) requires that sponsors comply with certain reporting requirements for withdrawing an unapproved ANDA and for a change in ownership of an ANDA.

Section 314.99(b) sets forth requirements for sponsors who request waivers from FDA for compliance with §§ 314.92 through 314.99. (The information collection burden estimate for ANDA waiver requests is included in table 1 under the estimates for each section that is in part 314, subpart C.)

Section 314.101(a) states that if FDA refuses to file an application, the applicant may request an informal conference with FDA and request that the application be filed over protest.

Section 314.107(c) requires notice to FDA by the first applicant to submit a substantially complete ANDA containing a certification that a relevant patent is invalid, unenforceable, or will not be infringed of the date of first commercial marketing. The burden estimate for § 314.107(c) is included in table 1 under the estimates for § 314.50(a) through (g) and (i) through (*l*).

Section 314.107(e) requires that an applicant submit a copy of the entry of the order or judgment to FDA within 10 working days of a final judgment. The burden estimate for § 314.107(e) applications is included in table 1 under the estimates for § 314.50(a) through (g) and (i) through (*l*) and is approved under OMB control number 0910–0786.

Section 314.107(f) requires that ANDA or section 505(b)(2) applicants notify FDA immediately of the filing of any legal action filed within 45 days of receipt of the notice of certification. A patent owner must also notify FDA of the filing of any legal action for patent infringement. If the patent owner or approved application holder who is an exclusive patent licensee waives its opportunity to file a legal action for patent infringement within the 45-day period, the patent owner or approved application holder may submit to FDA a waiver in the specified format. The burden estimate for § 314.107(f) is included in table 1 under the estimates for § 314.50 (a) through (g) and (i) through (*l*) and is approved under OMB control number 0910–0786.

Section 314.110(b)(3) states that, after receipt of an FDA complete response letter, an applicant must either: (1) Resubmit the application addressing all the deficiencies identified in the complete response letter; (2) withdraw the application or; (3) request an opportunity for a hearing on the question of whether there are grounds for denying approval of the application. The burden hours for § 314.110(b)(3) are included under parts 10 through 16 (21 CFR parts 10 through 16, OMB control number 0910–0191) hearing regulations, in accordance with § 314.201, and are not included in table 1.

Section 314.122(a) requires that an ANDA or a suitability petition that relies on a listed drug that has been voluntarily withdrawn from sale must be accompanied by a petition seeking a determination whether the drug was withdrawn for safety or effectiveness reasons. The burden hours for § 314.122(a) are approved under OMB control number 0910–0191 and therefore are not included in table 1.

Section 314.122(d) sets forth requirements for relisting petitions for unlisted discontinued products. The burden hours for § 314.122(d) are approved under OMB control number 0910–0191 and therefore are not included in table 1.

Sections 314.125 and 314.127 state that FDA may refuse to approve an NDA or an ANDA and will provide the applicant written notice of an opportunity for a hearing under § 314.200 along with the reason for refusal to approve the application, including lack of a patent certification or statement with respect to each listed patent for an approved drug product that is pharmaceutically equivalent to the drug product for which the original 505(b)(2) application is submitted and was approved before the original 505(b)(2) was submitted. The burden hours for §§ 314.125 and 314.127 (refuse to approve an ANDA) are included under parts 10 through 16 hearing regulations (in accordance with § 314.201) and approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.126(c) sets forth requirements for a petition to waive criteria for adequate and well-controlled studies. The burden hours for § 314.126(c) are approved under OMB control number 0910–0191 and therefore are not included in table 1.

Sections 314.150(a) and (b) and 314.151(a) and (b) set forth requirements for the withdrawal of approval of an NDA or ANDA and the applicant's opportunity for a hearing and submission of comments. The burden hours for § 314.151(a) and (b) are included under parts 10 through 16 hearing regulations, in accordance with § 314.201, and approved under OMB control number 0910–0191 and therefore are not included in table 1.

Section 314.151(c) sets forth the requirements for withdrawal of approval of an ANDA and the applicant's opportunity to submit written objections and participate in a limited oral hearing. The burden hours for § 314.151(c) are included under parts 10 through 16 hearing regulations, in accordance with § 314.201, approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.153(b) sets forth the requirements for suspension of an ANDA when the listed drug is voluntarily withdrawn for safety and effectiveness reasons, and the applicant's opportunity to present comments and participate in a limited oral hearing. The burden hours for § 314.152(b) are included under parts 10 through 16 hearing regulations, in accordance with § 314.201, approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.161(b) and (e) sets forth the requirements for submitting a petition to determine whether a listed drug was voluntarily withdrawn from sale for safety or effectiveness reasons. The burden hours for § 314.161(b) and (e) are approved under OMB control number 0910–0191 and therefore are not included in table 1.

Section 314.200(c), (d), and (e) requires that applicants or others subject to a notice of opportunity for a hearing who wish to participate in a hearing file a written notice of participation and request for a hearing as well as the studies, data, and so forth, relied on. Other interested persons may also submit comments on the notice. This section also sets forth the content and format requirements for the applicants' submission in response to notice of opportunity for hearing. The burden hours for § 314.200(c), (d), and (e) are included under parts 10 through 16 hearing regulations, in accordance with

§ 314.201, are approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.200(f) states that participants in a hearing may make a motion to the presiding officer for the inclusion of certain issues in the hearing. The burden hours for § 314.200(f) are included under parts 10 through 16 hearing regulations, in accordance with § 314.201, are approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.200(g) states that a person who responds to a proposed order from FDA denying a request for a hearing provide sufficient data, information, and analysis to demonstrate that there is a genuine and substantial issue of fact which justifies a hearing. The burden hours for § 314.200(g) are included under parts 10 through 16 hearing regulations, in accordance with § 314.201, are approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.420 states that an applicant may submit to FDA a drug master file in support of an application, in accordance with certain content and format requirements.

Section 314.430 states that data and information in an application are disclosable under certain conditions, unless the applicant shows that extraordinary circumstances exist. The burden hours for § 314.430 are included under parts 10 through 16 hearing regulations, in accordance with § 314.201, are approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.530(c) and (e) states that if FDA withdraws approval of a drug approved under the accelerated approval procedures, the applicant has the opportunity to request a hearing and submit data and information. The burden hours for § 314.530(c) and (e) are included under parts 10 through 16 hearing regulations, in accordance with § 314.201, are approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.530(f) requires that an applicant first submit a petition for stay of action before requesting an order from a court for a stay of action pending review. The burden hours for § 314.530(f) are approved under OMB control number 0910–0191, and therefore are not included in table 1.

Section 314.550 requires an applicant with a new drug product being considered for accelerated approval to submit copies of all promotional materials to the FDA during the preapproval and post-approval periods.

Section 314.610(b)(1) requires that applicants include a plan or approach to postmarketing study commitments in applications for approval of new drugs when human efficacy studies are not ethical or feasible, and provide status reports of postmarketing study commitments. The burden estimate for § 314.610(b)(1) is included in table 1 under the estimates for §§ 314.50 (a) through (f), (k), and (*l*) and 314.81(b)(2)).

Section 314.610(b)(3) requires that applicants propose labeling to be provided to patient recipients in applications for approval of new drugs when human efficacy studies are not ethical or feasible. The burden estimate for § 314.610(b)(3) is included in table 1 under the estimates for § 314.50(e).

Section 314.630 requires that applicants provide postmarketing safety reporting for applications for approval of new drugs when human efficacy studies are not ethical or feasible. The burden hours for § 314.630 are approved under OMB control numbers 0910–0230 and 0910–0291 and therefore not included in table 1.

Section 314.640 requires that applicants provide promotional materials for applications for approval of new drugs when human efficacy studies are not ethical or feasible. The burden estimate for § 314.640 is included in table 1 under the estimates for § 314.81(b)(3)(i)).

Accordingly, we estimate the burden for this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

21 CFR Section/ [FDA Form No.]	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
314.50(a)–(g), (i)–(*l*) [356h]—Content and format of a 505(b)(1) or 505(b)(2) application	378	1.33	503	1,921	966,263
314.52—Non-infringement of patents (NDAs)	7	3	21	16	336
314.95—Non-infringement of patents (ANDAs)	209	3	627	16	10,032
314.60—Amendments	564	9.96	5,618	80	449,440
314.65—Withdrawal of unapproved applications	27	71.63	1934	2	3,868
314.70 and 314.71—Supplements and submissions	838	7.04	5,897	150	884,550
314.72—Change of ownership	142	2.04	289	2	578
314.81—Other postmarketing reports and 314.81(b)(1) [3331 and 3331a] field alert reports	342	19.98	6,834	8	54,672
314.81(b)(2) [2252]—Annual reports	913	5.07	4632	40	185,280
314.81(b)(3)(i) [2253]—Promotional labeling	529	81.66	43,198	2	86,396
314.94(a) and (d)—ANDA content	180.5	3.75	676.5	480	324,720
314.96(a)(1)—Amendments to unapproved ANDAs	514	26.66	13,647	80	1,091,760
314.97—Supplements to ANDAs	343	17.57	6027	80	482,160
314.99(a)—Responsibilities of ANDA Applicants	265	7.04	1867	2	3,734
314.101(a)—ANDA filing	1	1	1	.5 (30 minutes)	.5
314.420—Drug Master Files	500	2.06	1,028	61	62,708
314.550—Promotional material and subpart H applications	29	7.76	225	120	27,000
Total					4,633,497.5

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: May 22, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–10818 Filed 5–25–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–N–0084]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Adverse Event Program for Medical Devices (Medical Product Safety Network)

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Fax written comments on the collection of information by June 26, 2017.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, Fax: 202–395–7285, or emailed to *oira_submission@omb.eop.gov.* All comments should be identified with the OMB control number 0910–0471. Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A63, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–8867, *PRAStaff@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Adverse Event Program for Medical Devices (Medical Product Safety Network (MedSun)); OMB Control Number 0910–0471—Extension

Under section 519 of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360i) authorizes FDA to require: (1) Manufacturers to report medical device-related deaths, serious injuries, and malfunctions and (2) user facilities to report device-related deaths directly to manufacturers and FDA and serious injuries to the manufacturer. Section 213 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) amended section 519(b) of the FD&C Act relating to mandatory reporting by user facilities of deaths, serious injuries, and serious illnesses associated with the use of medical devices. This amendment legislated the replacement of universal user facility reporting by a system that is limited to a ''. . . subset of user facilities that constitutes a representative profile of user reports'' for device-related deaths and serious injuries. This amendment is reflected in section 519(b)(5)(A) of the FD&C Act. This legislation provides FDA with the opportunity to design and implement a national surveillance network, composed of well-trained clinical facilities, to provide high-quality data on medical devices in clinical use. This system is called the Medical Product Safety Network (MedSun).

FDA is seeking OMB clearance to continue to use electronic data collection to obtain the information on Form FDA 3500A (approved under OMB control number 0910–0291) related to medical devices and tissue products from the user facilities participating in MedSun, to obtain a demographic profile of the facilities, and for additional questions, which will permit FDA to better understand the cause of reported adverse events. Participation in the program is voluntary and includes approximately 250 facilities.

In addition to collecting data on the electronic adverse event report form, MedSun collects additional information from participating sites about reported problems emerging from the MedSun hospitals. This data collection is also voluntary and is collected on the same Web site as the report information.

The burden estimate is based on the number of facilities participating in MedSun (250). FDA estimates an average of 15 reports per site annually. This estimate is based on MedSun working to promote reporting in general from the sites, as well as promoting reporting from specific parts of the hospitals, such as the pediatric intensive care units, the electrophysiology laboratories, and the hospital laboratories.

In the **Federal Register** of January 19, 2017 (82 FR 6566), FDA published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Adverse event reporting	250	15	3,750	.75 (45 minutes).	2,813

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: May 22, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–10844 Filed 5–25–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2016–N–2496]

Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Import Trade Auxiliary Communication System

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (PRA).

DATES: Fax written comments on the collection of information by June 26, 2017.

ADDRESSES: To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: FDA Desk Officer, FAX: 202–395–7285, or emailed to *oira_submission@omb.eop.gov*. All comments should be identified with the OMB control number 0910-New and title ''Import Trade Auxiliary Communication System.'' Also include the FDA docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: JonnaLynn Capezzuto, Office of Operations, Food and Drug Administration, Three White Flint North, 10A63, 11601 Landsdown St., North Bethesda, MD 20852, 301–796–3794.

SUPPLEMENTARY INFORMATION: In compliance with 44 U.S.C. 3507, FDA has submitted the following proposed collection of information to OMB for review and clearance.

Import Trade Auxiliary Communication System

OMB Control Number 0910—NEW

The Import Trade Auxiliary Communication System (ITACS) currently provides the import trade community with four functions: The ability to check the status of FDA-regulated entries and lines, the ability to submit entry documentation electronically, the ability to electronically submit the location of goods for those lines targeted for FDA physical examination, and the ability to check estimated laboratory analysis completion dates. No user login accounts are currently necessary to access these functions; all that is necessary is a valid customs entry number that has been successfully transmitted to FDA.

FDA has developed ITACS user account management functionality. Implementation of this functionality would allow members of the import trade community to create and manage secure user accounts in ITACS, which would enable FDA to distribute Notices of FDA Action to users electronically via email (rather than regular mail), enable users to download Notices of FDA Action from within ITACS, and allow users to view in ITACS the details of specific information requests which are currently delivered via hard copy Notices of FDA Action. ITACS user account management functionality would also allow for potential future ITACS enhancements, requested by the import trade community, that require user authentication.

To create a secure user account for ITACS via the user account management function, a person would have to enter basic information such as the person's name, their employer's name, a contact email address, an account password, etc., into ITACS via the user account management function interface.

In the **Federal Register** of August 26, 2016 (81 FR 58942), FDA published a 60-day notice requesting public comment on the proposed collection of information. FDA received one comment.

The comment, in pertinent part, asks if those with ITACS user accounts will be able to create searchable reports of historical data. This is not a planned function at this time. We appreciate the suggestion and will consider it in the future as we continue to consider further expansions and improvements of ITACS Account Management functionality.

The comment also suggests that we add additional ITACS functions in the future, such as an ITACS function that explains why an entry reviewer has recommended detention and an ITACS function that notes receipt of USDA grading certification and allows for the certificate to be viewed within ITACS. The commenter states that the addition of such ITACS functions would benefit the import trade community. Although the suggestions for additional ITACS functions do not relate to the proposed ITACS user account function information collection, we appreciate the suggestions and we will consider them in the future as we continue to consider further expansions and improvements of ITACS functionality.

FDA estimates the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN [1]

Activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
Creation of ITACS account	5,000	1	5,000	0.5 (30 minutes)	2,500

[1] There are no capital costs or operating and maintenance costs associated with this collection of information.

Dated: May 18, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–10817 Filed 5–25–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

[Document Identifier: 0955–0009–30D]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, has submitted an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB) for review and approval. The ICR is for renewal of the approved information collection assigned OMB control number 0955–0009, scheduled to expire on May 31, 2017. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public on this ICR during the review and approval period.

DATES: Comments on the ICR must be received on or before June 26, 2017.

ADDRESSES: Submit your comments to *OIRA_submission@omb.eop.gov* or via facsimile to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: Sherrette Funn, *Sherrette.funn@hhs.gov* or (202) 795–7714.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the document identifier 0955–0009–30D for reference.

Information Collection Request Title: Customer Relationship Management (CRM) Tool.

OMB No.: 0955–0009.

Abstract: The Customer Relationship Management (CRM) application is a nimble business intelligence tool being used by more than 1,500 users at ONC partner organizations and grantees. The CRM collects data from a large number of users throughout the United States who are ''on the ground'' helping healthcare providers adopt and optimize their IT systems, it provides near real-time data about the adoption, utilization, and meaningful use of EHR technology. Approximately half of all Primary Care Providers in the nation are represented in the CRM tool; data points include provider location, credential, specialty, whether live on an EHR and what system, whether they've reached MU, the time between these, and narrative barriers experienced by many of these.

Need and Proposed Use of the Information: The CRM tool supplements and is regularly merged with other data sources both within and outside of HHS and tracks program performance and progress towards milestones. Combined with ONC's internal analytical capacity, this data provides feedback that goes beyond anecdotal evidence and can be turned into tangible lessons learned that are used to focus policy and program efforts and ultimately achieve concrete outcomes.

Likely Respondents: HITECH Grantees.

The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
CRM Tool-Workforce	7	125	1.5	1,313
CRM Tool-Advance Interoperable HIE Program	24	24	1.5	864
CRM Tool-CHP/Academy Health	1	12	1.5	18
Total			4.5	2,195

Darius Taylor,

Information Collection Clearance Officer.

[FR Doc. 2017–10808 Filed 5–25–17; 8:45 am]

BILLING CODE 4150–45–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel; R13 Conference Grant Review.

Date: June 29, 2017.

Time: 12:30 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Room 7W556, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Bratin K. Saha, Ph.D., Scientific Review Officer, Program Coordination and Referral Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W556, Bethesda, MD 20892–9750, 240–276–6411, *sahab@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: May 23, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10883 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Academic-Industrial Partnerships Research for Cancer Diagnosis and Treatment.

Date: June 16, 2017.

Time: 8:30 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Guo Feng Xu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5122, MSC 7854, Bethesda, MD 20892, 301–237–9870, *xuguofen@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Understanding the Effects of ApoE2 on the Interaction Between Aging and Alzheimer's Disease (R01).

Date: June 16, 2017.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jonathan Arias, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5170, MSC 7840, Bethesda, MD 20892, 301–435–2406, *ariasj@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 23, 2017.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10881 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Investigator-Initiated Extended Clinical Trial (R01).

Date: June 20, 2017.

Time: 10:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892 (Telephone Conference Call).

Contact Person: James T. Snyder, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities/Room 3G31B, National Institutes of Health, NIAID, 5601 Fishers Lane MSC 9823, Rockville, MD 20892, (240) 669–5060, *james.snyder@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: May 23, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10885 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; BRAIN Initiative: Integration and Analysis of BRAIN Initiative Data.

Date: June 19, 2017.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Rebecca Steiner Garcia, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6149, MSC 9608, Bethesda, MD 20892–9608, 301–443–4525, *steinerr@mail.nih.gov.*

Name of Committee: National Institute of Mental Health Special Emphasis Panel; BICCN: Brain Cell Data Center (U24) & Mouse Brain Cell Atlas (U19, U01).

Date: June 21, 2017.

Time: 11:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: David W. Miller, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6140, MSC 9608, Bethesda, MD 20892–9608, 301–443–9734, *millerda@mail.nih.gov.*

Name of Committee: National Institute of Mental Health Special Emphasis Panel; BICCN: Human and Non-Human Primate Brain Cell Atlases (U01).

Date: June 23, 2017.

Time: 12:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: David W. Miller, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH, Neuroscience Center, 6001 Executive Blvd., Room 6140, MSC 9608, Bethesda, MD 20892–9608, 301–443–9734, *millerda@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: May 23, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10887 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Molecular Neurodegeneration.
Date: June 12, 2017.
Time: 1:00 p.m. to 2:30 p.m.
Agenda: To review and evaluate grant applications.
Place: Melrose Hotel, 2430 Pennsylvania Ave. NW., Washington, DC 20037.
Contact Person: Carole L. Jelsema, Ph.D., Chief and Scientific Review Administrator, MDCN Scientific Review Group, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4146, MSC 7850, Bethesda, MD 20892, (301) 435–1248, *jelsemac@csr.nih.gov.*

Name of Committee: Emerging Technologies and Training Neurosciences Integrated Review Group; Molecular Neurogenetics Study Section.
Date: June 15–16, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The Westin Georgetown, 2350 M. Street NW., Washington, DC 20037.
Contact Person: Mary G. Schueler, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5214, MSC 7846, Bethesda, MD 20892, 301–915–6301, *marygs@csr.nih.gov.*

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Biostatistical Methods and Research Design Study Section.
Date: June 15–16, 2017.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Mayflower Park Hotel, 405 Olive Way, Seattle, WA 98101.
Contact Person: Peter J. Kozel, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, Bethesda, MD 20892, 301–435–1116, *kozelp@mail.nih.gov.*

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Cardiovascular Differentiation and Development Study Section.
Date: June 16, 2017.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Wyndham Grand Chicago Riverfront, 71 East Wacker Dr, Chicago, IL 60601.
Contact Person: Sara Ahlgren, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm. 4136, Bethesda, MD 20817–7814, 301–435–0904, *sara.ahlgren@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Learning, Memory, Language, Communication and Related Neurosciences.
Date: June 16, 2017.
Time: 8:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Melrose Hotel, 2430 Pennsylvania Ave. NW., Washington, DC 20037.
Contact Person: Susan Gillmor, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1730, *susan.gillmor@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Clinical and Translational Imaging Applications.
Date: June 16, 2017.
Time: 10:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.
Contact Person: Eileen W. Bradley, DSC, Chief, SBIB IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5100, MSC 7854, Bethesda, MD 20892, (301) 435–1179, *bradleye@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 23, 2017.

Anna Snouffer,

Deputy Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10880 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Nursing Research; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Nursing Research Special Emphasis Panel; Multi-Site Applications.
Date: June 12, 2017.
Time: 8:00 a.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, One Democracy Plaza, Room 703, 6701 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Mario Rinaudo, MD, Scientific Review Officer, Office of Review, National Inst of Nursing Research, National Institutes of Health, 6701 Democracy Blvd. (DEM 1), Suite 710, Bethesda, MD 20892, 301–594–5973, *mrinaudo@mail.nih.gov.*

Name of Committee: National Institute of Nursing Research Special Emphasis Panel; Fellowship Training Grants.
Date: June 15, 2017.
Time: 11:00 a.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, One Democracy Plaza, Room 703, 6701 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).
Contact Person: Mario Rinaudo, MD, Scientific Review Officer, Office of Review, National Inst of Nursing Research, National Institutes of Health, 6701 Democracy Blvd. (DEM 1), Suite 710, Bethesda, MD 20892, 301–594–5973, *mrinaudo@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.361, Nursing Research, National Institutes of Health, HHS)

Dated: May 23, 2017.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10888 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C.,

as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflicts: Population Sciences and Epidemiology.
Date: June 20, 2017.
Time: 12:00 p.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Karin F. Helmers, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3148, MSC 7770, Bethesda, MD 20892, (301) 254–9975, *helmersk@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Circadian Rhythms, Energy Balance, and Stress.
Date: June 21, 2017.
Time: 11:00 a.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).
Contact Person: Jana Drgonova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5213, Bethesda, MD 20892, 301–827–2549, *jdrgonova@mail.nih.gov.*

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Respiratory Integrative Biology and Translational Research Study Section.
Date: June 22, 2017.
Time: 8:00 a.m. to 7:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Admiral Fell Inn, 888 South Broadway, Baltimore, MD 21231.
Contact Person: Bradley Nuss, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4142, MSC7814, Bethesda, MD 20892, 301–451–8754, *nussb@csr.nih.gov.*

Name of Committee: Oncology 1-Basic Translational Integrated Review Group; Molecular Oncogenesis Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Lorien Hotel & Spa, 1600 King Street, Alexandria, VA 22314.
Contact Person: Nywana Sizemore, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6204, MSC 7804, Bethesda, MD 20892, 301–435–1718, *sizemoren@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Urologic and Urogynecologic Applications.
Date: June 22, 2017.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Crowne Plaza Dallas Downtown, 1015 Elm Street, Dallas, TX 75202.
Contact Person: Ganesan Ramesh, Ph.D., Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr. Room 2182 MSC 7818, Bethesda, MD 20892, 301–827–5467, *ganesan.ramesh@nih.gov.*

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Biomedical Computing and Health Informatics Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, North Bethesda, MD 20852.
Contact Person: Xin Yuan, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Room 3141, Bethesda, md 20892, 301–827–7245, *yuanx4@csr.nih.gov.*

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Child Psychopathology and Developmental Disabilities Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 2:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Fairmont Hotel San Francisco, 950 Mason Street, San Francisco, CA 94108.
Contact Person: Jane A. Doussard-Roosevelt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, MSC 7848, Bethesda, MD 20892, (301) 435–4445, *doussarj@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Clinical and Integrative Diabetes and Obesity Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Crowne Plaza Hotel Seattle, 1113 6th Ave., Seattle, WA 98101.
Contact Person: Hui Chen, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1044, *chenhui@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cellular, Molecular and Integrative Reproduction Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.
Contact Person: Gary Hunnicutt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6164, MSC 7892, Bethesda, MD 20892, 301–435–0229, *hunnicuttgr@csr.nih.gov.*

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Clinical Neuroplasticity and Neurotransmitters Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The Fairmont Washington, DC, 2401 M Street NW., Washington, DC 20037.
Contact Person: Suzan Nadi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, 301–435–1259, *nadis@csr.nih.gov.*

Name of Committee: Cell Biology Integrated Review Group; Biology of the Visual System Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.
Contact Person: Michael H. Chaitin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5202, MSC 7850, Bethesda, MD 20892, (301) 435–0910, *chaitinm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Cancer Drug Development and Therapeutics.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Courtyard by Marriott, 5520 Wisconsin Avenue, Chevy Chase, MD 20815.
Contact Person: Lilia Topol, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6192, MSC 7804, Bethesda, MD 20892, 301–451–0131, *ltopol@mail.nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Mechanisms of Sensory, Perceptual, and Cognitive Processes Study Section.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Bethesda Marriott Suites, 6711 Democracy Boulevard, Bethesda, MD 20817.
Contact Person: Kirk Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7844, Bethesda, MD 20892, 301–435–1242, *kgt@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Review of Neuroscience AREA Grant Applications.
Date: June 22–23, 2017.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.

Place: One Washington Circle Hotel, One Washington Circle NW., Washington, DC 20037.

Contact Person: Richard D. Crosland, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4190, MSC 7850, Bethesda, MD 20892, 301–694–7084, *crosland@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Behavioral Neuroscience.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Pier 2620 Hotel, Fisherman's Wharf, 2620 Jones Street, San Francisco, CA 94133.

Contact Person: Mei Qin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5213, Bethesda, MD 20892, 301–875–2215, *qinmei@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Medical Imaging.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Mark Center, 5000 Seminary Road, Alexandria, VA 22311.

Contact Person: Leonid V. Tsap, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5128, MSC 7854, Bethesda, MD 20892, (301) 435–2507, *tsapl@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Aging and Development, Auditory, Vision and Low Vision Technologies.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Fairmont Washington, DC, 2401 M Street NW., Washington, DC 20037.

Contact Person: Paek-Gyu Lee, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4201, MSC 7812, Bethesda, MD 20892, (301) 613–2064, *leepg@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Biomedical Sensing, Measurement and Instrument.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Washington/Rockville, 1750 Rockville Pike, Rockville, MD 20852.

Contact Person: Inna Gorshkova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–435–1784, *gorshkoi@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Brain Disorders and Related Neurosciences.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Wyndham Grand Chicago Riverfront, 71 East Wacker Drive, Chicago, IL 60601.

Contact Person: Vilen A. Movsesyan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4040M, MSC 7806, Bethesda, MD 20892, 301–402–7278, *movsesyanv@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Cell Biology, Developmental Biology and Bioengineering.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Sheraton Seattle Hotel, 1400 6th Ave., Seattle, WA 98101.

Contact Person: Raj K. Krishnaraju, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6190, Bethesda, MD 20892, 301–435–1047, *kkrishna@csr.nih.gov.*

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Clinical and Integrative Cardiovascular Sciences Study Section.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Washington Marriott Georgetown, 1221 22nd Street NW., Washington, DC 20037.

Contact Person: Yuanna Cheng, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4138, MSC 7814, Bethesda, MD 20892, (301) 435–1195, *Chengy5@csr.nih.gov.*

Name of Committee: Oncology 2—Translational Clinical Integrated Review Group; Radiation Therapeutics and Biology Study Section.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bahia Resort Hotel, 998 West Mission Bay Drive, San Diego, CA 92109.

Contact Person: Bo Hong, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6194, MSC 7804, Bethesda, MD 20892, 301–996–6208, *hongb@csr.nih.gov.*

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Gastrointestinal Mucosal Pathobiology Study Section.

Date: June 22–23, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Crowne Plaza Hotel Seattle, 1113 6th Ave., Seattle, WA 98101.

Contact Person: Aiping Zhao, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm. 2188 MSC7818, Bethesda, MD 20892–7818, (301) 435–0682, *zhaoa2@csr.nih.gov.*

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Prokaryotic Cell and Molecular Biology Study Section.

Date: June 22–23, 2017.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz-Carlton Hotel, 1700 Tysons Boulevard, McLean, VA 22102.

Contact Person: Dominique Lorang-Leins, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Room 5108, MSC 7766, Bethesda, MD 20892, 301.326.9721, *Lorangd@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Medical Imaging Investigations.

Date: June 22, 2017.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Mehrdad Mohseni, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5211, MSC 7854, Bethesda, MD 20892, 301–435–0484, *mohsenim@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Learning and Synaptic Plasticity.

Date: June 22, 2017.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Jana Drgonova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5213, Bethesda, MD 20892, 301–827–2549, *jdrgonova@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–17–048: Phylodynamic Tracking of HIV Transmission.

Date: June 22, 2017.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Shiv A. Prasad, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5220, MSC 7852, Bethesda, MD 20892, 301–443–5779, *prasads@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Skeletal Muscle Diseases and Musculoskeletal Rehabilitation.

Date: June 22, 2017.

Time: 1:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Yi-Hsin Liu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4214, MSC 7814, Bethesda, MD 20892, 301–435–1781, *liuyh@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 23, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10882 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Environmental Health Sciences Special Emphasis Panel; Novel Methods Development of Archived Tissue Stabilization and Molecular Indicators of Response.

Date: June 6, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: NIEHS/National Institute of Environmental Health, Keystone Building, 530 Davis Drive, Room 3171, Research Triangle Park, NC 27709 (Virtual Meeting).

Contact Person: Leroy Worth, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research and Training, Nat. Institute of Environmental Health Sciences, P.O. Box 12233, MD EC–30/Room 3171, Research Triangle Park, NC 27709, 919/541–0670, *worth@niehs.nih.gov*.

This notice is being published less than 15 days prior to the meeting due to the urgent need to meet timing limitations imposed by the intramural research review cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.115, Biometry and Risk Estimation—Health Risks from Environmental Exposures; 93.142, NIEHS Hazardous Waste Worker Health and Safety Training; 93.143, NIEHS Superfund Hazardous Substances—Basic Research and Education; 93.894, Resources and Manpower Development in the Environmental Health Sciences; 93.113, Biological Response to Environmental Health Hazards; 93.114, Applied Toxicological Research and Testing, National Institutes of Health, HHS)

Dated: May 23, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10886 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; Research Infrastructure.

Date: June 29, 2017.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Ave., Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Kimberly Firth, Ph.D., National Institutes of Health, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301–402–7702, *firthkm@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: May 23, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–10884 Filed 5–25–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Center for Substance Abuse Treatment; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given that the Substance Abuse and Mental Health Services Administration's (SAMHSA's) Center for Substance Abuse Treatment (CSAT) National Advisory Council will meet on June 21, 2017, 1:00 p.m.–2:00 p.m. (EDT) in a closed teleconference meeting.

The meeting will include discussions and evaluations of grant applications reviewed by SAMHSA's Initial Review Groups, and involve an examination of confidential financial and business information as well as personal information concerning the applicants. Therefore, the meeting will be closed to the public as determined by the SAMHSA Acting Deputy Assistant Secretary for Mental Health and Substance Use in accordance with 5 U.S.C. 552b(c)(4) and (6), and 5 U.S.C. App. 2, 10(d).

Meeting information and a roster of Council members may be obtained by accessing the SAMHSA Committee Web site at *http://www.samhsa.gov/about-us/advisory-councils/csat-national-advisory-council* or by contacting the CSAT National Advisory Council Designated Federal Officer; Tracy Goss (see contact information below).

Council Name: SAMHSA's Center for Substance Abuse Treatment National Advisory Council.

Date/Time/Type: June 21, 2017, 1:00 p.m.–2:00 p.m. EDT, CLOSED.

Place: SAMHSA, 5600 Fishers Lane, Rockville, Maryland 20857.

Contact: Tracy Goss, Designated Federal Officer, CSAT National Advisory Council, 5600 Fishers Lane, Rockville, Maryland 20857 (mail), Telephone: (240) 276–0759, Fax: (240) 276–2252, Email: *tracy.goss@samhsa.hhs.gov.*

Carlos Castillo,

Committee Management Officer, SAMHSA.

[FR Doc. 2017–10769 Filed 5–25–17; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Saybolt LP as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Saybolt LP as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Saybolt LP has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of July 27, 2016.

DATES: *Effective Dates:* The accreditation and approval of Saybolt LP as commercial gauger and laboratory became effective on July 27, 2016. The next triennial inspection date will be scheduled for July 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Christopher J. Mocella, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Saybolt LP, Road 127, KM 13.4, BO. Magas Arriba Guayanilla, PR 00656, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Saybolt LP is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurement.

Saybolt LP is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–02	D1298	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–08	D86	Standard Test Method for Distillation of Petroleum Products.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27–48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
Pending	D1657	Standard Test Method for Density or Relative Density of Light Hydrocarbons by Pressure Hydrometer.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories, *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: May 15, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10813 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Inspectorate America Corporation, as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Inspectorate America Corporation as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Inspectorate America Corporation has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of July 13, 2016.

DATES: The accreditation and approval of Inspectorate America Corporation as commercial gauger and laboratory became effective on July 13, 2016. The next triennial inspection date will be scheduled for July 2019.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Inspectorate America Corporation, 3904 Corporex Park Drive, Suite 145, Tampa, FL 33619 has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Inspectorate America Corporation is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.

API chapters	Title
9	Density Determination.
12	Calculations.
17	Marine Measurement.

Inspectorate America Corporation is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	D 287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27–11	D 445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27–13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry.
27–48	D 4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–57	D 7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27–58	D 5191	Standard Test Method for Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: May 12, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10811 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of AmSpec Services, LLC, as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of AmSpec Services, LLC, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec Services, LLC, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of February 14, 2017.

DATES: The accreditation and approval of AmSpec Services, LLC, as commercial gauger and laboratory became effective on February 14, 2017. The next triennial inspection date will be scheduled for February 2020.

FOR FURTHER INFORMATION CONTACT: Mr. Christopher J. Mocella, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that AmSpec Services, LLC, 301 North Omaha Dr., Corpus Christi, TX 78408, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. AmSpec Services, LLC is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11.1	Temperature and Pressure Volume Correction Factors.
12	Calculations.
17	Maritime Measurement.

AmSpec Services, LLC is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–02	D1298	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D86	Standard Test Method for Distillation of Petroleum Products.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.

CBPL No.	ASTM	Title
27–14	D2622	Standard Test Method for Sulfur in Petroleum Products.
27–46	D5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27–48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–58	D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).
Pending	D4007	Standard Test Method for Water and Sediment in Crude Oil by the Centrifuge Method (Laboratory Procedure).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*.

Dated: May 15, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10814 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation of Nexeo Solutions LLC, as a Commercial Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation of Nexeo Solutions LLC, as a commercial laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Nexeo Solutions LLC, has been accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of June 23, 2016.

DATES: *Effective:* The accreditation of Nexeo Solutions LLC, as commercial laboratory became effective on June 23, 2016. The next triennial inspection date will be scheduled for June 2019.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 that Nexeo Solutions LLC, 1404 S. Houston Rd., Pasadena, TX 77502, has been accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12. Nexeo Solutions LLC is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	D 287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–04	D 95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D 4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–07	D 4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27–08	D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27–11	D 445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27–13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry.
27–48	D 4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–50	D 93	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
29–01	D 3797	Standard Test Method for Analysis of o-Xylene by Gas Chromatography.
29–02	D 3798	Standard Test Method for Analysis of p-Xylene by Gas Chromatography.

Anyone wishing to employ this entity to conduct laboratory analyses should request and receive written assurances from the entity that it is accredited by the U.S. Customs and Border Protection to conduct the specific test requested. Alternatively, inquiries regarding the specific test this entity is accredited to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*.

Dated: May 12, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10812 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Amspec Services, LLC, as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of AmSpec Services, LLC, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec Services, LLC, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of November 15, 2016.

DATES: *Effective Dates:* The accreditation and approval of AmSpec Services, LLC, as commercial gauger and laboratory became effective on November 15, 2016. The next triennial inspection date will be scheduled for November 2019.

FOR FURTHER INFORMATION CONTACT: Mr. Christopher J. Mocella, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that AmSpec Services, LLC, 174 Cash St., South Portland, ME 04106, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. AmSpec Services, LLC is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
9	Density Determinations.
12	Calculations.
17	Maritime Measurement.

AmSpec Services, LLC is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–02	D1298	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27–03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D86	Standard Test Method for Distillation of Petroleum Products.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27–20	D4057	Standard Practice for Manual Sampling of Petroleum and Petroleum Products.
27–48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–50	D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.
27–53	D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27–54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method.
27–58	D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories, *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: May 15, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10815 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Inspectorate America Corporation, as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Inspectorate America Corporation as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Inspectorate America Corporation has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of March 14, 2016.

DATES: The accreditation and approval of Inspectorate America Corporation as commercial gauger and laboratory became effective on March 14, 2016. The next triennial inspection date will be scheduled for March 2019.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Inspectorate America Corporation, 5237 Halls Mill Road, Building F, Mobile, AL 36619 has been approved to gauge petroleum and

certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Inspectorate America Corporation is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
5	Metering.
7	Temperature Determination.
8	Sampling.
12	Calculations.
14	Natural Gas Fluids Measurement.
17	Marine Measurement.

Inspectorate America Corporation is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	D 287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–03	D 4006	Standard Test Method for Water in Crude Oil by Distillation.
27–04	D 95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27–06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–07	D 4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27–08	D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27–11	D 445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27–13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry.
27–14	D 2622	Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-ray Fluorescence Spectrometry.
27–46	D 5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27–48	D 4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–50	D 93	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
27–53	D 2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27–54	D 1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method (Laboratory Procedure).
27–57	D 7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*.

Dated: May 12, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10809 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Saybolt LP as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Saybolt LP as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Saybolt LP has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of February 15, 2017.

DATES: *Effective Dates:* The accreditation and approval of Saybolt LP as commercial gauger and laboratory became effective on February 15, 2017. The next triennial inspection date will be scheduled for February 2020.

FOR FURTHER INFORMATION CONTACT: Mr. Christjopher J. Mocella, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Saybolt LP, 414 Westchester Dr., Corpus Christi, TX 78469, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Saybolt LP is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurement.

Saybolt LP is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27–05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27–06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D86	Standard Test Method for Distillation of Petroleum Products.
27–11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27–13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27–14	D2622	Standard Test Method for Sulfur in Petroleum Products.
27–46	D5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27–48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27–58	D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: May 15, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10816 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Inspectorate America Corporation, as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Inspectorate America Corporation as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Inspectorate America Corporation has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of May 25, 2016.

DATES: *Effective Dates:* The accreditation and approval of Inspectorate America Corporation as commercial gauger and laboratory became effective on May 25, 2016. The next triennial inspection date will be scheduled for May 2019.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Inspectorate America Corporation, 2 Williams Street, Chelsea, MA 02150 has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Inspectorate America Corporation is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Marine Measurement.

Inspectorate America Corporation is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27–01	D 287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27–06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27–08	D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27–11	D 445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27–14	D 2622	Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-ray Fluorescence Spectrometry.
27–50	D 93	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
27–58	D 5191	Standard Test Method for Vapor Pressure of Petroleum Products (Mini Method).
	D 1319	Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption.
	D 3606	Standard Test Method for Determination of Benzene and Toluene in Finished Motor and Aviation Gasoline by Gas Chromatography.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov.* Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories.*

Dated: May 12, 2017.

Ira S. Reese,

Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2017–10810 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This notice advises the public that the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties will remain the same from the previous quarter. For the calendar quarter beginning April 1, 2017, the interest rates for overpayments will be 3 percent for corporations and 4 percent for non-corporations, and the interest rate for underpayments will be 4 percent for both corporations and non-corporations. This notice is published for the convenience of the importing public and U.S. Customs and Border Protection personnel.

DATES: *Effective Date:* April 1, 2017.

FOR FURTHER INFORMATION CONTACT: Shandy Plicka, Revenue Division, Collection and Refunds Branch, 6650 Telecom Drive, Suite #100, Indianapolis, Indiana 46278; telephone (317) 298–1717.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85–93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of customs duties must be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 provides different interest rates applicable to overpayments: One for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2017–6, the IRS determined the rates of interest for the calendar quarter beginning April 1, 2017, and ending on June 30, 2017. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (1%) plus three percentage points (3%) for a total of four percent (4%) for both corporations and non-corporations. For corporate overpayments, the rate is the Federal short-term rate (1%) plus two percentage points (2%) for a total of three percent (3%). For overpayments made by non-corporations, the rate is the Federal short-term rate (1%) plus three percentage points (3%) for a total of four percent (4%). These interest rates are subject to change for the calendar quarter beginning July 1, 2017, and ending September 30, 2017.

For the convenience of the importing public and U.S. Customs and Border Protection personnel the following list of IRS interest rates used, covering the period from before July of 1974 to date, to calculate interest on overdue accounts and refunds of customs duties, is published in summary format.

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate over-payments (Eff. 1–1–99) (percent)
070174	063075	6	6	
070175	013176	9	9	
020176	013178	7	7	
020178	013180	6	6	
020180	013182	12	12	
020182	123182	20	20	
010183	063083	16	16	
070183	123184	11	11	
010185	063085	13	13	
070185	123185	11	11	
010186	063086	10	10	
070186	123186	9	9	
010187	093087	9	8	
100187	123187	10	9	
010188	033188	11	10	
040188	093088	10	9	
100188	033189	11	10	
040189	093089	12	11	
100189	033191	11	10	
040191	123191	10	9	
010192	033192	9	8	
040192	093092	8	7	
100192	063094	7	6	
070194	093094	8	7	

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate over-payments (Eff. 1–1–99) (percent)
100194	033195	9	8	
040195	063095	10	9	
070195	033196	9	8	
040196	063096	8	7	
070196	033198	9	8	
040198	123198	8	7	
010199	033199	7	7	6
040199	033100	8	8	7
040100	033101	9	9	8
040101	063001	8	8	7
070101	123101	7	7	6
010102	123102	6	6	5
010103	093003	5	5	4
100103	033104	4	4	3
040104	063004	5	5	4
070104	093004	4	4	3
100104	033105	5	5	4
040105	093005	6	6	5
100105	063006	7	7	6
070106	123107	8	8	7
010108	033108	7	7	6
040108	063008	6	6	5
070108	093008	5	5	4
100108	123108	6	6	5
010109	033109	5	5	4
040109	123110	4	4	3
010111	033111	3	3	2
040111	093011	4	4	3
100111	033116	3	3	2
040116	063017	4	4	3

Dated: May 16, 2017.

Sean M. Mildrew,

Acting Chief Financial Officer, Office of Finance.

[FR Doc. 2017–10805 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1717]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Flood Insurance Rate Maps (FIRMs), and where applicable, portions of the Flood Insurance Study (FIS) report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Title 44, Part 65 of the Code of Federal Regulations (44 CFR part 65). The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

The specific flood hazard determinations are not described for

each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: May 2, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Alabama:						
St. Clair	City of Springville (16–04–8225P).	The Honorable William Isley, Jr., Mayor, City of Springville, 160 Walker Drive, Springville, AL 35146.	City Hall, 6327 U.S. Highway 11, Springville, AL 35146.	*http://www.msc.fema.gov/lomc.*	July 14, 2017	010289
St. Clair	Unincorporated areas of St. Clair County (16–04–8225P).	The Honorable Paul Manning, Chairman, St. Clair County Board of Commissioners, 165 5th Avenue, Suite 100, Ashville, AL 35953.	St. Clair County Courthouse, 100 6th Avenue, Suite 400, Ashville, AL 35953.	*http://www.msc.fema.gov/lomc.*	July 14, 2017	010290
Shelby	City of Helena (16–04–8436P).	The Honorable Mark R. Hall, Mayor, City of Helena, 816 Highway 52 East, Helena, AL 35080.	City Hall, 816 Highway 52 East, Helena, AL 35080.	*http://www.msc.fema.gov/lomc.*	July 24, 2017	010294
Arkansas: Benton	Unincorporated areas of Benton County (17–06–0070P).	The Honorable Barry Moehring, Benton County Judge, 215 East Central Avenue, Bentonville, AR 72712.	Benton County Department of Development, 905 Northwest 8th Street, Bentonville, AR 72712.	*http://www.msc.fema.gov/lomc.*	July 20, 2017	050419
Colorado: Douglas.	Town of Castle Rock (17–08–0328P).	The Honorable Jennifer Green, Mayor, Town of Castle Rock, 100 North Wilcox Street, Castle Rock, CO 80104.	Water Department, 175 Kellogg Court, Castle Rock, CO 80109.	*http://www.msc.fema.gov/lomc.*	Aug. 4, 2017	080050
Connecticut:						
Fairfield	City of Norwalk (17–01–0383P).	The Honorable Harry W. Rilling, Mayor, City of Norwalk, 125 East Avenue, Norwalk, CT 06851.	Planning and Zoning Department, 125 East Avenue, Norwalk, CT 06851.	*http://www.msc.fema.gov/lomc.*	June 29, 2017	090012
New Haven ..	City of New Haven (17–01–0377P).	The Honorable Toni Harp, Mayor, City of New Haven, 165 Church Street, New Haven, CT 06510.	Planning Department, 165 Church Street, New Haven, CT 06510.	*http://www.msc.fema.gov/lomc.*	June 29. 2017	090084
Florida:						
Collier	City of Marco Island (17–04–0636P).	The Honorable Larry Honig, Chairman, City of Marco Island Council, 50 Bald Eagle Drive, Marco Island, FL 34145.	City Hall, 50 Bald Eagle Drive, Marco Island, FL 34145.	*http://www.msc.fema.gov/lomc.*	July 27, 2017	120426
Lee	City of Sanibel (17–04–0681P).	The Honorable Kevin Ruane, Mayor, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957..	Planning and Code Enforcement Department, 800 Dunlop Road, Sanibel, FL 33957.	*http://www.msc.fema.gov/lomc.*	Aug. 3, 2017	120402
Lee	City of Sanibel (17–04–1647P).	The Honorable Kevin Ruane, Mayor, City of Sanibel, 800 Dunlop Road, Sanibel, FL 33957.	Planning and Code Enforcement Department, 800 Dunlop Road, Sanibel, FL 33957.	*http://www.msc.fema.gov/lomc.*	July 31, 2017	120402
Orange	Unincorporated areas of Orange County (16–04–7503P).	The Honorable Teresa Jacobs, Mayor, Orange County, 201 South Rosalind Avenue, 5th Floor, Orlando, FL 32801.	Orange County Stormwater Management Division, 4200 South John Young Parkway, Orlando, FL 32839.	*http://www.msc.fema.gov/lomc.*	July 21, 2017	120179
Osceola	City of Kissimmee (17–04–1694P).	The Honorable Jose A. Alvarez, Mayor, City of Kissimmee, 101 Church Street, Kissimmee, FL 34741.	Public Works and Engineering Department, 101 Church Street, Kissimmee, FL 34741.	*http://www.msc.fema.gov/lomc.*	Aug. 4, 2017	120190

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Effective date of modification	Community No.
Osceola	Unincorporated areas of Osceola County (17–04–1694P).	The Honorable Brandon Arrington, Chairman, Osceola County Board of Commissioners, 1 Courthouse Square, Suite 4700, Kissimmee, FL 34741.	Osceola County Development Review Department ,1 Courthouse Square, Kissimmee, FL 34741.	*http://www.msc.fema.gov/lomc.*	Aug. 4, 2017	120189
Sarasota	Unincorporated areas of Sarasota County (17–04–0650P).	The Honorable Paul Caragiulo, Chairman, Sarasota County Board of Commissioners, 1660 Ringling Boulevard, Sarasota, FL 34236.	Sarasota County Development Services Department, 1001 Sarasota Center Boulevard, Sarasota, FL 34240.	*http://www.msc.fema.gov/lomc.*	July 27, 2017	125144
Massachusetts:						
Essex.	Town of Nahant (16–01–2425P).	Mr. Jeff A. Chelgren, Administrator, Town of Nahant, 334 Nahant Road, Nahant, MA 01908.	Town Hall, 334 Nahant Road, Nahant, MA 01908.	*http://www.msc.fema.gov/lomc.*	July 7, 2017	250095
North Carolina:						
Jackson	Town of Dillsboro (16–04–8525P).	The Honorable Mike Fitzgerald, Mayor, Town of Dillsboro, P.O. Box 1088, Dillsboro, NC 28725.	Town Hall, 42 Front Street, Dillsboro, NC 28725.	*http://www.msc.fema.gov/lomc..*	Aug. 4, 2017	370136
Jackson	Unincorporated areas of Jackson County (16–04–8525P).	The Honorable Brian T. McMahan, Chairman, Jackson County Board of Commissioners, 401 Grindstaff Cove Road, Sylva, NC 28779..	Jackson County Justice and Administration Department, 401 Grindstaff Cove Road, Sylva, NC 28779.	*http://www.msc.fema.gov/lomc.*	Aug. 4, 2017	370282
Wake	City of Raleigh (16–04–4436P).	The Honorable Nancy McFarlane, Mayor, City of Raleigh, P.O. Box 590, Raleigh, NC 27602.	Stormwater Management Division, 1 Exchange Plaza, Suite 304, Raleigh, NC 27601..	*http://www.msc.fema.gov/lomc.*	July 25, 2017	370243
Tennessee:						
Williamson	City of Franklin (16–04–8246P).	The Honorable Ken Moore, Mayor, City of Franklin, 109 3rd Avenue South, Franklin, TN 37064.	City Hall, 109 3rd Avenue South, Franklin, TN 37064.	*http://www.msc.fema.gov/lomc.*	July 7, 2017	470206
Williamson.	City of Franklin (17–04–0761P).	The Honorable Ken Moore, Mayor, City of Franklin, 109 3rd Avenue South, Franklin, TN 37064.	City Hall, 109 3rd Avenue South, Franklin, TN 37064..	*http://www.msc.fema.gov/lomc.*	July 5, 2017	470206
Williamson	Unincorporated areas of Williamson County (16–04–8246P).	The Honorable Rogers Anderson, Mayor, Williamson County Board of Commissioners, 1320 West Main Street, Suite 125, Franklin, TN 37064.	Williamson County Engineering Department, 1320 West Main Street, Suite 400, Franklin, TN 37064.	*http://www.msc.fema.gov/lomc.*	July 7, 2017	470204
Texas:						
Collin	City of Dallas (17–06–0184P)..	The Honorable Michael S. Rawlings, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Engineering Department 320 East Jefferson Boulevard, Suite 200, Dallas, TX 75203.	*http://www.msc.fema.gov/lomc.*	July 10, 2017	480171
Collin	Unincorporated areas of Collin County (16–06–4303P).	The Honorable Keith Self, Collin County Judge, 2300 Bloomdale Road, Suite 4192, McKinney, TX 75071.	Collin County Engineering Department, 4690 Community Avenue, Suite 200, McKinney, TX 75091.	*http://www.msc.fema.gov/lomc.*	July 17, 2017	480130
Dallas	City of Dallas (16–06–3968P).	The Honorable Michael S. Rawlings, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Engineering Department 320 East Jefferson Boulevard, Suite 200, Dallas, TX 75203.	*http://www.msc.fema.gov/lomc..*	July 10, 2017	480171
Guadalupe	City of Schertz (16–06–4291P).	The Honorable Michael Carpenter, Mayor, City of Schertz, 1400 Schertz Parkway, Schertz, TX 78154.	Public Works Department, 10 Commercial Place, Schertz, TX 78154.	*http://www.msc.fema.gov/lomc.*	July 28, 2017	480269
Kendall	City of Boerne (16–06–2380P).	Mr. Ronald Bowman, Manager, City of Boerne, 402 East Blanco Road, Boerne, TX 78006.	City Hall, 402 East Blanco Road, Boerne, TX 78006.	*http://www.msc.fema.gov/lomc.*	Aug. 2, 2017	480418
Kendall	Unincorporated areas of Kendall County (16–06–2380P).	The Honorable Darrel L. Lux, Kendall County Judge, 201 East San Antonio Avenue, Suite 122, Boerne, TX 78006.	Kendall County Planning Department, 201 East San Antonio Avenue, Suite 101, Boerne, TX 78006.	*http://www.msc.fema.gov/lomc..*	Aug. 2, 2017	480417
Tarrant	City of Haltom City (16–06–3443P).	The Honorable David Averitt, Mayor, City of Haltom City, 5024 Broadway Avenue, Haltom City, TX 76117.	Public Works Department, 4200 Hollis Street, Haltom City, TX 76111.	*http://www.msc.fema.gov/lomc..*	Aug. 3, 2017	480599

[FR Doc. 2017–10167 Filed 5–25–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1712]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data.

DATES: These flood hazard determinations will become effective on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Flood Insurance Rate Maps (FIRMs), and where applicable, portions of the Flood Insurance Study (FIS) report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Title 44, Part 65 of the Code of Federal Regulations (44 CFR part 65). The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: April 25, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Arizona:						
Maricopa	City of Glendale (16–09–2447P).	The Honorable Jerry Weiers, Mayor, City of Glendale, City Hall, 5850 West Glendale Avenue, Glendale, AZ 85301.	City Hall, 5850 West Glendale Avenue, Glendale, AZ 85301.	*http://www.msc.fema.gov/lomc.*	June 16, 2017	040045
Maricopa	City of Litchfield Park (16–09–3089P).	The Honorable Thomas L. Schoaf, Mayor, City of Litchfield Park, City Hall, 214 West Wigwam Boulevard, Litchfield Park, AZ 85340.	City Hall, 214 West Wigwam Boulevard, Litchfield Park, AZ 85340.	*http://www.msc.fema.gov/lomc.*	June 15, 2017	040128
Maricopa	City of Peoria (16–09–2447P).	The Honorable Cathy Carlat, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	City Hall, 8401 West Monroe Street, Peoria, AZ 85345.	*http://www.msc.fema.gov/lomc.*	June 16, 2017	040050
Maricopa	City of Phoenix (16–09–2155P).	The Honorable Greg Stanton, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, AZ 85003.	Street Transportation Department, 200 West Washington Street, 5th Floor, Phoenix, AZ 85003.	*http://www.msc.fema.gov/lomc.*	June 2, 2017	040051

Maricopa	Unincorporated Areas of Maricopa County (16–09–2447P).	The Honorable Denny Barney, Chairman, Board of Supervisors, Maricopa County, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	Flood Control District of Maricopa County, 2801 West Durango Street, Phoenix, AZ 85009.	*http://www.msc.fema.gov/lomc.*	June 16, 2017	040037
Pima	City of Tucson (16–09–1226P).	The Honorable Jonathan Rothschild, Mayor, City of Tucson, 255 West Alameda Street, 10th Floor, Tucson, AZ 85701.	Planning and Development Services, 201 North Stone Avenue, 1st Floor, Tucson, AZ 85701.	*http://www.msc.fema.gov/lomc.*	June 2, 2017	040076
Pima	Unincorporated Areas of Pima County (16–09–1226P).	The Honorable Sharon Bronson, Chair, Board of Supervisors, Pima County, 130 West Congress Street, 11th Floor, Tucson, AZ 85701.	Pima County Flood Control District, 201 North Stone Avenue, 9th Floor, Tucson, AZ 85701.	*http://www.msc.fema.gov/lomc..*	June 2, 2017	040073
California:						
Contra Costa	City of Brentwood (17–09–0675P).	The Honorable Robert Taylor, Mayor, City of Brentwood, 150 City Park Way, Brentwood, CA 94513.	Planning Department, 150 City Park Way, Brentwood, CA 94513.	*http://www.msc.fema.gov/lomc.*	June 19, 2017	060439
Contra Costa	Unincorporated Areas of Contra Costa County 17–09–0675P).	The Honorable Federal D. Glover, Chairman, Board of Supervisors, Contra Costa County, 651 Pine Street, Martinez, CA 94553.	Public Works Department, 255 Glacier Drive, Martinez, CA 94553.	*http://www.msc.fema.gov/lomc.*	June 19, 2017	060025
Madera	Unincorporated Areas of Madera County (16–09–2575P).	The Honorable Max Rodriguez, Chairman, Board of Supervisors, Madera County, 200 West 4th Street, Madera, CA 93637.	Resource Management Agency, 2037 West Cleveland Avenue, Madera, CA 93637.	http://www.msc.fema.gov/lomc..	June 15, 2017	060170
Riverside	City of Menifee (16–09–1612P).	The Honorable Scott Mann, Mayor, City of Menifee, 29714 Haun Road, Menifee, CA 92586.	Engineering & Public Works Departments, 29714 Haun Road, Menifee, CA 92586.	*http://www.msc.fema.gov/lomc.*	June 16, 2017	060176
San Diego	City of San Diego (16–09–1178P).	The Honorable Kevin L Faulconer, Mayor, City of San Diego, 202 C Street, 11th Floor, San Diego, CA 92101.	Public Works Department, 525 B Street, Suite 750, MS 908A, San Diego, CA 92101.	*http://www.msc.fema.gov/lomc.*	May 30, 2017	060295
San Joaquin	City of Stockton (16–09–2351P).	The Honorable Michael D. Tubbs, Mayor, City of Stockton, 425 North El Dorado Street , Stockton, CA 95202.	Community Development Department, 345 North El Dorado Street, Stockton, CA 95202.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	060302
Idaho: Ada	Unincorporated Areas of Ada County (16–10–1385P).	The Honorable Dave Case, Chairman, Ada County Board of Commissioners, 200 West Front Street, 3rd Floor, Boise, ID 83702.	Ada County Courthouse, 200 West Front Street, Boise, ID 83702.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	160001
Indiana:						
Boone	City of Lebanon (16–05–5075P).	The Honorable Matt Gentry, Mayor, City of Lebanon, City of Lebanon Municipal Building, 401 South Meridian Street, Lebanon, IN 46052.	Municipal Building, 401 South Meridian Street, Lebanon, IN 46052.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	180013
Boone	Unincorporated Areas of Boone County (16–05–5075P).	The Honorable Jeff Wolfe, Boone County Commissioner, 201 Courthouse Square, Lebanon, IN 46052.	Boone County Area Plan Commission, 116 West Washington Street, Lebanon, IN 46052.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	180011
Kentucky:						
Pike	Unincorporated Areas of Pike County (17–04–1490P).	The Honorable William M. Deskins, Judge Executive, Pike County, 146 Main Street, Pikeville, KY 41501.	Pike County Courthouse, 146 Main Street, Pikeville, KY 41501.	*http://www.msc.fema.gov/lomc.*	June 29, 2017	210298
Pike	Unincorporated Areas of Pike County (17–04–1672P).	The Honorable William M. Deskins, Judge Executive, Pike County, 146 Main Street, Pikeville, KY 41501.	Pike County Courthouse, 146 Main Street, Pikeville, KY 41501.	*http://www.msc.fema.gov/lomc.*	June 29, 2017	210298
Michigan: Wayne	City of Northville (16–05–6404P).	The Honorable Ken Roth, Mayor, City of Northville, City Hall, 215 West Main Street, Northville, MI 48167.	City Hall, 215 West Main Street, Northville, MI 48167.	*http://www.msc.fema.gov/lomc.*	June 2, 2017	260235
Missouri:						
St. Charles	City of Cottleville (16–07–1877P).	The Honorable Jim Hennessey, Mayor, City of Cottleville, 5490 5th Street, Cottleville, MO 63304.	City Hall, 5490 5th Street, Cottleville, MO 63304.	*http://www.msc.fema.gov/lomc.*	June 29, 2017	290898
St. Charles	City of St. Peters (16–07–1877P).	The Honorable Len Pagano, Mayor, City of St. Peters, 1 St. Peters Centre Boulevard, St. Peters, MO 63376.	City Hall, 1 Saint Peters Centre Boulevard, St. Peters, MO 63376.	*http://www.msc.fema.gov/lomc.*	June 29, 2017	290319
St. Charles	Unincorporated Areas of St. Charles County (16–07–1877P).	Mr. Steve Ehlmann, St. Charles County Executive, 100 North 3rd Street Suite 318, St. Charles, MO 63301.	County Administration Building, 201 North 2nd Street, Suite 420, St. Charles, MO 63301.	*http://www.msc.fema.gov/lomc.*	June 29, 2017	290315

Nebraska:						
Howard	Unincorporated Areas of Howard County (16–07–2344P).	The Honorable Kathy Hirschman, Chairman, Howard County Board of Commissioners, 830 Hardy Road, St Paul, NE 68873.	Howard County Courthouse, 612 Indian Street, St. Paul, NE 68873.	*http://www.msc.fema.gov/lomc.*	June 8, 2017	310446
Howard	Village of Dannebrog (16–07–2344P).	The Honorable Carol Schroeder, Chairperson, Village of Dannebrog, 104 South Mill Street, Dannebrog, NE 68831.	Village Hall, 102 South Mill Street, Dannebrog, NE 68831.	*http://www.msc.fema.gov/lomc.*	June 8, 2017	310118
Nevada:						
Carson	City of Carson City (16–09–1192P).	The Honorable Robert Crowell, Mayor, City of Carson City, City Hall, 201 North Carson Street, Suite 2, Carson City, NV 89701.	Carson City Permit Center, 108 East Proctor Street, Carson City, NV 89701.	*http://www.msc.fema.gov/lomc.*	June 5, 2017	320001
Clark	City of Las Vegas (16–09–0698P).	The Honorable Carolyn G. Goodman, Mayor, City of Las Vegas, City Hall, 495 South Main Street, Las Vegas, NV 89101.	Public Works Department, 400 Stewart Avenue, 4th Floor, Las Vegas, NV 89101.	*http://www.msc.fema.gov/lomc.*	June 21, 2017	325276
Clark	City of North Las Vegas (16–09–2150P).	The Honorable John J. Lee, Mayor, City of North Las Vegas, 2250 Las Vegas Boulevard North, North Las Vegas, NV 89030.	Public Works Department, 2200 Civic Center Drive, North Las Vegas, NV 89030.	*http://www.msc.fema.gov/lomc.*	May 30, 2017	320007
Clark	City of North Las Vegas (16–09–2540P).	The Honorable John J. Lee, Mayor, City of North Las Vegas, 2250 Las Vegas Boulevard North, North Las Vegas, NV 89030.	Public Works Department, 2200 Civic Center Drive, North Las Vegas, NV 89030.	*http://www.msc.fema.gov/lomc.*	May 30, 2017	320007
Clark	City of North Las Vegas (16–09–3212P).	The Honorable John J. Lee, Mayor, City of North Las Vegas, 2250 Las Vegas Boulevard North, North Las Vegas, NV 89030.	Public Works Department, 2200 Civic Center Drive, North Las Vegas, NV 89030.	*http://www.msc.fema.gov/lomc.*	June 29, 2017	320007
New Jersey: Ocean.	Township of Brick (16–02–1649P).	The Honorable John G. Ducey, Mayor, Township of Brick, 401 Chambersbridge Road, Brick, NJ 08723.	Township Hall Municipal Building, 401 Chambersbridge Road, Brick, NJ 08723.	*http://www.msc.fema.gov/lomc.*	May 30, 2017	345285
Oregon: Deschutes.	Unincorporated Areas of Deschutes County (17–10–0456P).	Ms. Tammy Baney, Chair, Deschutes County Board of Commissioners, P.O. Box 6005, Bend, OR 97708.	Deschutes County Board of Commissioners, 1164 Northwest Bond Street, Bend, OR 97701.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	410055
Texas:						
Dallas	City of Balch Springs (16–06–3086P).	The Honorable Carrie Marshall, Mayor, City of Balch Springs, 13503 Alexander Road, Balch Springs, TX 75181.	Public Works Department, 3117 Hickory Tree Road, Balch Springs, TX 75180.	*http://www.msc.fema.gov/lomc.*	July 5, 2017	480166
Dallas	City of Dallas (16–06–3086P).	The Honorable Michael S. Rawlings, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Department of Public Works, 320 East Jefferson Boulevard, Dallas, TX 75203.	*http://www.msc.fema.gov/lomc.*	July 5, 2017	480171
Dallas	City of Grand Prairie (17–06–0542P).	The Honorable Ron Jensen, Mayor, City of Grand Prairie, 317 West College Street, Grand Prairie, TX 75050.	City Development Center, 206 West Church Street, Grand Prairie, TX 75050.	*http://www.msc.fema.gov/lomc.*	June 8, 2017	485472
Washington: Wahkiakum.	Unincorporated Areas of Wahkiakum County (16–10–0856P).	Mr. Blair H. Brady, Chairman, Wahkiakum County, Board of Commissioners, 64 Main Street, Cathlamet, WA 98612.	Wahkiakum County Courthouse, 64 Main Street, Cathlamet, WA 98612.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	530193
Wisconsin:						
Marathon	Unincorporated Areas of Marathon County (17–05–1790X).	The Honorable Kurt Gibbs, Chairperson, Marathon County, 500 Forest Street, Wausau, WI 54403.	Conservation Planning and Zoning Office, 210 River Drive, Wausau, WI 54403.	*http://www.msc.fema.gov/lomc.*	June 22, 2017	550245
Marathon	Village of Hatley (17–05–1790X).	The Honorable David Narloch, President, Village of Hatley, 115 Kuhlman Avenue, Hatley, WI 54440.	Village Hall, 435 Curtis Avenue, Hatley, WI 54440.	*http://www.msc.fema.gov/lomc.*	June 22, 2017	550251
Milwaukee	City of Milwaukee (16–05–7247P).	The Honorable Tom Barrett, Mayor, City of Milwaukee, 200 East Wells Street, Room 201, Milwaukee, WI 53202.	City Hall, 200 East Wells Street, Milwaukee, WI 53202.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	550278
Milwaukee	Village of Brown Deer (16–05–7247P).	The Honorable Carl Krueger, Village President, Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, WI 53223.	Village Hall, 4800 West Green Brook Drive, Brown Deer, WI 53223.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	550271
Waukesha	Unincorporated Areas of Waukesha County (16–05–6562P).	The Honorable Paul L. Decker, Waukesha County, Board Chair, County Courthouse, 515 West Moreland Boulevard, Room C170, Waukesha, WI 53188.	Waukesha County Administration Section, 515 West Mooreland Boulevard, Waukesha, WI 53188.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	550476

Waukesha ...	Village of Sussex (16–05–6562P).	The Honorable Gregory L. Goetz, President, Village Board, N61W24222 Oak Court, Sussex, WI 53089.	Village Hall, N64W23760 Main Street, Sussex, WI 53089.	*http://www.msc.fema.gov/lomc.*	June 23, 2017	550490

[FR Doc. 2017–10179 Filed 5–25–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Immigration and Customs Enforcement Bureau

Agency Information Collection Activities: Extension, Without Change, of an Existing Information Collection; Comment Request

AGENCY: U.S. Immigration and Customs Enforcement, Department of Homeland Security.

ACTION: 60-Day notice of information collection for review; Form No. I–333, Obligor Change of Address; OMB Control No. 1653–0042.

The Department of Homeland Security, U.S. Immigration and Customs Enforcement (USICE), is submitting the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until July 25, 2017.

Written comments and suggestions regarding items contained in this notice and especially with regard to the estimated public burden and associated response time should be directed to the Department of Homeland Security (DHS), Scott Elmore, Forms Management Office, U.S. Immigration and Customs Enforcement, 801 I Street NW., Mailstop 5800, Washington, DC 20536–5800.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) 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;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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:* Extension, without change, of a currently approved information collection.

(2) *Title of the Form/Collection:* Obligor Change of Address.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–133; U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individual or Households, Business or other non-profit. The data collected on this form is used by ICE to ensure accuracy in correspondence between ICE and the obligor. The form serves the purpose of standardizing obligor notification of any changes in their address, and will facilitate communication with the obligor.

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: 12,000 responses at 15 minutes (.25 hours) per response.

(6) An estimate of the total public burden (in hours) associated with the collection: 3,000 annual burden hours.

Dated: May 23, 2017.

Scott Elmore,

PRA Clearance Officer, Office of the Chief Information Officer, U.S. Immigration and Customs Enforcement, Department of Homeland Security.

[FR Doc. 2017–10852 Filed 5–25–17; 8:45 am]

BILLING CODE 9111–28–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6021–N–01]

Proposed Changes to the Methodology Used for Estimating Fair Market Rents

AGENCY: Office of the Assistant Secretary for Policy Development and Research, HUD.

ACTION: Notice of Proposed Material Changes for Estimation of Fair Market Rents (FMRs).

SUMMARY: Section 8(c)(1) of the United States Housing Act of 1937 requires the Secretary to publish FMRs periodically, but not less than annually, adjusted to be effective on October 1 of each year. The primary uses of FMRs are to determine payment standards for the Housing Choice Voucher (HCV) program, to determine initial renewal rents for some expiring project-based Section 8 contracts, to determine initial rents for housing assistance payment contracts in the Moderate Rehabilitation Single Room Occupancy program, and to serve as rent ceilings for rental units in both the HOME Investment Partnerships program and the Emergency Solutions Grants program. HUD also uses FMRs in the calculation of maximum award amounts for Continuum of Care grantees and in the calculation of flat rents for Public Housing units. In furtherance of that effort, HUD proposes several methodological changes in this notice and seeks public comment on the proposed changes.

DATES: *Comment Due Date:* June 26, 2017.

ADDRESSES: HUD invites interested persons to submit comments regarding the proposed changes to the calculation of the FMRs to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Room 10276, Washington, DC 20410–0001. Communications must refer to the above docket number and title and should contain the information specified in the ''Request for Comments'' section. There are two methods for submitting public comments.

1. *Submission of Comments by Mail.* Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451

7th Street SW., Room 10276, Washington, DC 20410–0500. Due to security measures at all federal agencies, however, submission of comments by mail often results in delayed delivery. To ensure timely receipt of comments, HUD recommends that comments submitted by mail be submitted at least two weeks in advance of the public comment deadline.

2. *Electronic Submission of Comments.* Interested persons may submit comments electronically through the Federal eRulemaking Portal at *http://www.regulations.gov.* HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make them immediately available to the public. Comments submitted electronically through the *http://www.regulations.gov* Web site can be viewed by other commenters and interested members of the public. Commenters should follow instructions provided on that site to submit comments electronically.

Note: To receive consideration as public comments, comments must be submitted through one of the two methods specified above. Again, all submissions must refer to the docket number and title of the notice.

No Facsimile Comments. Facsimile (FAX) comments are not acceptable.

Public Inspection of Public Comments. All properly submitted comments and communications regarding this notice submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address. Due to security measures at the HUD Headquarters building, an advance appointment to review the public comments must be scheduled by calling the Regulations Division at 202–708–3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number through TTY by calling the Federal Relay Service at 800–877–8339. Copies of all comments submitted are available for inspection and downloading at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Questions on this notice may be addressed to Marie L. Lihn or Peter B. Kahn of the Economic and Market Analysis Division, Office of Economic Affairs, Office of Policy Development and Research, HUD Headquarters, 451 7th Street SW., Room 8208, Washington, DC 20410; telephone number 202–402–2409 (this is not a toll-free number), or they may be reached at *emad-hq@hud.gov.* Persons with hearing or speech impairments may access HUD numbers through TTY by calling the Federal Relay Service at 800–877–8339 (toll-free). For technical information on the methodology used to develop FMRs or a listing of all FMRs, please call the HUD USER information line at 800–245–2691 (toll-free) or access the information on the HUD USER Web site *https://www.huduser.gov/portal/datasets/fmr.html.*

Electronic Data Availability. This **Federal Register** notice will be available electronically from the HUD User page at *https://www.huduser.gov/portal/datasets/fmr.html.* **Federal Register** notices also are available electronically from *https://www.federalregister.gov/,* the U.S. Government Printing Office Web site.

Complete documentation of the impact of these methodology changes and calculation of hypothetical FY 2017 FMRs [1] with these changes are available at *https://www.huduser.gov/portal/datasets/fmr.html.* Small Area FMRs for all metropolitan FMR areas incorporating these material changes in methodology have also been calculated and are available at: *https://www.huduser.gov/portal/datasets/fmr/smallarea/index.html.* Changes to FMR calculations prescribed in the Small Area FMR rule (81 FR 80567) are not incorporated into the calculation of hypothetical FY 2017 FMRs.

SUPPLEMENTARY INFORMATION:

I. Background

Section 8 of the United States Housing Act of 1937 (USHA) (42 U.S.C. 1437f) authorizes housing assistance to aid lower-income families in renting safe and decent housing. Housing assistance payments are limited by Fair Market Rents (FMRs) established by HUD for different geographic areas. In the Housing Choice Voucher (HCV) program, the FMR is the basis for determining the ''payment standard amount'' used to calculate the maximum monthly subsidy for an assisted family. See 24 CFR 982.503. HUD also uses the FMRs to determine initial renewal rents for some expiring project-based Section 8 contracts, initial rents for housing assistance payment contracts in the Moderate Rehabilitation Single Room Occupancy program, rent ceilings for rental units in both the HOME Investment Partnerships program and the Emergency Solution Grants program, calculation of maximum award amounts for Continuum of Care grantees, and calculation of flat rents in Public Housing units. In general, the FMR for an area is the amount that would be needed to pay the gross rent (shelter rent plus utility costs) of privately owned, decent, and safe rental housing of a modest (non-luxury) nature with suitable amenities and is set at the 40th percentile of the distribution of gross rents for recent movers. HUD's FMR calculations represent HUD's best effort to estimate the 40th percentile gross rents paid by recent movers into standard quality units in each FMR area.

In recent years, commenters have expressed a number of concerns about FMRs. Some have pointed out that FMRs are a primary operating parameter in the HCV program and that extreme year-to-year fluctuations in FMRs can cause difficulties in program operations. Additionally, concerns have been raised that the FMRs are either not timely enough or not based on enough local information. HUD is proposing several changes to the manner in which HUD calculates FMRs in order to improve the FMR estimates and to address the concerns of commenters noted at the beginning of this paragraph.

II. Procedures for Developing FMRs

Section 8(c)(1) of the USHA requires the Secretary of HUD to publish FMRs periodically, but not less frequently than annually. Section 8(c)(1)(B) as amended by the Housing Opportunities Through Modernization Act of 2016 (HOTMA) (Pub. L. 114–201, approved July 29, 2016), requires that HUD publish for comment in the **Federal Register** a notice of proposed material changes in the methodology for estimating FMRs and a notice containing HUD's final decisions regarding such proposed substantial methodological changes and responses to public comments.

On August 26, 2016, HUD announced the publication of the FY 2017 FMRs, requested comments on the FY 2017 FMRs, and requested public comment on what should be considered ''material changes'' in FMR estimation methods for the purpose of triggering public notice and comment under HOTMA (81 FR 58952). Following a review of public comment on what should be considered ''material changes'', HUD determined that initially *any* change in FMR calculation methods should be subject to public comment. HUD, thus, responded to the comments in a notice published March 30, 2017, stating that HUD would not take a position on what FMR changes would be considered material and that HUD would initially

[1] HUD will provide a set of FY 2017 FMRs calculated with all the methodological changes proposed in this notice for the public to review. The FMRs with all the proposed changes will be referred to as FY 2017 hypothetical FMRs.

request comment on all FMR method changes (82 FR 15711). While HUD recognizes that year-to-year fluctuations in FMRs may cause operational difficulties in program operations, HUD seeks to improve the FMR calculation methods, using as much local information as possible while trying to preserve stability in the estimates. In an effort to address these concerns and recognizing that addressing one issue may impact another issue, HUD proposes several methodological changes and requests public comments on those changes through this notice, in compliance with HOTMA.

III. FMR Methodology Changes

This section provides a brief overview of how HUD computed the FY 2017 FMRs and three proposed changes to this methodology.

To calculate the FY 2017 FMRs, HUD assigned each area a two-bedroom standard quality base rent from the 2010–2014 5-year American Community Survey (ACS) tabulations. Each base rent was updated with a recent mover adjustment factor calculated from the 1-year 2014 ACS data. The 2014 ACS recent mover data is adjusted to be ''as of'' FY 2017 using local or regional Consumer Price Index (CPI)-measured changes in gross rents measured between 2014 and 2015 and a nationally forecasted trend factor measuring the expected growth in gross rents from 2015 to FY 2017. For complete information on how HUD determines FMR areas, and on how HUD derives each area's FY 2017 FMR, see the online documentation at *https://www.huduser.gov/portal/datasets/fmr.html#2017_query.*

The following is a summary of the two general changes to the calculation methods HUD is proposing to incorporate into the calculation of FY 2018 FMRs and a third change specific to the calculation of Small Area FMRs.

(1) The first method change is in the manner in which HUD selects American Community Survey (ACS) estimates for use in the calculation of FMRs. Currently, HUD uses an ACS estimate if the error of the estimate is less than half the size of the estimate itself. HUD is proposing to require that each ACS estimate used in the calculation of FMRs be based on at least one hundred (100) survey responses. In other words, this notice proposes to couple the error ratio criterion with an additional review of the number of survey observations supporting the ACS estimate. If the survey data does not meet both criteria, HUD will use an average of the three most recent years of data.

(2) The second method change focuses on the way that HUD calculates the ''recent mover factor.'' Currently, HUD calculates the ''recent mover factor'' based on a geographic area that is sometimes larger than an FMR area when the two-bedroom recent mover rents are not statistically reliable. HUD is proposing the use of ''all-bedroom'' recent mover rents as the basis for the recent mover factor when the two-bedroom recent mover rents are not statistically reliable (*i.e.,* 100 or more observations and a margin of error that is smaller than half of the estimate itself) before moving to a larger encompassing geography for the recent mover factor.

(3) Finally, HUD is proposing to use the gross rent estimates calculated by ZIP Code Tabulation Areas (ZCTAs), where statistically reliable, to estimate Small Area FMRs (SAFMRs) directly rather than the ''ratio'' method HUD used in FY 2017 and earlier SAFMR estimates.

1. FY 2018 FMR Proposed Changes

A. Base Year Rent Changes

Since FY 2012, HUD has used the 5-year ACS data to determine base rents for most FMR areas. HUD used 2010–2014 ACS data, released in December 2015, in the FY 2017 FMR calculations. HUD evaluates the statistical validity of the ACS data before using the information in the calculation of FMRs. HUD proposes to update these statistical reliability criteria. Previously, HUD used ACS estimates for two-bedroom unit rents within the FMR area where the margin of error of the estimate was less than half the size of the estimate itself (*i.e.,* a margin of error of less than 50 percent). HUD now proposes to couple this ''margin of error'' test with an additional test based on the number of survey observations supporting the estimate. The Census Bureau does not provide HUD with an exact count of the number of observations supporting the ACS estimate; rather, the Census Bureau provides HUD with categories of the number of survey responses underlying the estimate, including whether the estimate is based on more than 100 observations. Using these categories, HUD proposes that ACS rent estimates must be based on at least 100 observations in order to be used as base rents.

For areas in which the 5-year ACS data for two-bedroom, standard quality gross rents do not pass the statistical reliability tests (*i.e.,* have a margin of error greater than 50 percent or fewer than 100 observations), HUD will use an average of the base rents over the three most recent years (provided that there is data available for at least two of these years),[2] or if such data is not available, using the two-bedroom rent data within the next largest geographic area, which for a non-metropolitan area would be the state non-metro area rent data.

B. Recent Mover Factor Changes

HUD is proposing changes to the calculation of the recent mover factor that include a change to the statistical reliability assessment of ACS recent mover data (consistent with the change for base rents) and a change in the data used when the number of ''two-bedroom'' observations within the FMR area is insufficient. The following describes the current process for calculating the recent mover factor, and the proposed revisions.

HUD historically based FMRs on gross rent data for recent movers (those who have moved into their current residence in the last 24 months). However, due to the way in which the Census Bureau constructs the 5-year ACS data, HUD developed a new methodology for using recent mover data to calculate FMRs in FY 2012. As of FY 2012, HUD assigns all areas a base rent, which is the two-bedroom, standard quality 5-year ACS gross rent estimate, and then applies a recent mover factor in order to calculate recent mover gross rents and publish them in accordance with 24 CFR 888.113. HUD calculates the recent mover factor as the ratio of the 1-year recent mover gross rent to the 5-year standard quality gross rent for the recent mover factor area. HUD does not allow recent mover factors to reduce the standard quality base rent; therefore, if the 5-year standard quality rent is larger than the comparable 1-year recent mover rent, the recent mover factor is set to 1. Applying the recent mover factor to the standard quality base rent produces a recent mover two-bedroom gross rent for the FMR area that is ''as of'' the most recent ACS year.

In general, HUD has used the 1-year ACS-based two-bedroom recent mover gross rent estimate from the smallest geographic area encompassing the FMR area for which the estimate is statistically reliable to calculate the recent mover factor.[3] HUD calculates

[2] Using FY 2017 as an example, the three years of ACS data in question are 2012, 2013 and 2014. The 2012 data are adjusted to be denominated in 2014 dollars using the growth in CPI-based gross rents measured between 2012 and 2014. Similarly, the 2013 gross rent data is adjusted to 2014 denominated dollars using the growth in CPI-based gross rents measured between 2013 and 2014.

[3] HUD currently assesses recent mover estimates to be statistically reliable if the margin of error of

Continued

some areas' recent mover factors using data collected solely within the FMR area. However, HUD currently bases other areas' recent mover factors on larger geographic areas if this is necessary to obtain statistically reliable estimates.

When data from a larger geographic unit is required, data from progressively larger areas is considered until a statistically reliable result is obtained. The order of consideration depends on the type of area for which the recent mover factor is being calculated. For metropolitan FMR areas that are subareas of larger metropolitan areas, the order is the FMR area, the metropolitan area, the aggregated metropolitan parts of the state, and the entire state. Metropolitan areas that are not divided follow a similar progression from FMR area data, to data from the aggregated metropolitan parts of the state, to state-level data. In non-metropolitan areas, HUD bases the recent mover factor on data from within the FMR area, or from the aggregated non-metropolitan parts of the state, or if that is not available, from the whole state.

HUD proposes to modify the test of statistical reliability for ACS recent mover data in the same manner as the proposed change discussed under base rents. In addition, when an FMR area does not have statistically reliable two-bedroom data, HUD proposes that before using data from a larger geographic area to calculate the recent mover factor, HUD would first check to see if the data aggregated across ''all-bedroom'' count units is statistically reliable for the FMR area. If so, HUD will use the ''all-bedroom'' data to calculate the recent mover factor instead of moving to the next larger geography. Incorporating ''all-bedroom'' rents into the recent mover factor calculation when statistically reliable two-bedroom data is not available preserves the use of local information to the greatest extent possible. However, where statistically reliable ''all-bedroom'' data is not available, HUD will continue to use data from the larger geographical area(s), as described above.

2. Small Area Fair Market Rents Methodology Changes

Currently, HUD calculates Small Area FMRs [4] using a rent ratio determined by dividing the median gross rent across all bedrooms for the Small Area ZCTAs by the similar median gross rent for the parent metropolitan area of the ZIP code. In order to maintain stability in the rent ratio, HUD averages the three most current rent ratios and multiplies this averaged rent ratio by the most recent two-bedroom FMR for the parent metropolitan area. HUD is proposing updates to the calculation of Small Area FMRs that are consistent with the other proposed methodology changes in this Notice.

A. Alternative to the Rent Ratio Method

In order to use more local data, HUD is proposing to calculate Small Area FMRs directly from the standard quality gross rents provided to HUD by the Census Bureau for ZCTAs, when such data is statistically reliable, instead of using the current rent ratio calculation. For each ZCTA with statistically reliable gross rent estimates, using the expanded test of statistical reliability proposed elsewhere in this notice (*i.e.,* estimates with margins of error ratios below 50 percent and based on at least 100 observations), HUD will calculate a two-bedroom equivalent 40th percentile gross rent using either one-, two-, or three-bedroom gross rent data. The order preference for using the gross rent distribution data would be: Two-bedroom gross rents, one-bedroom gross rents, and three-bedroom gross rents. If either the one-bedroom or three-bedroom gross rent data is used because the two-bedroom gross rent data is not statistically reliable, the one-bedroom or three-bedroom 40th percentile gross rent will be converted to a two-bedroom equivalent rent using the bedroom ratios for the ZCTA's parent metropolitan area. In order to add increased stability to these Small Area FMR estimates, HUD will average the latest three years of gross rent estimates.[5] For ZCTAs without usable gross rent data, HUD will continue to calculate Small Area FMRs using the rent ratio method currently employed.

For ZCTAs relying on the rent ratio method (*i.e.,* in small areas where the standard quality median gross rent is not statistically reliable), HUD will continue its current practice of substituting the median gross rent for the county containing the ZCTA in the numerator of the rent ratio calculation. The denominator remains the median gross rent for the ZCTA's parent metropolitan area (discussed below in section B). HUD will continue to multiply this rent ratio by the current two-bedroom rent for the entire metropolitan area containing the small area to generate the current year two-bedroom rent for the small area. HUD will continue to use a rolling-average of ACS data in calculating the Small Area FMR rent ratios. HUD believes coupling the most current data with previous years' data minimizes excessive year-to-year variability in Small Area FMR rent ratios due to sampling variance. Therefore, HUD will update the rent ratios each year.

B. ZCTA to Metropolitan Area Link

HUD is also proposing to change the linkage between a ZCTA and its parent metropolitan area. Currently, HUD links each ZCTA to its parent OMB-defined Core Based Statistical Area (CBSA). Going forward, HUD proposes to link each ZCTA to its published FMR area; that is, each ZCTA will be linked to its parent HUD Metropolitan Fair Market Rent Area (HMFA), if it exists. If no parent HUD FMR exists, the ZCTA will continue to be linked to its parent CBSA. This change is being proposed to take advantage of the more localized recent mover factors for subareas of OMB-defined metropolitan areas when available.

New, hypothetical FY 2017 Small Area FMRs incorporating all proposed calculation changes are available at *https://www.huduser.gov/portal/datasets/fmr/smallarea/index.html.*

IV. Request for Public Comments on Changes

HUD continually strives to calculate FMRs that can serve as an effective program parameter while meeting the statutory requirement to use ''the most recent available data.'' Therefore, HUD is requesting specific comments on these methodological changes, noting that HUD's objectives are to: (1) Limit volatility in annual FMR changes by adding an observation count requirement of at least 100, and by averaging prior year rent data when the new requirements for statistical reliability are not met; (2) improve the use of local data in calculating the recent mover factor by allowing the use of ''all-bedroom'' observations in the calculation of the recent mover factor before using data from a larger area; and (3) involve the use of more local data in the calculation of Small Area FMRs when possible, including by using ZCTA gross rents and making changes to the rent ratio calculation.

These methodology changes are not monodirectional; for example, the

the estimate is smaller than half the size of the estimate itself (*i.e.,* less than 50%).

[4] More information regarding the history of Small Area FMRs, including information concerning the Small Area FMR Demonstration is available at: *https://www.huduser.gov/portal/datasets/fmr/smallarea/index.html.*

[5] For example, for (hypothetical) FY 2017 FMRs using this methodology, HUD would average the gross rents from 2012, 2013 and 2014 5-Year ACS estimates. The 2012 and 2013 gross rent estimates would be adjusted to 2014 dollars using the metropolitan area's gross rent CPI adjustment factors.

application of a stricter statistical significance test may lower rents in an area, while the use of the more local ''all-bedroom'' recent mover factor may increase rents in the same area.

In addition, HUD solicits comments on the possible effects of changes in FMR methodology on the achievement of fair housing and other civil rights goals and objectives, including increasing mobility of low-income persons to areas of high opportunity and lower poverty, and whether other methodological changes might better ensure appropriate fair housing outcomes.

HUD respectfully requests that comments filed in response to this notice remain focused on the proposed calculation changes. Hypothetical FY 2017 FMRs and Small Area FMRs, using these new methodology changes, are published at *https://www.huduser.gov/portal/datasets/fmr.html* and *https://www.huduser.gov/portal/datasets/fmr/smallarea/index.html,* respectively.

V. Environmental Impact

This notice proposes changes in the way FMRs are calculated and does not constitute a development decision affecting the physical condition of specific project areas or building sites. Accordingly, under 24 CFR 50.19(c)(6), this notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

Dated: May 4, 2017.

Matthew E. Ammon,

General Deputy Assistant Secretary for Policy Development and Research.

[FR Doc. 2017–10907 Filed 5–25–17; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2017–0031; FXIA16710900000–178–FF09A30000]

Endangered Species; Marine Mammals; Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act ESA prohibits activities with listed species unless Federal authorization is acquired that allows such activities.

DATES: We must receive comments or requests for documents on or before June 26, 2017.

ADDRESSES: *Submitting Comments:* You may submit comments by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–HQ–IA–2017–0031.
- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: Docket No. FWS–HQ–IA–2017–0031; U.S. Fish and Wildlife Service Headquarters, MS: BPHC; 5275 Leesburg Pike, Falls Church, VA 22041–3803.

When submitting comments, please indicate the name of the applicant and the PRT# you are commenting on. We will post all comments on *http://www.regulations.gov.* This generally means that we will post any personal information you provide us (see the Public Comments section for more information).

Viewing Comments: Comments and materials we receive will be available for public inspection on *http://www.regulations.gov,* or by appointment, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays, at the U.S. Fish and Wildlife Service, Division of Management Authority, 5275 Leesburg Pike, Falls Church, VA 22041–3803; telephone 703–358–2095.

FOR FURTHER INFORMATION CONTACT: Joyce Russell, Government Information Specialist, Division of Management Authority, U.S. Fish and Wildlife Service Headquarters, MS: IA; 5275 Leesburg Pike, Falls Church, VA 22041–3803; telephone 703–358–2023; facsimile 703–358–2280.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

A. How do I request copies of applications or comment on submitted applications?

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an email or address not listed under **ADDRESSES**. If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

B. May I review comments submitted by others?

Comments, including names and street addresses of respondents, will be available for public review at the street address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), along with Executive Order 13576, ''Delivering an Efficient, Effective, and Accountable Government,'' and the President's Memorandum for the Heads of Executive Departments and Agencies of January 21, 2009—Transparency and Open Government (74 FR 4685; Jan. 26, 2009), which call on all Federal agencies to promote openness and transparency in Government by disclosing information to the public, we invite public comment on these permit applications before final action is taken.

III. Permit Applications

A. Endangered Species

We invite the public to comment on applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (16 U.S.C. 1531 *et seq.;* ESA) prohibits activities with listed species unless Federal authorization is acquired that allows such activities.

Applicant: Feld Entertainment, Inc., Palmetto, FL; PRT–22685C

The applicant requests a permit to re-export eight captive-born tigers (*Panthera tigris*) to enhance the propagation or survival of the species to Alexander Lacey c/o Zirkus Krone, Munchen, Germany. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: International Elephant Foundation c/o Fort Worth Zoo, Fort Worth, TX; PRT–09806C

The applicant requests authorization to import biological samples from African elephants (*Loxodonta africana*) and Asian elephant (*Elephas maximus*) from various countries for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Priour Brothers Ranch, Ingram, TX; PRT–707102

The applicant requests a permit to authorize interstate commerce, export, and cull of excess barasingha (*Rucervus duvauceli*), Eld's deer (*Rucervus eldii*), Arabian oryx (*Oryx leucoryx*), and red lechwe (*Kobus leche*) in captive herds maintained at their facility in both Mountain Home and Kerrville, Texas, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Carson Springs Wildlife Foundation, Gainesville, Florida PRT–56870A

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species: Ring-tailed lemur (*Lemur catta*), black and white ruffed lemur (*Varecia variegata*), red ruffed lemur (*Varecia rubra*), black lemur (*Eulemur macaco*), leopard (*Panthera pardus*), snow leopard (*Uncia uncia*), cheetah (*Acinonyx jubatus*), Grevy's zebra (*Equus grevyi*), scimitar-horned oryx, (*Oryx dammah*), addax (*Addax nasomaculatus*), dama gazelle (*Nanger dama*), red lechwe (*Kobus leche*), Galapagos tortoise (*Chelonoidis nigra*), and radiated tortoise (*Astrochelys radiata*). This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Kenneth D. Sheaff, Yardley, PA; PRT–03362C

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for radiated tortoise (*Astrochelys radiata*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Priour Brothers Ranch; PRT–672849

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for barasingha (*Rucervus duvauceli*), Eld's brow-antlered deer (*Rucervus eldi*), Arabian oryx (*Oryx leucoryx*), and red lechwe (*Kobus leche*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: NH&S Holdings, LLC, Valley Mills, TX; 64164A

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for scimitar-horned oryx (*Oryx dammah*) and red lechwe (*Kobus leche*), to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: University of Wisconsin-Madison, Madison, WI; PRT–18137C

The applicant requests a permit to import eastern gorilla (*Gorilla beringei*) serum collected from wild animals in Rwanda for the purpose of scientific research.

Applicant: Zoological Society of San Diego, San Diego, CA; PRT–50819A

The applicant requests a renewal of their permit to export and reimport nonliving museum specimens of endangered and threatened species previously accessioned into the applicant's collection for scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Zoological Society of San Diego, San Diego, CA; PRT–27097C

The applicant requests a permit to import one Fiji banded iguana (*Brachylophus fasciatus*) from the Ministry of the Environment and Sustainable Development, Buenos Aires, Argentina, for the purpose of enhancing the propagation or survival of the species under the managed work of the Species Survival Program.

Applicant: Cleveland Metroparks Zoo, Cleveland, OH; PRT–14745C

The applicant requests a permit to import samples for captive-bred Persian onager (*Equus hemionus onager*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period

Applicant: Hugh Nguyen, Morgan Hill, CA; PRT–12447C

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the golden parakeet (*Guarouba guarouba*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Michael Ryckman, Painted Post, NY; PRT–75285A

The applicant requests a renewal for a captive-bred wildlife registration under 50 CFR 17.21(g) for radiated tortoise (*Astrochelys radiata*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: KJC Holdings, Valley Spring, TX; PRT–200207

The applicant requests a renewal of a captive-bred wildlife registration under 50 CFR 17.21(g) for barasingha (*Rucervus duvaucelii*), to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Multiple Applicants: The following applicants each request authorization to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, to enhance the propagation or survival of the species.

John Verlander, El Paso, Texas; PRT–22943C

Corey Shaefer, Mountain Home, TX; PRT–24114C

B. Marine Mammals

Applicant: U.S. National Park Service, Juneau, AK; PRT–14762C

The applicant requests a permit to harass the Southeast Alaska stock of wild northern sea otters (*Enhydra lutris kenyoni*) through air and ground/vessel surveys for the purpose of scientific

research. This notification covers activities to be conducted by the applicant over a 5-year period.

Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

IV. Next Steps

If the Service decides to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the **Federal Register** notice announcing the permit issuance date by searching in *www.regulations.gov* under the permit number listed in this document.

V. Public Comments

You may submit your comments and materials concerning this notice by one of the methods listed in **ADDRESSES**. We will not consider comments sent by email or fax or to an address not listed in **ADDRESSES**.

If you submit a comment via *http://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the Web site. If you submit a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so.

We will post all hardcopy comments on *http://www.regulations.gov.*

VI. Authorities

Endangered Species Act of 1973, (16 U.S.C. 1531 *et seq.*);

Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 *et seq.*).

Joyce Russell,

Government Information Specialist, Branch of Permits, Division of Management Authority.

[FR Doc. 2017–10853 Filed 5–25–17; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[178A2100DD/AAKC001030/A0A501010.999900 253G]

Renewal of Agency Information Collection for Application for Job Placement and Training Services

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Assistant Secretary—Indian Affairs is seeking comments on the renewal of Office of Management and Budget (OMB) approval for the collection of information for the Application for Job Placement and Training Services authorized by OMB Control Number 1076–0062. This information collection expires July 31, 2017.

DATES: Submit comments on or before July 25, 2017.

ADDRESSES: You may submit comments on the information collection to Mr. Terrence Parks, Division Chief, Division of Workforce Development, Office of Indian Services, Bureau of Indian Affairs, 1849 C Street NW., MIB, Washington, DC 20240; facsimile: (202) 208–5113; email: *Terrence.parks@bia.gov.*

FOR FURTHER INFORMATION CONTACT: Mr. Terrence Parks, (202) 513–7625.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Office of Indian Service (OIS) is seeking renewal of the approval for the information collection conducted under 25 CFR part 26 to administer the job placement and training program, through Tribes, which provides vocational/technical training, related counseling, guidance, and job placement services, and limited financial assistance to Indian individuals who are not less than 18 years old and who reside with the Department of the Interior (DOI) approved service areas.

This information collection includes a form: BIA–8205, Application for Job Placement and/or Training Assistance. The previously approved version of this information collection included a reporting element, however, this reporting element is also covered under the Reporting Systems for Public Law 102–477 Demonstration Project Information Collection, OMB# 1076–0135. Therefore, this renewal of OMB# 1076–0062 no longer includes that reporting element in an effort to not duplicate efforts for the public.

II. Request for Comments

The OIS requests your comments on this collection concerning: (a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) Ways we could minimize the burden of the collection of the information on the respondents.

Please note that an agency may not conduct or sponsor, and an individual need not respond to, a collection of information unless it has a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the location listed in the **ADDRESSES** section. Before including your address, phone number, email address or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

III. Data

OMB Control Number: 1076–0062.

Title: Application for Job Placement & Training Services.

Brief Description of Collection: Submission of this information allows DOI, through Tribes, to administer the job placement and training program, which provides vocational/technical training, related counseling, guidance, job placement services, and limited financial assistance to Indian individuals who are not less than 18 years old and who reside within DOI approved service areas. The information collection includes an application for services, quarterly progress reports, and information from employers regarding opportunities.

Obligation to Respond: Response is required to obtain a benefit.

Type of Review: Revision of currently approved collection.

Respondents: Individuals seeking to participate, or currently participating, in the OIS job placement and training program which is administered by Tribes acting on behalf of the Federal government.

Number of Respondents: Estimated 4,050 per year.

Number of Responses: Estimated 4,050 per year.

Frequency of Response: Once annually to apply for services and on occasion to provide information regarding job opportunities.

Estimated Time per Response: 30 minutes.

Estimated Total Annual Hour Burden: 2,025 hours.

Estimated Total Annual Non-Hour Dollar Cost: $0.

Authority

The authorities for this action are 25 U.S.C. 309 and the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

Elizabeth K. Appel,

Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs.

[FR Doc. 2017–10828 Filed 5–25–17; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[178A2100DD/AAKC001030/ A0A501010.999900 253G]

Renewal of Agency Information Collection for Home-Living Programs and School Closure and Consolidation

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Bureau of Indian Education (BIE) is seeking comments on the renewal of Office of Management and Budget (OMB) approval for the collection of information for the Home-living Programs and School Closure and Consolidation. This information collection is currently authorized by OMB Control Number 1076–0164. This information collection expires July 31, 2017.

DATES: Submit comments on or before July 25, 2017.

ADDRESSES: You may submit comments on the information collection to Ms. Juanita Mendoza, U.S. Department of the Interior, Bureau of Indian Education, 1849 C Street NW., Washington, DC 20240; fax: (202) 208–3312; email: *Juanita.Mendoza@bie.edu.*

FOR FURTHER INFORMATION CONTACT: Ms. Juanita Mendoza, (202) 208–6123.

SUPPLEMENTARY INFORMATION:

I. Abstract

Public Law 114–95, the Every Student Succeeds Act (ESSA) of December 10, 2015, requires all schools including BIE-funded boarding/residential schools to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging academic achievement standards and assessments. The ESSA, and implementing regulations at 25 CFR 36, requires the BIE to implement national standards for home-living situations in all BIE-funded residential schools. The BIE must collect information from all BIE-funded residential schools in order to assess each school's progress in meeting the national standards. The BIE is seeking renewal of the approval for this information collection to ensure that minimum academic standards for the education of Indian children and criteria for dormitory situations in BIE-operated schools and Tribally-controlled contact and grant schools are met.

II. Request for Comments

The BIE requests your comments on this collection concerning: (a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) Ways we could minimize the burden of the collection of the information on the respondents.

Please note that an agency may not conduct or sponsor, and an individual need not respond to, a collection of information unless it displays a valid OMB Control Number.

It is our policy to make all comments available to the public for review at the location listed in the **ADDRESSES** section. Before including your address, phone number, email address or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

III. Data

OMB Control Number: 1076–0164.

Title: Home-living Programs and School Closure and Consolidation.

Brief Description of Collection: Submission of this information allows the BIE to ensure that minimum academic standards for the education of Indian children and criteria for dormitory situations in Bureau-operated schools and Indian-controlled contract schools are met. Response is required to obtain a benefit.

Type of Review: Extension without change of currently approved collection.

Respondents: Indian Tribes.

Number of Respondents: There are 65 schools with residential programs, of which 27 are Bureau-operated and 38 are Tribally operated. Thus, the collection of information must be cleared for 38 of the 65 residential schools.

Total Number of Responses: 730 per year, on average.

Frequency of Response: Annual or on occasion, depending on the activity.

Estimated Time per Response: Ranges from 1 minute to 40 hours, depending on the activity.

Estimated Total Annual Hour Burden: 1,344 hours.

Estimated Total Annual Non-Hour Dollar Cost: $0.

Authority: The authorities for this action are the Every Student Succeeds Act, Public Law 114–95, and the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

Elizabeth K. Appel,

Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs.

[FR Doc. 2017–10829 Filed 5–25–17; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS00560 L58530000 EU0000 241A;14–08807; MO#4500104662; TAS: 17X]

Notice of Realty Action: Competitive Sale of 17 Parcels of Public Land in Clark County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action.

SUMMARY: The Bureau of Land Management (BLM) is proposing to offer 17 parcels of public land totaling 81.25 acres in the Las Vegas Valley by competitive sale, at not less than the appraised fair market values (FMV) pursuant to the Southern Nevada Public Land Management Act of 1998 (SNPLMA), as amended. The sale will be subject to the applicable provisions of Section 203 of the Federal Land Policy and Management Act of 1976 (FLPMA) and BLM land sale regulations.

DATES: Interested parties may submit written comments regarding the sale until July 10, 2017. The sale will be held by sealed bid and oral public auction and will occur on August 3, 2017, at the City of Henderson Council Chambers, 240 Water Street, Henderson, Nevada 89009 at 10 a.m., Pacific Time. The FMV for the parcels will be available 30 days prior to the sale. The BLM will start accepting sealed bids beginning on

July 17, 2017. Sealed bids must be received at the BLM's Las Vegas Field Office (LVFO) no later than 4:30 p.m. Pacific Time on July 28, 2017. The BLM will open sealed bids on the day of the sale just prior to the oral bidding.

ADDRESSES: Mail written comments and submit sealed bids to the BLM–LVFO, Assistant Field Manager, 4701 North Torrey Pines Drive, Las Vegas, NV 89130. The sale by sealed bid and oral public auction will be held at the City of Henderson Council Chambers, 240 Water Street, Henderson, Nevada 89009.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Realty Specialist, BLM LVFO by email: *lrodriguez@blm.gov,* or by telephone: 702–515–5069. For general information on previous BLM public land sales, go to: *https://www.blm.gov/snplma.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: All 17 parcels are within Clark County jurisdiction and sixteen of the parcels are located in the southwest of the Valley, south of Beltway 215 and west of Interstate 15. The last parcel is located near the intersection of Ann Road and Grand Canyon Drive.

The subject public lands are legally described as:

Mount Diablo Meridian, Nevada

N–80697, 10.00 acres:
T. 19 S., R. 60 E.,
sec. 30, W½NW¼SE¼SW¼,
W½SW¼SE¼SW¼.
N–94807, 5.00 acres:
T. 22 S., R. 60 E.,
sec. 10, W½NW¼NE¼NE¼.
N–92830, 2.50 acres:
T. 22 S., R. 60 E.,
sec. 14, SE¼SE¼SE¼SW¼.
N–92832, 2.50 acres:
T. 22 S., R. 60 E.,
sec. 14, SW¼SW¼SW¼SE¼.
N–94808, 2.50 acres:
T. 22 S., R. 60 E.,
sec. 15, NE¼SE¼SE¼SW¼.
N–94809, 2.50 acres:
T. 22 S., R. 60 E.,
sec. 15, SW¼SE¼SE¼SW¼.
N–81973, 1.25 acres:
T. 22 S., R. 60 E.,
sec. 19, N½SW¼NE¼SW¼NE¼.
N–94810, 2.50 acres:
T. 22 S., R. 60 E.,
sec. 22, NW¼NW¼SE¼SW¼.
N–94814, 12.50 acres:
T. 22 S., R. 61 E.,
sec. 29, W½NE¼NW¼SE¼NW¼,
NW¼NW¼SE¼NW¼,
SE¼NW¼SE¼NW¼,
E½SW¼NW¼SE¼NW¼,
E½NE¼SW¼SE¼NW¼,
E½NW¼SW¼SE¼NW¼,
SW¼SW¼SE¼NW¼.
N–94815, 2.50 acres:
T. 22 S., R. 61 E., sec. 29,
SE¼SW¼NE¼SW¼.
N–94816, 17.50 acres:
T. 22 S., R. 61 E.,
sec. 29, NW¼SE¼SW¼,
E½NE¼SW¼SW¼,
NW¼NE¼SW¼SW¼.
N–94817, 5.00 acres:
T. 22 S., R. 61 E.,
sec. 29, N½SW¼SE¼SW¼.
N–94818, 2.50 acres:
T. 22 S., R. 61 E.,
sec. 30, NE¼NE¼SE¼SW¼.
N–94819, 2.50 acres:
T. 22 S., R. 61 E.,
sec. 30, SW¼SW¼NW¼SE¼.
N–85664, 2.50 acres:
T. 22 S., R. 61 E.,
sec. 30, NE¼SE¼NW¼SE¼.
N–81967, 5.00 acres:
T. 22 S., R. 61 E.,
sec. 30, W½SW¼NE¼SE¼.
N–94820, 2.50 acres:
T. 22 S., R. 61 E.,
sec. 30, SW¼SW¼SW¼SE¼.

The area described contains 81.25 acres.

A sales matrix is available on the BLM Web site at *https://www.blm.gov/snplma.* The sales matrix provides information specific to each sale parcel such as legal description, physical location, encumbrances, acreage, and FMV. The FMV for each parcel will be available in the sales matrix as soon as approved and no later than 30 days prior to the sale.

The sale is in conformance with the BLM Las Vegas Resource Management Plan decision LD–1, approved on October 5, 1998. The Las Vegas Valley Disposal Boundary Environmental Impact Statement and Record of Decision issued on December 23, 2004 analyzed the sale parcels. A parcel-specific Determination of National Environmental Policy Act Adequacy (DNA), document number DOI–BLM–NV–S010–2016–0125–DNA, was prepared in connection with this Notice of Realty Action.

Submit comments on this sale notice to the address in the **ADDRESSES** section. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including any personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. The BLM will also publish this notice once a week for three consecutive weeks in the *Las Vegas Review-Journal.*

Sale procedures: Registration for oral bidding will begin at 8 a.m. Pacific Time and will end at 10 a.m. Pacific Time at the City of Henderson Council Chambers, 240 Water Street, Henderson, Nevada 89009, on the day of the sale, August 3, 2017. There will be no prior registration before the sale date. To participate in the competitive sale, all registered bidders must submit a bid guarantee deposit in the amount of $10,000 by certified check, postal money order, bank draft, or cashier's check made payable to the Department of the Interior-Bureau of Land Management on the day of the sale or submit the bid guarantee deposit along with the sealed bids. The public sale auction will be through sealed and oral bids. Sealed bids will be opened and recorded on the day of the sale to determine the high bids among the qualified bids received. Sealed bids above the FMV will set the starting point for oral bidding on a parcel. Parcels that receive no qualified sealed bids will begin at the established FMV. Bidders who are participating and attending the oral auction on the day of the sale are not required to submit a sealed bid but may choose to do so.

Sealed-bid envelopes must be clearly marked on the lower front left corner with the parcel number and name of the sale, for example: ''N–XXXXX, 17 parcel SNPLMA 2017 August Sale.'' If multiple sealed bids are submitted, only the envelope that contains the bid guarantee needs to be noted with ''bid guarantee.'' Sealed bids must include an amount not less than 20 percent of the total bid amount and the $10,000 bid guarantee noted above by certified check, postal money order, bank draft, or cashier's check made payable to the ''Department of the Interior-Bureau of Land Management.'' The bid guarantee and bid deposit may be combined into one form of deposit; the bidder must specify the amounts of the bid deposit and the bid guarantee. If multiple sealed bids are submitted, the first sealed bid of the group must include the $10,000 bid guarantee with the same bidder name. The BLM will not accept personal or company checks. The sealed-bid envelope *must* contain the 20 percent bid deposit, bid guarantee, and a completed and signed ''Certificate of Eligibility'' form stating the name, mailing address, and telephone number of the entity or person submitting the bid. Certificate of Eligibility and registration forms are available at the BLM–LVFO at the address listed in the **ADDRESSES** section and on the BLM Web site at *https://www.blm.gov/snplma.* Pursuant to 43 CFR 2711.3–1(c), if two

or more sealed-bid envelopes containing valid bids of the same amount are received, oral bidding will start at the sealed-bid amount. If there are no oral bids on the parcel, the authorized officer will determine the winning bidder. Bids for less than the Federally approved FMV will not be qualified. The highest qualifying bid for any parcel will be declared the high bid. The apparent high bidder must submit a deposit of not less than 20 percent of the successful bid by 3 p.m. Pacific Time on the day of the sale in the form of a certified check, postal money order, bank draft, or cashier's check made payable in U.S. dollars to the ''Department of the Interior—Bureau of Land Management.'' Funds must be delivered no later than 3 p.m. Pacific Time on the day of the sale to the BLM Collection Officers at the City of Henderson Council Chambers, 240 Water Street, Henderson, Nevada 89009. Funds will not be accepted at the BLM–LVFO location. The BLM will send the successful bidder(s) a high-bidder letter with detailed information for full payment.

All funds submitted with unsuccessful bids will be returned to the bidders or their authorized representative upon presentation of acceptable photo identification at the BLM–LVFO or by certified mail. The apparent high bidder may choose to apply the bid guarantee towards the required deposit. Failure to submit the deposit following the close of the sale under 43 CFR 2711.3–1(d) will result in forfeiture of the bid guarantee. If the successful bidder offers to purchase more than one parcel and fails to submit the 20 percent bid deposit resulting in default on any single parcel following the sale, the BLM will retain the $10,000.00 bid guarantee, and may cancel the sale of all the parcels to that bidder. If a high bidder is unable to consummate the transaction for any reason, the second highest bid may be considered to purchase the parcel. If there are no acceptable bids, a parcel may remain available for sale at a future date in accordance with competitive sale procedures without further legal notice.

Federal law requires that bidders must be: (1) A citizen of the United States who is 18 years of age or older; (2) a corporation subject to the laws of any State or of the United States; (3) a State, State instrumentality, or political subdivision authorized to hold property; or (4) an entity legally capable of conveying and holding lands or interests therein under the laws of the State of Nevada.

Evidence of United States citizenship is a birth certificate, passport, or naturalization papers. Failure to submit the above requested documents to the BLM within 30 days from receipt of the high-bidder letter will result in cancellation of the sale and forfeiture of the bid deposit. Citizenship documents and Articles of Incorporation (as applicable) must be provided to the BLM–LVFO for each sale. The successful bidder is allowed 180 days from the date of the sale to submit the remainder of the full purchase price.

According to SNPLMA as amended, Public Law 105–263 section 4(c), lands identified within the Las Vegas Valley Disposal Boundary are withdrawn from location and entry under the mining laws and from operation under the mineral leasing and geothermal leasing laws until such time as the Secretary terminates the withdrawal or the lands are patented. Any subsequent applications will not be accepted, will not be considered as filed, and will be returned to the applicant. The segregative effect of this notice terminates upon issuance of a patent or other document of conveyance to such lands, publication in the **Federal Register** of a termination of the segregation, or 2 years after the date of this publication, whichever occurs first. The segregation period may not exceed two years unless extended by the BLM State Director, Nevada, in accordance with 43 CFR 2711.1–2(d) prior to the termination date.

Terms and Conditions: All minerals for the sale parcels will be reserved to the United States. The patents, when issued, will contain a mineral reservation to the United States for all minerals.

In response to requests to clarify this mineral reservation as it relates to mineral materials, such as sand and gravel, we refer interested parties to the regulations at 43 CFR 3601.71(b), which provides that the owner of the surface estate of lands with reserved Federal minerals may ''use a minimal amount of mineral materials for . . . personal use'' within the boundaries of the surface estate without a sales contract or permit. The regulation provides that all other use, absent statutory or other express authority, requires a sales contract or permit. We refer interested parties to the explanation of this regulatory language in the preamble to the final rule published in the **Federal Register** in 2001, which stated that minimal use ''would not include large-scale use of mineral materials, even within the boundaries of the surface estate.'' 66 FR 58892, 58894 (Nov. 23, 2001). Further explanation is contained in BLM Instruction Memorandum No. 2014–085 (April 23, 2014), available on BLM's Web site at *https://www.blm.gov/policy/woim-2014-085.*

The parcels are subject to limitations prescribed by law and regulation, and certain encumbrances in favor of third parties. Prior to patent issuance, a holder of any right-of-way (ROW) within the sale parcels will have the opportunity to amend the ROW for conversion to a new term, including perpetuity, if applicable, or conversion to an easement. The BLM will notify valid existing ROW holders of record of their ability to convert their compliant rights-of-way to perpetual rights-of-way or easements. In accordance with Federal regulations at 43 CFR 2807.15, once notified, each valid holder may apply for the conversion of their current authorization.

The following numbered terms and conditions will appear on the conveyance documents for the sale parcels:

1. All minerals deposits in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations to be established by the Secretary of the Interior are reserved to the United States, together with all necessary access and exit rights;
2. A right-of-way is reserved for ditches and canals constructed by authority of the United States under the Act of August 30, 1890 (43 U.S.C. 945);
3. The parcels are subject to valid existing rights;
4. The parcels are subject to reservations for road, public utilities and flood control purposes, both existing and proposed, in accordance with the local governing entities' transportation plans; and
5. An appropriate indemnification clause protecting the United States from claims arising out of the lessee's/patentee's use, occupancy, or occupations on the leased/patented lands.

Pursuant to the requirements established by Section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9620(h) (CERCLA), as amended, notice is hereby given that the lands have been examined and no evidence was found to indicate that any hazardous substances have been stored for one year or more, nor had any hazardous substances been disposed of or released on the subject property.

No warranty of any kind, express or implied, is given by the United States as to the title, whether or to what extent the land may be developed, its physical

condition, future uses, or any other circumstance or condition. The conveyance of a parcel will not be on a contingency basis. However, to the extent required by law, the parcel is subject to the requirements of Section 120(h) of the CERCLA.

The BLM–LVFO must receive the request for escrow instructions prior to 30 days before the prospective patentee's scheduled closing date. There are no exceptions.

All name changes and supporting documentation must be received at the BLM–LVFO 30 days from the date on the high-bidder letter by 4:30 p.m. Pacific Time. There are no exceptions. To submit a name change, the apparent high bidder must submit the name change in writing on the Certificate of Eligibility form to the BLM–LVFO.

The remainder of the full bid price for the parcel must be received no later than 4:30 p.m. Pacific Time, within 180 days following the day of the sale. Payment must be submitted in the form of a certified check, postal money order, bank draft, cashier's check, or made available by electronic fund transfer made payable in U.S. dollars to the ''Department of the Interior—Bureau of Land Management'' to the BLM–LVFO. The BLM will not accept personal or company checks.

Arrangements for electronic fund transfer to the BLM for payment of the balance due must be made a minimum of two weeks prior to the payment date. Failure to pay the full bid price within 180 days of the sale date will disqualify the high bidder and cause the entire 20 percent bid deposit to be forfeited to the BLM. Forfeiture of the 20 percent bid deposit is in accordance with 43 CFR 2711.3–1(d). There are no exceptions. The BLM can only accept the remainder of the full bid price up to 180 days after the sale date.

The BLM will not sign any documents related to 1031 Exchange transactions. The timing for completion of such an exchange is the bidder's responsibility. The BLM cannot be a party to any 1031 Exchange.

In accordance with 43 CFR 2711.3–1(f), the BLM may accept or reject any or all offers to purchase, or withdraw any parcel of land or interest therein from sale within 30 days, if the BLM authorized officer determines consummation of the sale would be inconsistent with any law, or for other reasons as may be provided by applicable law or regulations. No contractual or other rights against the United States may accrue until the BLM officially accepts the offer to purchase and the full bid price is paid.

Upon publication of this notice and until completion of this sale, the BLM will no longer accept land use applications affecting the parcel identified for sale. However, land use applications may be considered after the sale if the parcel is not sold. The parcel may be subject to land use applications received prior to publication of this Notice if processing the application would have no adverse effect on the marketability of title, or the FMV of the parcel. Information concerning the sale, encumbrances of record, appraisals, reservations, procedures and conditions, CERCLA, and other environmental documents that may appear in the BLM public files for the proposed sale parcels are available for review during business hours, 8 a.m. to 4:30 p.m. Pacific Time, Monday through Friday, at the BLM–LVFO, except during Federal holidays.

In order to determine the FMV through appraisal, certain extraordinary assumptions and hypothetical conditions may have been made concerning the attributes and limitations of the lands and potential effects of local regulations and policies on potential future land uses. Through publication of this notice, the BLM advises that these assumptions may not be endorsed or approved by units of local government.

It is the buyer's responsibility to be aware of all applicable Federal, State, and local government laws, regulations and policies that may affect the subject lands, including any required dedication of lands for public uses. It is also the buyer's responsibility to be aware of existing or prospective uses of nearby properties. When conveyed out of Federal ownership, the lands will be subject to any applicable laws, regulations, and policies of the applicable local government for proposed future uses. It is the responsibility of the purchaser to be aware through due diligence of those laws, regulations, and policies, and to seek any required local approvals for future uses. Buyers should make themselves aware of any Federal or state law or regulation that may impact the future use of the property. Any land lacking access from a public road or highway will be conveyed as such, and future access acquisition will be the responsibility of the buyer.

Any comments regarding the proposed sale will be reviewed by the BLM Nevada State Director or other authorized official of the Department of the Interior, who may sustain, vacate, or modify this realty action in response to such comments. In the absence of any comments, this realty action will become the final determination of the Department of the Interior.

Authority: 43 CFR 2711.1–2.

Kerri-Anne Thorpe,

Acting Assistant Field Manager, Division of Lands.

[FR Doc. 2017–10864 Filed 5–25–17; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[17XL.LLIDT03100.L17110000.DQ0000. 241A00; 4500104491]

Notice of Availability of the Proposed Craters of the Moon National Monument and Preserve Monument Management Plan Amendment and Final Environmental Impact Statement, Idaho

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Notice.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) has prepared a Proposed Monument Management Plan Amendment (Plan Amendment) and Final Environmental Impact Statement (EIS) for the Craters of the Moon National Monument and Preserve and by this notice is announcing its availability.

DATES: BLM planning regulations state that any person who meets the conditions as described in the regulations may protest the BLM's Proposed Plan Amendment/Final EIS. A person who meets the conditions and files a protest must file the protest within 30 days after the date that the Environmental Protection Agency publishes its notice of availability in the **Federal Register**.

ADDRESSES: Copies of the Proposed Plan Amendment/Final EIS have been sent to affected Federal, State, and local government agencies and to other stakeholders, including the Shoshone-Bannock and Shoshone-Paiute Tribes. Copies of the Proposed Plan Amendment/Final EIS are available for public review at the Shoshone BLM Field Office, 400 West F St., Shoshone, Idaho, 83352. Interested persons may also review the Proposed Plan Amendment/Final EIS online at *https://www.blm.gov/programs/planning-and-nepa/plans-in-development/idaho/craters-of-moon.* All protests must be in

writing and mailed to one of the following addresses:

Regular Mail: BLM Director (210), Attention: Protest Coordinator, P.O. Box 71383, Washington, DC 20024–1383.

Overnight Delivery: BLM Director (210), Attention: Protest Coordinator, 20 M Street SE., Room 2134LM, Washington, DC 20003.

FOR FURTHER INFORMATION CONTACT: Lisa Cresswell, Planning Team Lead, telephone (208)732–7200; address 400 West F St., Shoshone, Idaho 83352; email *BLM_ID_CRMO@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact Ms. Cresswell. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with Ms. Cresswell. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The BLM prepared the Craters of the Moon National Monument and Preserve (hereafter, Monument) Proposed Plan Amendment/Final EIS in consultation with cooperating agencies, and in accordance with NEPA, FLPMA, implementing regulations, the BLM's Land Use Planning Handbook (H–1601–1), the BLM National Environmental Policy Act Handbook (H–1790–1), and other applicable law and policy, including IM No. 2016–105 Land Use Planning and National Environmental Policy Act Compliance within Greater Sage-Grouse Approved Resource Management Plans and Plan Amendments Decision Area.

The planning area comprises approximately 753,200 acres of land, which includes 275,100 acres managed by the BLM's Shoshone, Burley, and Upper Snake Field Offices. Based on this analysis, the Monument Management Plan (Plan) will be amended to guide livestock grazing management on BLM-administered public lands within the Monument into the future. Created in 1924 by Presidential Proclamation 1694, and expanded in 2000 by Presidential Proclamation 7373, the Monument is part of the BLM's National Conservation Lands and is one of two BLM National Monuments that are jointly managed with the National Park Service.

The BLM has completed the Proposed Plan Amendment/Final EIS to determine the appropriate management for livestock grazing on public lands within the Monument. The Proposed Plan Amendment/Final EIS analyzes grazing management options for the BLM-managed portions of the Monument, identifying lands available for livestock grazing and the number of authorized Animal Unit Months (AUMs).

The Proposed Plan Amendment/Final EIS updates the 2007 Plan's grazing management direction to ensure consistency with current laws, regulations, and policies. More specifically, the Proposed Plan Amendment/Final EIS evaluates a range of livestock grazing management options while maintaining the Monument values listed in Proclamation 7373. In addition, the Proposed Plan Amendment/Final EIS addresses a deficiency identified by the U.S. District Court for the District of Idaho. In 2011, the court found that the BLM erred when adopting the 2007 Plan. First, the court found that the BLM failed to adequately address the most recent science and agency policies relevant to the conservation of Greater sage-grouse. The BLM remedied this defect by issuing the 2015 Sage-Grouse Approved Resource Management Plan Amendment (2015 GRSG ARMPA), which amended the 2007 Plan. Second, the court found that the BLM failed to analyze a range of reasonable alternatives with respect to livestock grazing within the Monument. The BLM is addressing this second error by preparing the Proposed Plan Amendment and Final EIS.

The Final EIS includes five alternatives that provide a range of livestock grazing availability and Greater sage-grouse protections. Alternative C is the BLM's Proposed Plan.

Alternative A is the No Action Alternative, which would continue the management established in the 2007 Plan. Under this Alternative, 273,900 acres with the capacity for 38,187 AUMs would be available for livestock grazing.

Alternative B would reduce permitted AUMs by 75 percent and close five areas to grazing: Little Park kipuka (an island of older land surrounded by lava flows), the North Pasture of Laidlaw Park Allotment, Larkspur Park kipuka, the North Pasture of Bowl Crater Allotment, and Park Field kipuka. This alternative would adjust two allotment boundaries and make 21,000 acres unavailable for livestock grazing for the protection of Greater sage-grouse and other Monument values.

Alternative C, the Proposed Plan, would make 273,600 acres available for livestock grazing and adjust two allotment boundaries, which would set the maximum number of permitted AUMs at 37,792. Where appropriate, livestock grazing would be used as a tool to improve and/or conserve wildlife habitats. Guidelines for livestock grazing management would be set based on vegetation and wildlife habitat conditions and needs.

Alternative D would eliminate livestock grazing from BLM-administered lands within the Monument boundary and adjust two allotment boundaries. All livestock-related developments would be removed. Some fences may be required to exclude livestock from the Monument under this alternative.

Alternative E would reduce permitted AUMs by approximately 50 percent and close Larkspur Park kipuka to grazing. This alternative would adjust two allotment boundaries and make 272,800 acres available for grazing, which would set the maximum number of permitted AUMs at 19,338. No net gain in livestock-related infrastructure would be allowed.

The land use planning process was initiated on June 28, 2013, through a Notice of Intent published in the **Federal Register**, notifying the public of a formal scoping period and soliciting public participation. The BLM conducted four scoping meetings in July 2013 in the towns of Arco, Carey, Rupert, and American Falls, Idaho. During the scoping period, the public provided the BLM with input on relevant issues to consider in the planning process. Based on this public input and the agency's goals and objectives, the BLM was able to formulate the five alternatives for consideration and analysis in the Draft EIS. Because Area of Critical Environmental Concern (ACEC) nominations were previously analyzed in the 2007 EIS, no new ACEC nominations were solicited during scoping.

Comments on the Draft Plan Amendment/Draft EIS received from the public and during internal BLM review were considered and incorporated as appropriate into the Proposed Plan Amendment/Final EIS. Public comments resulted in the addition of clarifying text, but did not significantly change proposed land use plan decisions.

Instructions for filing a protest with the BLM Director regarding the Proposed Plan Amendment/Final EIS may be found in the ''Dear Reader'' Letter of the Craters of the Moon National Monument and Preserve Proposed Plan Amendment/Final EIS and at 43 CFR 1610.5–2. All protests must be in writing and mailed to the appropriate address, as set forth in the **ADDRESSES** section above. Emailed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by

the close of the protest period. Under these conditions, the BLM will consider the emailed protest as an advance copy and it will receive full consideration after the original letter is received. If you wish to provide the BLM with such advance notification, please direct emails to *protest@blm.gov.*

Before including your phone number, email address, or other personal identifying information in your protest, you should be aware that your entire protest—including your personal identifying information—may be made publicly available at any time. While you can ask us in your protest to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2, 43 CFR 1610.5.

Timothy M. Murphy,

BLM Idaho State Director.

[FR Doc. 2017–10779 Filed 5–25–17; 8:45 am]

BILLING CODE 4310–GG–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLAK930000.L13100000.PP00000]

Renewal of Approved Information Collection; OMB Control No. 1004–0196

AGENCY: Bureau of Land Management, Interior.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Bureau of Land Management (BLM) has submitted an information collection request to the Office of Management and Budget (OMB) to continue the collection of information from participants in the oil and gas leasing program within the National Petroleum Preserve—Alaska (NPRA). The Office of Management and Budget (OMB) previously approved this information collection activity, and assigned it control number 1004–0196.

DATES: The OMB is required to respond to this information collection request within 60 days, but may respond after 30 days. For maximum consideration, written comments should be received on or before June 26, 2017.

ADDRESSES: Please submit comments directly to the Desk Officer for the Department of the Interior (OMB #1004–0196), Office of Management and Budget, Office of Information and Regulatory Affairs, fax 202–395–5806, or by electronic mail at *OIRA_submission@omb.eop.gov.* Please provide a copy of your comments to the BLM. You may do so via mail, fax, or electronic mail.

Mail: U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW., Room 2134LM, Attention: Jean Sonneman, Washington, DC 20240.

Fax: Jean Sonneman at 202–245–0050.

Electronic mail: jesonnem@blm.gov.

Please indicate ''Attn: 1004–0196'' regardless of the form of your comments.

FOR FURTHER INFORMATION CONTACT: Mr. Wayne Svejnoha at 907–271–4407. Persons who use a telecommunication device for the deaf may call the Federal Relay Service at 1–800–877–8339, to leave a message for Mr. Svejnoha. You may also review the information collection request online at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act (44 U.S.C. 3501–3521) and OMB regulations at 5 CFR part 1320 provide that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond. In order to obtain and renew an OMB control number, Federal agencies are required to seek public comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d) and 1320.12(a)).

As required at 5 CFR 1320.8(d), the BLM published a 60-day notice in the **Federal Register** on January 13, 2017 (82 FR 4414), and the comment period ended March 14, 2017. The BLM received no comments.

The BLM now requests comments on the following subjects:

1. Whether the collection of information is necessary for the proper functioning of the BLM, including whether the information will have practical utility;

2. The accuracy of the BLM's estimate of the burden of collecting the information, including the validity of the methodology and assumptions used;

3. The quality, utility and clarity of the information to be collected; and

4. How to minimize the information collection burden on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other forms of information technology.

Please send comments as directed under **ADDRESSES** and **DATES**. Please refer to OMB control number 1004–0196 in your correspondence. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

The following information pertains to this request:

Title: Oil and Gas Leasing: National Petroleum Reserve—Alaska (43 CFR part 3130).

OMB Control Number: 1004–0196.

Abstract: In accordance with the Naval Petroleum Reserve Production Act (42 U.S.C. 6501–6508) and regulations at 43 CFR part 3130, the BLM may authorize participation in an NPRA unit agreement. Participants in such an agreement are required to comply with routine data submissions that are used to document drilling and production and ensure compliance with the unit agreement, lease terms, regulations, Onshore Oil and Gas Orders, Notices to Lessees, lease stipulations, or conditions of approval. In addition, participants in such an agreement may apply for reduction of royalty, suspension of operations or production, or a subsurface storage agreement.

Frequency of Collection: On occasion.

Forms: None.

Description of Respondents: Participants in the oil and gas leasing program within NPRA.

Estimated Annual Responses Annually: 21.

Estimated Reporting and Recordkeeping and Hour Burden Annually: 220

Estimated Reporting and Recordkeeping and Non-Hour Cost Burden Annually: None.

The estimated burdens are itemized in the following table:

A. Type of response	B. Number of responses	C. Time per response	D. Total time (Column B × Column C)
Royalty reduction (43 CFR 3133.4)	1	16 hours	16 hours.
Suspension of operations (43 CFR 3135.3)	1	4 hours	4 hours.
Notification of operations (43 CFR 3135.6)	2	15 minutes	30 minutes.
Unit designation (43 CFR 3137.21 and 3137.23)	1	80 hours	80 hours.
Notification of unit approval (43 CFR 3137.25)	1	1 hour	1 hour.
Certification for modification (43 CFR 3137.52)	1	4 hours	4 hours.
Acceptable bonding (43 CFR 3137.60)	1	30 minutes	30 minutes.
Change of unit operator (43 CFR 3137.61)	1	45 minutes	45 minutes.
Certification of unit obligation (43 CFR 3137.70)	1	2 hours	2 hours.
Certification of continuing development (43 CFR 3137.71)	1	2 hours	2 hours.
Productivity for a participating area (43 CFR 3137.84)	1	12 hours	12 hours.
Unleased tracts (43 CFR 3137.87)	1	3 hours	3 hours.
Notification of productivity (43 CFR 3137.88)	1	30 minutes	30 minutes.
Notification of productivity for non-unit well (43 CFR 3137.91)	1	30 minutes	30 minutes.
Production information (43 CFR 3137.92)	1	1 hour	1 hour.
Lease extension (43 CFR 3137.111)	1	3 hours	3 hours.
Inability to conduct operations activities (43 CFR 3137.112)	1	2 hours	2 hours.
Unit termination (43 CFR 3137.130)	1	1 hour	1 hour.
Impact mitigation (43 CFR 3137.135)	1	4 hours	4 hours.
Storage agreement (43 CFR 3138.11)	1	80 hours	80 hours.
Totals	21		217.75 hours.*

* Rounded to 220 hours.

Authority: 43 CFR part 3130; and 42 U.S.C. 6501–6508.

Jean Sonneman,

Bureau of Land Management, Information Collection Clearance Officer.

[FR Doc. 2017–10960 Filed 5–25–17; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–BSAD–CONC–23339; PPWOBSADC0, PPMVSCS1Y.Y00000]

Agency Information Collection Activities: OMB Control Number 1024–0233; National Park Service Leasing Program

AGENCY: National Park Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: The National Park Service (NPS) has sent an Information Collection Request (ICR) to OMB for review and approval. The NPS summarizes the ICR below and describes the nature of the collection and the estimated burden and cost. This information collection is scheduled to expire on May 31, 2017. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB Control Number. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

DATES: You must submit comments on or before June 26, 2017.

ADDRESSES: Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB—OIRA at (202) 395—5806 (fax) or *OIRA_Submission@omb.eop.gov* (email). Please provide a copy of your comments to Tim Goddard, Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive, MS–242, Reston, VA 20192 (mail); or *tim_goddard@nps.gov* (email). Please include ''1024–0233'' in the subject line of your comments. You may review the ICR online at *http://www.reginfo.gov.* Follow the instructions to review Department of the Interior collections under review by OMB.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, contact Gordy Kito at (202) 354–2096 (telephone) or at *Gordy_Kito@nps.gov* (email). You may review the ICR online at *http://www.reginfo.gov.* Follow the instructions to review Department of the Interior collections under review by OMB.

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Park Service leasing program allows any person or governmental entity to lease buildings and associated property, administered by the Secretary of the Interior as part of the National Park System, under the authority of the Director of the National Park Service. A lease may not authorize an activity that could be authorized by a concessions contract or commercial use authorization. All leases must provide for the payment of fair market value rent. The Director may retain rental payments for park infrastructure needs and, in some cases, to provide administrative support of the leasing program.

Our authority to collect information for the leasing program is derived from Title 54, United States Code, section 102101 *et seq.* (54 U.S.C. 102101 *et seq.*), Title 54 of the United States Code, section 306121 (54 U.S.C. 306121), and Title 36, Code of Federal Regulations, Part 18 (36 CFR part 18). For competitive leasing opportunities, the regulations require the submission of proposals or bids by parties interested in applying for a lease. The regulations also require that the Director approve lease amendments, construction or demolition of structures, and encumbrances on leasehold interests.

We collect Information from anyone who wishes to submit a bid or proposal to lease a property. The Director may issue a request for bids if the amount of rent is the only criterion for award of a lease. The Director issues a request for proposals when the award of a lease is based on selection criteria other than the rental rate. A request for proposals may be preceded by a request for qualifications to select a ''short list'' of potential offerors that meet minimum management, financial, and other qualifications necessary for submission of a proposal.

The Director may enter into negotiations for a lease with nonprofit organizations and units of government without soliciting proposals or bids. In those cases, the Director collects information from the other party regarding the planned use of the premises, potential modifications to the premises, and other information as necessary to support a decision on whether or not to enter into a lease.

We also collect Information from existing leaseholders who seek to:

- Sublet a leased property or assign the lease to a new lessee.
- Construct or demolish portions of a leased property.
- Amend a lease to change the type of activities permitted under the lease.
- Encumber (mortgage) the leased premises.

We use the information to evaluate offers, proposed subleases or assignments, proposed construction or demolition, the merits of proposed lease amendments, and proposed encumbrances. The completion times for each information collection requirement vary substantially depending on the complexity of the leasing opportunity.

II. Data

OMB Control Number: 1024–0233.
Title: National Park Service Leasing Program.
Service Form Number(s): 10–352, 10–353, 10–354, 10–355.
Type of Request: Revision of a currently approved collection.
Description of Respondents: Individuals and businesses.
Respondent's Obligation: Required to obtain or retain a benefit.
Frequency of Collection: On occasion.

Activity	Total annual responses	Completion time per response (hours)	Total annual burden hours
Requests for Qualifications/Requests for Proposals/Requests for Bids—Simple (Forms 10–352, 10–353, or 10–354, and 10–355)			
Individuals	10	10	100
Private Sector	20	10	200
Requests for Qualifications/Requests for Proposals—Complex (Forms 10–352, 10–353, or 10–354, and 10–355)			
Private Sector	20	40	800
Approval of Lessee Construction/Demolition—Simple (Forms 10–352, 10–353, or 10–354, and 10–355)			
Individuals	1	12	12
Private Sector	3	12	36
Approval of Lessee Construction/Demolition—Complex (Forms 10–352, 10–353, or 10–354, and 10–355)			
Private Sector	5	32	160
Approval of Lease Amendments			
Individuals	2	4	8
Private Sector	4	4	16
Approval of Lessee Encumbrances—Simple			
Private Sector	2	8	16
Approval of Lessee Encumbrances—Complex			
Private Sector	2	40	80
Subletting and Assignment of Leases—Simple			
Individuals	50	2	100
Private Sector	1	8	8
Subletting and Assignment of Leases—Complex (Forms 10–352, 10–353, 10–354, or 10–355)			
Private Sector	1	40	40
Totals	121	.....	1,576

Estimated Annual Nonhour Burden Cost: None.

III. Comments

On September 8, 2016, we published in the **Federal Register** (81 FR 62173) a notice of our intent to request that OMB renew approval for this information collection. In that notice, we solicited comments for 60 days, ending on November 7, 2016. We received no comments in response to this notice.

We again invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Authority: The authorities for this action are the National Park Service Organic Act of 1916 (54 U.S.C. 100101 *et seq.;* Pub. L. 113–287), the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), Title 54, United States Code, section 102101 *et seq.* (54 U.S.C. 102101 *et seq.*), Title 54 of the United States Code, section 306121 (54 U.S.C. 306121), and Title 36, Code of Federal Regulations, Part 18 (36 CFR part 18).

Timothy Goddard,

Information Collection Clearance Officer, National Park Service.

[FR Doc. 2017–10833 Filed 5–25–17; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–VRP–WS–22697; PPWOVPADW0, PPMPRLE1Y.LB0000 (177)]

Agency Information Collection Activities: OMB Control Number 1024–0022; Backcountry/Wilderness Use Permit

AGENCY: National Park Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (National Park Service, NPS) have sent an Information Collection Request (ICR) to OMB for review and approval. We summarize the ICR below and describe the nature of the collection and the estimated burden and cost. This information collection is scheduled to expire on May 31, 2017. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

DATES: You must submit comments on or before June 26, 2017.

ADDRESSES: Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB–OIRA at (202) 395–5806 (fax) or *OIRA_Submission@omb.eop.gov* (email). Please provide a copy of your comments to Tim Goddard, Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive, MS–242, Reston, VA 20192 (mail); or *tim_goddard@nps.gov* (email). Please include ''1024–0022'' in the subject line of your comments. You may review the ICR online at *http://www.reginfo.gov.* Follow the instructions to review Department of the Interior collections under review by OMB.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, contact Roger Semler, Chief, Wilderness Stewardship Division, Visitor & Resource Protection Directorate, U.S. Department of the Interior, Room 2462, 1849 C St. NW., Washington, DC 20240 (mail); or *roger_semler@nps.gov* (email). Please include ''1024–0022'' in the subject line.

SUPPLEMENTARY INFORMATION:

I. Abstract

In 1976, the NPS initiated a backcountry and wilderness use registration system in accordance with the regulations found at 36 CFR 1.5, 1.6 and 2.10. The objective of the registration system is to provide users access to backcountry and wilderness areas of national parks with continuing opportunities for solitude and primitive and unconfined recreation, while enhancing protection of natural and cultural resources and providing a means of disseminating public safety and outdoor ethics messages regarding backcountry/wilderness travel and camping. NPS backcountry/wilderness program managers, by designating access and travel routes and camping locations, can redistribute backcountry/wilderness users in response to closures implemented to prevent adverse impacts to natural and cultural resources and/or in response to public safety hazards related to high fire danger, flood, wind, water, snow or ice hazards, bear or other wildlife activity, or other situations that may temporarily close or restrict access to a portion of the backcountry/wilderness.

The NPS uses the registration system as a means of ensuring backcountry/wilderness users receive up-to-date information on outdoor ethics and park regulations which minimize social and resource impacts including, but not limited to, sanitation procedures, food storage, campfire use, campsite selection, as well as wildlife activity, trail conditions and weather forecasts to address concerns for visitor safety. Data collected through the registration process is also an important source of information for first responders in the event of an emergency requiring deployment of search and rescue and/or emergency medical personnel to backcountry/wilderness areas. The registration system also serves to document the spatial and temporal extent, distribution and demographics associated with backcountry/wilderness use and social considerations and perceptions of backcountry/wilderness visitors. All of this information serves as an important resource that informs backcountry and wilderness management and stewardship planning, decision making, and operations.

The Backcountry/Wilderness Use Permit is an extension of the NPS statutory authority responsibility to protect the park areas it administers and to manage the public use thereof (54 U.S.C. 100101, 100751, 3210102). NPS regulations codified in 36 CFR parts 1 through 7, 12 and 13 are designated to implement statutory mandates that provide for resource protection and pubic enjoyment. NPS Forms 10–404, ''Backcountry/Wilderness Use Permit Application'' and 10–404A, ''Backcountry/Wilderness Use Permit Hangtag'' are the primary forms used to provide access into NPS backcountry/

wilderness areas including those areas that require a reservation and permit to enter where use limits are imposed in accordance with other NPS regulations. Such permitting enhances the ability to the NPS to educate users on potential hazards, search and rescue efforts, and resource protection.

II. Data

OMB Control Number: 1024–0022.

Expiration Date: May 31, 2017.

Title: Backcountry/Wilderness Use Permit (36 CFR 1.5, 1.6, and 2.10).

Service Form Numbers: NPS Forms 10–404, Backcountry/Wilderness Use Permit'' and 10–404A, ''Backcountry/Wilderness Use Permit Hangtag''.

Type of Request: Revision of a currently approved collection of information.

Description of Respondents: Individuals wishing to use backcountry and wilderness areas within units of the national park system.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Activity	Number of respondents	Number of annual responses	Completion time per response (minutes)	Total annual burden hours *
Form 10–404, Backcountry/Wilderness Use Application				
Individuals	172,928	172,928	8	23,057
Private Sector	5,376	5,376	8	717
Government	896	896	8	119
Form 10–404A, Backcountry/Wilderness Use Permit Hangtag				
Individuals	135,100	135,100	5	11,258
Private Sector	4,200	4,200	5	350
Government	700	700	5	58
Totals	319,200	319,200	.....	35,559

* Rounded.

Estimated Annual Nonhour Burden Cost: None.

III. Comments

On September 14, 2016, we published in the **Federal Register** (81 FR 63204) a Notice of our intent to request that OMB renew approval for this information collection. In that Notice, we solicited comments for 60 days, ending November 14, 2016. We received one (1) comment in response to that Notice:

Email from: Rob Windmiller (Received October 4, 2016)

''Ms. Baucum—I live near the Grand Canyon. It is about one hundred miles from my house to the back country permit office. The current system does not work for me because it requires a trip to the office to find out if there are available permits. That means the better part of the day driving and adding to traffic at the canyon just to find out if I can get one. Usually when I am looking for a permit it is for the North rim which is also a long drive South rim. I would be very happy if I could find out if there were available permits online and could get one, online. The current system causes extra traffic and keeps people out of the park who should be able to use it. Sincerely, Robert Windmiller''

NPS Response/Action Taken: [The National Park Service is in the process of establishing a service-wide online advance reservation system through the *Recreation.gov* program that would accommodate backcountry permit requests. In the meantime, Grand Canyon National Park offers the following options for obtaining a backcountry permit:

1. Fax request to the Backcountry Information Center, 928–638–2125.

NOTE: You can send a fax 24 hours a day, 7 days a week, 365 days a year—HOWEVER the first day of every month we receive many faxes and the number may be busy.

2. Mail request to Grand Canyon National Park, Permits Office, 1824 S. Thompson St., Suite 201, Flagstaff AZ, 86001.

3. Bring request to the Backcountry Information Center, located inside the park on both the South Rim and the North Rim. The South Rim Backcountry Information Center is open daily, year round, for walk-in visitors from 8 a.m. to noon and 1–5 p.m. Mountain Standard Time. The North Rim Backcountry Information Center (located in the administrative building) is open daily mid-May to mid-October for walk-in visitors from 8 a.m. to noon and 1–5 p.m. Mountain Standard Time.

Please note: Permit requests are not accepted by telephone or by email.

Thank you for your interest in National Park Service backcountry recreational opportunities. If you have additional questions regarding Grand Canyon National Park please consult their backcountry permit Web page at *https://www.nps.gov/grca/planyourvisit/backcountry-permit.htm*]

We again invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Authority: The authorities for this action are the National Park Service Organic Act of 1916 (54 U.S.C. 100101 *et seq.;* Pub. L. 113–287) and the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Timothy Goddard,

Information Collection Clearance Officer, National Park Service.

[FR Doc. 2017–10832 Filed 5–25–17; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–BSD–FEES–22700; PX.XBSAD0113.00.1]

Agency Information Collection Activities: OMB Control Number 1024–0252; The Interagency Access Pass and Senior Pass Application Processes

AGENCY: National Park Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (National Park Service, NPS) have sent an Information Collection Request (ICR) to OMB for review and approval. We summarize the ICR below and describe the nature of the collection and the estimated burden and cost. This information collection is scheduled to expire on May 31, 2017. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

DATES: You must submit comments on or before June 26, 2017.

ADDRESSES: Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB—OIRA at (202) 395–5806 (fax) or *OIRA_Submission@omb.eop.gov* (email). Please provide a copy of your comments to the Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive (MS–242 ADIR–PMSP), Reston, VA 20192 (mail); or *tim_goddard@nps.gov* (email). Please reference OMB Control Number 1024–0252 in the subject line of your comments. You may review the ICR online at *http://www.reginfo.gov.* Follow the instructions to review Department of the Interior collections under review by OMB.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, contact Brooke Linford by email at *brooke_linford@nps.gov,* or at 202–513–7139 (telephone).

SUPPLEMENTARY INFORMATION:

I. Abstract

The America the Beautiful—National Parks and Federal Recreation Lands Pass Program covers recreation opportunities on public lands managed by four Department of the Interior agencies—the National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and the Bureau of Reclamation—and by the Department of Agriculture's U.S. Forest Service. The passes provide visitors an affordable and convenient way to access Federal recreation lands. The pass program's proceeds are used to improve and enhance visitor recreation services. Two of the available passes—Interagency Access Pass and Interagency Senior Pass—require documentation and are the bases for this information collection.

The Interagency Access Pass (NPS Form 10–596) is a free, lifetime pass issued to citizens or residents who are domiciled in the United States, regardless of age, and who have a medical determination and documentation of permanent disability. You can obtain an Access Pass in person, with proper documentation, from a participating Federal recreation site or office. Access Passes may also be obtained via mail order. Mail-order applicants for the Access Pass must submit a completed application, proof of residency, and documentation of permanent disability, and pay the document processing fee of $10 to obtain a pass through the mail.

If a person arrives at a recreation site and claims eligibility for the Interagency Access Pass, but cannot produce any documentation, that person must read, sign, and date a Statement of Disability Form (NPS Form 10–597) in the presence of the agency officer issuing the Interagency Access Pass. If the applicant cannot read and/or sign the form, someone else may read, date, and sign the statement on his/her behalf in the applicant's presence and in the presence of the agency officer issuing the Interagency Access Pass.

The Interagency Senior Pass (NPS Form 10–595) is a lifetime pass issued to U.S. citizens or permanent residents who are 62 years or older. There is a $10 fee for the Senior Pass. You can buy a Senior Pass in person from a participating Federal recreation site or office or by mail order. There is an additional document processing fee of $10 to obtain a Senior Pass through the mail or online. Mail-order applicants must submit a completed application and proof of residency and age, and pay $20 for the pass fee and processing fee.

Agency Web sites provide information on the passes and acceptable documentation. All documentation submitted in person or through the mail is returned to the applicant.

II. Data

OMB Control Number: 1024–0252.

Title: The Interagency Access Pass and Senior Pass Application Processes.

Expiration Date: May 31, 2017.

Service Form Number(s): NPS Forms 10–595, 10–596, and 10–597.

Type of Request: Extension without change.

Description of Respondents: Individuals.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Activity	Number of respondents	Number of annual responses	Completion time per response	Total annual burden hours*
Form 10–597, "Access Pass—Statement of Disability" (In-person Applicants).	76,000	76,000	5 minutes	6,333
Form 10–596, "Access Pass" (Mail-in Applicants)	8,000	8,000	10 minutes	1,333
NPS Form 10–595, "Senior Pass" (Mail-in Applicants)	29,750	29,750	10 minutes	4,958
Totals	113,750	113,750		12,624

*Rounded

Estimated Annual Nonhour Burden Cost: $402,415 ($377,500 for processing fees, and $24,915 for copying and postage costs).

III. Comments

On August 29, 2016, we published in the **Federal Register** (81 FR 59243) a Notice of our intent to request that OMB renew approval for this information collection. In that Notice, we solicited comments for 60 days, ending on October 28, 2016. We did not receive any comments in response to that Notice.

We again invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Authority: The authorities for this action are The Federal Lands Recreation Enhancement Act (FLREA), (Public Law 108–447) (16 U.S.C. 6801–6814), and the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Timothy Goddard,

Information Collection Clearance Officer, National Park Service.

[FR Doc. 2017–10834 Filed 5–25–17; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–NCR–NAMA–22698; PPNCNAMAN0, PPMPSPD1Y.YM00000 (177)]

Agency Information Collection Activities: OMB Control Number 1024–0021; National Capital Region Application for Public Gathering

AGENCY: National Park Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (National Park Service, NPS) have sent an Information Collection Request (ICR) to OMB for review and approval. We summarize the ICR below and describe the nature of the collection and the estimated burden and cost. This information collection is scheduled to expire on May 31, 2017. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

DATES: You must submit comments on or before June 26, 2017.

ADDRESSES: Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB–OIRA at (202) 395–5806 (fax) or *OIRA_Submission@omb.eop.gov* (email). Please provide a copy of your comments to Tim Goddard, Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive, MS–242, Reston, VA 20192 (mail); or *tim_goddard@nps.gov* (email). Please include ''1024–0021'' in the subject line of your comments. You may review the ICR online at *http://www.reginfo.gov.* Follow the instructions to review Department of the Interior collections under review by OMB.

FOR FURTHER INFORMATION CONTACT: To request additional information about this IC, contact Robbin Owen, National Capital Region, National Park Service, 900 Ohio Drive SW., Washington, DC 20024 (mail) or at 202–245–4715 (telephone); or Martin A. Torres via email at *Martin_Torres@nps.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The Division of Permits Management of the National Mall and Memorial Parks issues permits for public gatherings (special events and demonstrations) held on NPS property within the National Capital Region. Regulations at 36 CFR 7.96(g) govern permits for public gatherings and implement statutory mandates to provide for resource protection and public enjoyment. These regulations reflect the special demands on many of the urban National Capital Region parks as sites for demonstrations and special events. A special event is any presentation, program, or display that is recreational, entertaining, or celebratory in nature; *e.g.,* sports events, pageants, celebrations, historical reenactments, regattas, entertainments, exhibitions, parades, fairs, festivals and similar events. The term ''demonstration'' includes demonstrations, picketing, speechmaking, marching, holding vigils or religious services and all other like forms of conduct that involve the communication or expression of views or grievances.

Those who want to hold a special event or demonstration must complete NPS Form 10–941, ''Application for a Permit to Conduct a Demonstration or Special Event in Park Areas'' (which also includes a ''Waiver of Numerical Limitations on Demonstrations for White House Sidewalk and/or Lafayette Park''). NPS Form 10–941 collects information on:

- Sponsor (name, address, telephone and fax numbers, email address, Web site address).
- Type of permit requested.
- Logistics (dates/times, location, purpose, plans, and equipment for proposed activity).
- Potential civil disobedience and traffic control issues.
- Circumstances that may warrant park rangers being assigned to the event.

II. Data

OMB Control Number: 1024–0021.

Title: National Capital Region Application for Public Gathering, 36 CFR 7.96(g).

Expiration Date: May 31, 2017.

Service Form Number(s): NPS Form 10–941, ''Application for a Permit to Conduct a Demonstration or Special Event in Park Areas''.

Type of Request: Extension of a currently approved collection.

Description of Respondents: Individuals, organizations, businesses, and State, local, or tribal governments.

Respondent's Obligation: Required to obtain a benefit.

Frequency of Collection: On occasion.

Activity	Total annual responses	Completion time per response (hours)	Total annual burden hours*
Form 10–941, ''Application for a Permit to Conduct a Demonstration or Special Event in Park Areas''			
Individuals	1,442	.5	721
Private Sector	218	.5	109
Government	225	.5	113

Activity	Total annual responses	Completion time per response (hours)	Total annual burden hours*
Site Plan			
Individuals	1,269	1	1,269
Private Sector	100	1	100
Government	29	1	29
Sign Plan			
Individuals	1,269	.5	635
Private Sector	100	.5	50
Government	29	.5	15
Risk Management Plan			
Individuals	1,269	1.5	1,904
Private Sector	100	1.5	150
Government	29	1.5	44
Administrative Documents			
Individuals	1,269	.75	952
Private Sector	100	.75	75
Government	29	.75	22
Totals	7,477		6,188

* Rounded.

Estimated Annual Non-hour Cost Burden: The application fee of $120.00 is submitted with each special event application to recover the cost of processing the application. There is no application fee for permits to cover first amendment activities. Of the 1,885 applications (Forms 10–941) received annually, approximately 1,269 are for special events. Therefore, the estimated annual non-hour cost burden associated with this information collection is $152,280 ($120 x 1,269).

III. Comments

On September 8, 2016, we published in the **Federal Register** (81 FR 62172) a Notice of our intent to request that OMB renew approval for this information collection. In that Notice, we solicited comments for 60 days, ending November 7, 2016. We received no comments in response to that Notice. We again invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Authority: The authorities for this action are the National Park Service Organic Act of 1916 (54 U.S.C. 100101 *et seq.;* P.L. 113–287) and the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Timothy Goddard,

Information Collection Clearance Officer, National Park Service.

[FR Doc. 2017–10831 Filed 5–25–17; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Number 1010–0187; Docket ID: BOEM–2017–0016; MMAA104000]

Agency Information Collection Activities: OMB Control No. 1010–0187; Project Planning for Use of OCS Sand, Gravel, and Shell Resources in Construction Projects That Qualify for a Negotiated Noncompetitive Agreement

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: 30-day notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Ocean Energy Management (BOEM) is notifying the public that we have submitted an information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval. The ICR pertains to the paperwork requirements that respondents will submit to BOEM to obtain Outer Continental Shelf (OCS) sand, gravel, and shell resources for use in shore protection, beach and coastal restoration, and other authorized projects that qualify for a negotiated noncompetitive agreement (NNA). OMB has assigned control number 1010–0187 to this information collection. This notice provides the public a second opportunity to comment on the paperwork burden of this collection.

DATES: Submit written comments by June 26, 2017.

ADDRESSES: Submit comments on this ICR to the Desk Officer for the Department of the Interior at OMB–OIRA at (202) 395–5806 (fax) or *OIRA_submission@omb.eop.gov* (email). Please provide a copy of your comments to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of Ocean Energy Management, 45600 Woodland Road, MS–BOEM DIR, Sterling, Virginia 20166 (mail) or *anna.atkinson@boem.gov* (email). Please reference ICR 1010–0187 in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Anna Atkinson, Office of Policy, Regulations, and Analysis at *anna.atkinson@boem.gov* (email) or (703) 787–1025 (phone). You may review the ICR online at *http://www.reginfo.gov.* Follow the instructions to review Department of the Interior collections under review by OMB.

SUPPLEMENTARY INFORMATION: The following information pertains to this request:

OMB Control Number: 1010–0187.

Title: Project Planning for the Use of OCS Sand, Gravel, and Shell Resources in Construction Projects that Qualify for a Negotiated Noncompetitive Agreement.

Abstract: Under the authority delegated by the Secretary of the Interior, BOEM is authorized, pursuant to section 8(k)(2) of the OCS Lands Act (43 U.S.C. 1337(k)(2), to convey rights to OCS sand, gravel, and shell resources by NNA for use in shore protection and beach and coastal restoration, or for use in construction projects funded in whole or part by, or authorized by, the Federal Government.

Background

Since 2014, 13 projects have been processed. In order for BOEM to continue to meet the needs of local and state governments, information regarding upcoming projects must be acquired to plan for future projects and anticipated workload. Therefore, BOEM will issue calls for information about needed resources and locations from interested parties to develop and maintain a project schedule. It also includes the potential for a call in response to an emergency declaration, such as a tropical storm. This ICR has no significant changes from the 2014 OMB approved information collection.

In the event the number of requested projects exceeds the limits of the current BOEM staff and funding resources, BOEM may request the relevant states to prioritize their own projects based on several criteria including likelihood of project funding and progress of environmental work.

BOEM will use the information to determine appropriate future resource allocations, identify potential conflicts of use, develop NNAs, and meet all necessary environmental and legal requirements. BOEM will publish all ongoing projects on the Web site *https://www.boem.gov/MMP-State-and-Regional-Activities/.*

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and the Department of the Interior's implementing regulations at 43 CFR part 2. No items of a sensitive nature are collected, and responses are required to obtain or retain benefits.

Frequency: Annually and on occasion.

Description of Respondents: Potential respondents comprise states, counties, localities, and tribes.

Estimated Reporting and Recordkeeping Hour Burden: We estimate that the annual reporting burden for this collection is about 200 hours, assuming an emergency declaration is made each year.

Local Government Compilation: 25 local × 1 hour/entity × 2 responses/year = 50 hours; State Compilation: 15 States × 5 hours/State × 2 responses/year = 150 hours (50 county hours + 150 State hours = 200 total burden hours).

Estimated Reporting and Recordkeeping Non-Hour Cost Burden: We have identified no non-hour paperwork cost burdens for this collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information, unless it displays a currently valid OMB control number.

Comments: We invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- the accuracy of the burden estimates;
- ways to enhance the quality, utility, and clarity of the information to be collected; and
- ways to minimize the burden on respondents.

As required at 5 CFR 1320.8(d), BOEM published a 60-day notice in the **Federal Register** on February 27, 2017 (82 FR 11941), and the comment period ended April 28, 2017. BOEM received no comments.

Public Availability of Comments: Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold such information, which we will honor to the extent allowable by law. If you wish us to withhold this information, you must state this prominently at the beginning of your comment. However, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Authorities: The authorities for this action are the OCS Lands Act, as amended (43 U.S.C. 1337(k)(2), and the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et. seq.*).

Dated: May 11, 2017.

Deanna Meyer-Pietruszka,

Chief, Office of Policy, Regulations, and Analysis.

[FR Doc. 2017–10878 Filed 5–25–17; 8:45 am]

BILLING CODE 4310–MR–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Bar Code Readers, Scan Engines, Products Containing the Same, and Components Thereof, DN 3225;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov,* and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at *https://www.usitc.gov*. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov*. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Honeywell International, Inc., Hand Held Products, Inc. d/b/a Honeywell Scanning & Mobility, and Metrologic Instruments, Inc. d/b/a Honeywell Scanning & Mobility on May 23, 2017. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain bar code readers, scan engines, products containing the same, and components thereof. The complaint names as respondents The Code Corporation of Draper, UT and Cortex Pte Ltd. of Singapore. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) Identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) Identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) Indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) Explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to § 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number (''Docket No. 3225'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,[2] solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: May 23, 2017.

Katherine M. Hiner,

Supervisory Attorney.

[FR Doc. 2017–10897 Filed 5–25–17; 8:45 am]

BILLING CODE 7020–02–P

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.*

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov.*

INTERNATIONAL TRADE COMMISSION

60-Day Notice for Extension of Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The U.S. International Trade Commission, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on the ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery'' for approval under the Paperwork Reduction Act (PRA). This collection was developed as part of a Federal Government-wide effort to streamline the process for seeking feedback from the public on service delivery. This notice announces our intent to submit this collection to OMB for approval and solicits comments on specific aspects for the proposed information collection.

DATES: To ensure consideration, written comments must be submitted on or before July 31, 2017.

ADDRESSES: Direct all written comments to Jeremy Wise, Chief, Statistical and Data Services Division, Office of Analysis and Research Services, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436 (or via email at *jeremy.wise@usitc.gov*).

SUPPLEMENTARY INFORMATION: In accordance with the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the U.S. International Trade Commission (Commission) hereby gives notice that it plans to submit a request for extension of approval to the Office of Management and Budget for review and requests public comment on the ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.''

Copies of supporting documents may be obtained from Jeremy Wise (*jeremy.wise@usitc.gov* or 202–205–3190). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202–205–1810. General information concerning the Commission may also be obtained by accessing its Web site (*https://www.usitc.gov*). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000.

Comments submitted in response to this notice may be made available to the public. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

Summary of Proposal

Title: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

Abstract: The proposed information collection activity provides a means to garner qualitative customer and stakeholder feedback in an efficient, timely manner. By qualitative feedback we mean information that provides useful insights on perceptions and opinions, and not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. They will also contribute directly to the improvement of program management.

The solicitation of feedback will target areas such as: Timeliness, appropriateness, accuracy of information, courtesy, efficiency of service delivery, and resolution of issues with service delivery. Responses will be assessed to plan and inform efforts to improve or maintain the quality of service offered to the public. If this information is not collected, vital feedback from customers and stakeholders on the Agency's services will be unavailable.

The Agency will only submit a collection for approval under this generic clearance if it meets the following conditions:

- The collections are voluntary;
- The collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government;
- The collections are non-controversial and do not raise issues of concern to other Federal agencies;
- Any collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future;
- Personally identifiable information (PII) is collected only to the extent necessary and is not retained;
- Information gathered will be used only internally for general service improvement and program management purposes and is not intended for release outside of the agency;
- Information gathered will not be used for the purpose of substantially informing influential policy decisions; and
- Information gathered will yield qualitative information; the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study.

Feedback collected under this generic clearance provides useful information, but it does not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: the target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior to fielding the study.

As a general matter, information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

- *Current Actions:* Extension of approval for a collection of information.
- *Type of Review:* Extension.
- *Affected Public:* Businesses and Organizations.
- *Average Expected Annual Number of Activities:* 10.
- *Average Number of Respondents per Activity:* 60.
- *Annual Responses:* 600.
- *Frequency of Response:* Once per request.
- *Average Minutes per Response:* 40.
- *Burden Hours:* 400.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. Burden means

the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

By order of the Commission.

Dated: May 23, 2017.

Katherine M. Hiner,

Supervisory Attorney.

[FR Doc. 2017–10889 Filed 5–25–17; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1019]

Certain Krill Oil Products and Krill Meal for Production of Krill Oil Products; Notice of Commission Determination (1) Not to Review an Initial Determination Granting-in-Part an Unopposed Motion To Terminate the Investigation Based on Withdrawal of the Complaint as to Certain Respondents and (2) Not To Review an Initial Determination Granting an Unopposed Motion To Terminate the Investigation Based on a Settlement Agreement as to the Remaining Respondent; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the initial determination (''ID'') (Order No. 14) granting-in-part an unopposed motion to terminate the investigation based on the withdrawal of the complaint as to certain respondents, and not to review the ID (Order No. 16) granting an unopposed motion to terminate the investigation based on a settlement agreement as to the remaining respondent.

FOR FURTHER INFORMATION CONTACT: Lucy Grace D. Noyola, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202–205–3438. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 16, 2016, based on a complaint filed by Aker BioMarine Antarctic AS of Lysaker, Norway and Aker BioMarine Manufacturing, LLC of Houston, Texas (collectively, ''Complainants''). 81 FR 63805 (Sept. 16, 2016). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain krill oil products and krill meal for production of krill oil products by reason of infringement of certain claims of U.S. Patent Nos. 9,028,877; 9,078,905; 9,072,752; 9,320,765; and 9,375,453. *Id.* The notice of investigation names as respondents Avoca Inc. of Merry Hill, North Carolina (''Avoca'') and Olympic Holding AS of Fosnavåg, Norway; Rimfrost AS of Fosnavåg, Norway; Emerald Fisheries AS of Fosnavåg, Norway; Rimfrost USA, LLC of Merry Hill, North Carolina; Rimfrost New Zealand Limited of Nelson, New Zealand; and Bioriginal Food & Science Corp. of Saskatoon, Saskatchewan, Canada (collectively, ''non-Avoca Respondents''). *Id.* The Office of Unfair Import Investigations was not named as a party to the investigation. *Id.*

On April 19, 2017, Complainants filed a motion to terminate the investigation based on a settlement agreement with Avoca and the withdrawal of the complaint as to the non-Avoca Respondents. Avoca and the non-Avoca Respondents did not oppose the termination of the investigation, but Avoca disputed certain redactions in the settlement agreement.

On April 24, 2017, the presiding administrative law judge (''ALJ'') issued an ID, Order No. 14, granting-in-part the motion to terminate the investigation based on the withdrawal of the complaint as to the non-Avoca Respondents. The ALJ found as to the non-Avoca Respondents there were no agreements between the parties concerning the subject matter of the investigation. The ALJ also found no extraordinary circumstances preventing the termination of the investigation as to the non-Avoca Respondents and that termination is in the public interest. No petitions for review of this ID were filed.

On May 2, 2017, the ALJ issued an ID, Order No. 16, granting the motion to terminate the investigation based on a settlement agreement as to Avoca, thus terminating the investigation in its entirety. The ALJ found that the motion complied with Commission Rule 210.21(b)(1) and that the redactions in the public version of the settlement agreement were addressed by a separate order, Order No. 15. The ALJ also found that termination was in the public interest. No petitions for review of this ID were filed.

The Commission has determined not to review the subject IDs.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: May 23, 2017.

Katherine M. Hiner,

Supervisory Attorney.

[FR Doc. 2017–10862 Filed 5–25–17; 8:45 am]

BILLING CODE 7020–02–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[17–024]

Notice of Information Collection

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection.

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: All comments should be submitted within 60 calendar days from the date of this publication.

ADDRESSES: All comments should be addressed to Frances Teel, Mail Code JF000, National Aeronautics and Space Administration, Washington, DC 20546–0001.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Frances Teel, NASA PRA Clearance Officer, NASA Headquarters, 300 E Street SW., Mail Code JF000, Washington, DC 20546, (202) 358–2225.

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Aeronautics and Space Administration (NASA) Office of Diversity and Equal Opportunity and the Office of Procurement, in accordance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, requires grant awardees to submit an assurance of non-discrimination (NASA Form 1206) as part of their initial grant application package. The requirement for assurance of nondiscrimination compliance associated with federally assisted programs is long standing, derives from civil rights implementing regulations, and extends to the grant recipient's sub-grantees, contractors, successors, transferees, and assignees. Grant selectees are required to submit compliance information triennially when their award period exceeds 36 consecutive months. This information collection will also be used to enable NASA to conduct post-award civil rights compliance reviews.

II. Method of Collection

Electronic.

III. Data

Title: NASA Assurance of Civil Rights Compliance.

OMB Number: 2700–0148.

Type of review: Reinstatement without change of an existing information collection.

Affected Public: Business, other for-profit, or not-for-profit.

Estimated Number of Respondents: 800.

Estimated Annual Responses: 250.

Estimated Time per Response: 4 hours.

Estimated Total Annual Burden Hours: 16.6.

Estimated Total Annual Cost: $120.

IV. Request for Comments

Comments are invited on:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology. Comments submitted in response to this notice will be summarized and included in the request to OMB for approval of this information collection. They will also become a matter of public record.

Frances Teel,

NASA PRA Clearance Officer.

[FR Doc. 2017–10863 Filed 5–25–17; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL CAPITAL PLANNING COMMISSION

Proposed Submission Guidelines for Development Proposals Subject to Statutorily-Mandated Plan and Project Review

AGENCY: National Capital Planning Commission.

ACTION: Notice of availability; request for comment; notice of public meetings.

SUMMARY: The National Capital Planning Commission (NCPC or Commission) proposes to adopt new Submission Guidelines. The proposed Submission guidelines are available for public comment as of the date of this notice.

DATES: Submit comments on or before Comments due by July 10, 2017. Public meetings to discuss the proposed Submission Guidelines will be held on Tuesday, June 13, 2017 from 6:00 p.m.–7:30 p.m. and Thursday, June 15, 2017 from 9:30 a.m.–11:00 a.m.

ADDRESSES: The proposed Submission Guidelines are available at: *https://www.ncpc.gov/initiatives/subnepa.html.* You may submit written comments on the proposal by either of the methods listed below.

1. *U.S. mail, courier, or hand delivery:* Urban Design Plan Review Division/National Capital Planning Commission, 401 9th Street NW., Suite 500, Washington, DC 20004.

2. *Electronically: submission@ncpc.gov.*

Both public meetings will be held at the National Capital Planning Commission, 401 9th Street NW., Suite 500, Washington, DC 20004.

FOR FURTHER INFORMATION, CONTACT: Matthew Flis, Senior Urban Designer at (202) 482–7236 or *submission@ncpc.gov.*

SUPPLEMENTARY INFORMATION:

Public Meetings

No prior registration is required to speak at the meetings. Reasonable accommodations are available upon request to the contact individual noted above.

NCPC Submission Guidelines

Federal and non-Federal agency applicants whose development proposals are subject to statutorily-mandated Commission plan and project review must submit their proposals to the Commission following a process laid out in the Submission Guidelines. The Submission Guidelines describe the content of submissions, the submission stages, and the coordination and review process governing submissions.

The proposed Submission Guidelines accomplish three primary objectives: (1) Create clear, accessible, and efficient guidelines that are responsive to applicant needs; (2) Align NCPC's review stages and National Environmental Policy Act requirements with those of applicant agencies to save time and resources in the planning process; and (3) Allow staff to exempt from Commission review certain minor projects based on specific criteria where there is no federal interest.

Authority: 40 U.S.C. 8721(e)(2) and 8722(a).

Dated: May 23, 2017.

Anne R. Schuyler,

General Counsel.

[FR Doc. 2017–10937 Filed 5–25–17; 8:45 am]

BILLING CODE 7520–01–P

NATIONAL SCIENCE FOUNDATION

Business and Operations Advisory Committee; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub., L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Business and Operations Advisory Committee (9556).

Dates and Times: June 20, 2017; 1:00 p.m. to 5:45 p.m. (EST); June 21, 2017; 8:00 a.m. to 12:00 p.m. (EST).

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230; Stafford I, Room 1235.

Type of Meeting: Open.

Contact Person: Patty Balanga, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230; (703) 292–8100.

Purpose of Meeting: To provide advice concerning issues related to the oversight, integrity, development and enhancement of NSF's business operations.

Agenda

Tuesday, June 20, 2017; 1:00 p.m.–5:45 p.m.

Welcome/Introductions; BFA/OIRM/OLPA/Budget Updates; Reforming the Federal Government—Overview; Conversation with NSF's Steering Committee for Agency Reform; Reforming the Federal Government—What Does Reform Mean for NSF?; Discussion with Dr. Córdova.

Wednesday, June 21, 2017; 8:00 a.m.–12:00 p.m.

Reforming the Federal Government—Reform Implementation; Update on the NSF Relocation; Formation of New Subcommittee on NSF's Strengthened Oversight of Large Facility Cost Surveillance; Report from NSF on Implementation of the Recommendations of the Subcommittee on NAPA Implementation Regarding NSF's Use of Cooperative Agreements to Support Large Scale Investments in Science and Technology; Meeting Wrap-Up.

Dated: May 22, 2017.

Suzanne Plimpton,

Acting Committee Management Officer.

[FR Doc. 2017–10792 Filed 5–25–17; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Physics; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Proposal Review Panel for Physics (1208)—Site Visit.

Dates and Times: June 13–14, 2017; 8:15 a.m.–6:00 p.m. June 15, 2017; 8:15 a.m.–12:00 p.m.

Place: LIGO Hanford Observatory in Richland, WA 99352–0159.

Type of Meeting: Part Open.

Contact Person: Dr. Mark Coles, Project Manager, Division of Physics/MPS, NSF 4201 Wilson Blvd., Arlington, VA 22230; (703) 292–4432.

Purpose of Meeting: Site visit to provide advice and recommendations concerning the LIGO project for continued financial support.

Agenda

Tuesday, June 13, 2017; 8:15 a.m.–6:00 p.m.

8:15 a.m. Breakfast, panel sign-in
8:45 a.m. Executive session—charge and agenda (Closed)

Overview Session I (9:00 a.m.–12:00 p.m.)

9:00 a.m.–9:30 a.m. Welcome, Overview of LIGO Operations (25+5)
9:30 a.m.–10:15 a.m. LIGO Operations Performance: Accomplished vs Planned (30+15)
10:15 a.m.–10:30 a.m. Break
10:30 a.m.–11:15 a.m. Progress in Detector Commissioning & Enhancements, Plans and Timelines (35+10)
11:30 a.m.–12:00 p.m. LIGO Computing (35 +10)
12:00 p.m.–1:00 p.m. Lunch
1:00 p.m.–2:30 p.m. Tour of Hanford Facility for Review Committee

Overview Session II (2:30 p.m.–6:00 p.m.)

2:30 p.m.–3:15 p.m. LIGO Operations: Scope and Budget
3:15 p.m.–4:00 p.m. Plans for Enhancing LIGO's Sensitivity (35 +10)
4:00 p.m.–4:15 p.m. Break
4:15 p.m.–5:30 p.m. Review Committee Executive Session (Closed)
6:30 p.m. Dinner, location TBD

Wednesday, June 14, 2017; 8:18 a.m.–6:00 p.m.

8:15 a.m. Breakfast, panel sign-in

Morning Parallel Breakout Sessions

9:00 a.m.–12:00 p.m. *Parallel Breakout Session I: Management, Budgets*
(a) LIGO Operations Risk Management
(b) Performance Metrics
(c) Activity-based Operations Budgets
Parallel Breakout Session II: Interferometer Commissioning
(a) Post O2 Detector Commissioning at Hanford
(b) Post O2 Detector Commissioning at Livingston
(c) Scattered Light Mitigation
(d) Detailed Squeezer Implementation Plan
12:00 p.m.–1:00 p.m. Lunch

Afternoon Parallel Breakout Sessions

1:00 p.m.–3:00 p.m. *Parallel Breakout Session III: LIGO Computing*
(a) Progress on LIGO data analysis computing optimization
(b) Data Management Plan/LIGO Open Science Center
(c) LIGO Data Grid
Parallel Breakout Session IV: Detector Enhancements
(a) Progress on Optical Coating Research for A+
(b) LIGO Scientific Collaboration Instrument Science Program
3:00 p.m.–6:00 p.m. Executive session—Committee report writing (Closed)
Dinner on your own

Thursday, June 15, 2017; 8:15 a.m.–12:00 p.m.

8:15 a.m. Breakfast, panel sign-in
9:00 a.m.–9:30 a.m. Responses to Committee questions (if needed)
9:30 a.m.–11:00 a.m. Executive session—report writing (Closed)
11:00 a.m.–12:00 p.m. Committee Out-brief, Review close out

Reason for Late Notice: Due to unforeseen scheduling complications and the necessity to proceed with the review of the project.

Reason for Closing: Topics to be discussed and evaluated during closed portions of the site review will include information of a proprietary or confidential nature, including technical information and information on personnel. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: May 22, 2017.

Suzanne Plimpton,

Acting Committee Management Officer.

[FR Doc. 2017–10791 Filed 5–25–17; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL WOMEN'S BUSINESS COUNCIL

Data Collection Available for Public Comments

ACTION: 60-Day notice and request for comments.

SUMMARY: The National Women's Business Council (NWBC or Council) intends to request approval from the Office of Management and Budget (OMB) for the collection of information described below. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action.

DATES: Comments must on or before July 25, 2017.

ADDRESSES: Send all comments to Annie Rorem, Senior Research Manager, National Women's Business Council, Small Business Administration, 409 3rd Street, 5th Floor, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Annie Rorem, Senior Research Manager, National Women's Business Council, *annie.rorem@nwbc.gov,* 202–205–6829 or Curtis B. Rich, Management Analyst, *curtis.rich@sba.gov,* 202–205–7030.

SUPPLEMENTARY INFORMATION:

Background

NWBC is a non-partisan federal advisory council created to serve as an independent source of advice and counsel to the President, Congress, and the U.S. Small Business Administration (SBA) on economic issues of importance to women business owners. The

Council's mission is to promote initiatives, policies, and programs designed to support women's business enterprises at all stages of development in the public and private sector marketplaces—from start-up to success. NWBC is charged with providing sound policy advice related to its mission by statutory authority 15 U.S.C. 7105 and 15 U.S.C. 7109a, with conducting ''such studies and other research relating to the award of federal prime contracts and subcontracts to women-owned businesses, to access to credit and investment capital by women entrepreneurs, or to other issues relating to women-owned businesses, as the Council determines to be appropriate.''

As part of its efforts, NWBC seeks to complement data resources available from the Census Bureau's Survey of Small Business Owners and Self-Employed Persons (SBO). Although the SBO is widely recognized as the most comprehensive, regularly collected source of information on selected economic and demographic characteristics for businesses and business owners by gender, ethnicity, race, and veteran status, the proposed NWBC information collection will add to the data collected, in terms of both methodology and timeliness. A new annual Web survey, which will collect information across a representative sample of business owners, including both women and men, will enhance information gathering on factors such as challenges to business start-up and growth, motivation, and economic impacts related to women entrepreneurship in the United States. This survey will also provide a comprehensive review of business ownership, including business owners' characteristics, types of businesses and economic impact.

Solicitation of Public Comments. Interested persons are invited to send comments regarding the burden estimates or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Summary of Information Collection

Title: National Women's Business Council Survey Development on Women-Owned and Led Businesses.

Description of Respondents: Owners of privately-held small businesses.

Total Estimated Annual Responses: 12,131.

Total Estimated Annual Hour Burden: 1,348.

Curtis B. Rich,

Management Analyst.

[FR Doc. 2017–10894 Filed 5–25–17; 8:45 am]

BILLING CODE 8025–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0001]

Sunshine Act Meeting Notice

DATES: Weeks of May 29, June 5, 12, 19, 26, July 3, 2017.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of May 29, 2017

Wednesday, May 31, 2017

1:20 p.m. Affirmation Session (Public Meeting) (Tentative).

Dominion Virginia Power (North Anna Power Station, Unit 3), Mandatory Hearing Decision (Tentative).

Week of June 5, 2017—Tentative

There are no meetings scheduled for the week of June 5, 2017.

Week of June 12, 2017—Tentative

Tuesday, June 13, 2017

10:00 a.m. Briefing on Human Capital and Equal Employment Opportunity (Public Meeting) (Contact: Tanya Parwani-Jaimes: 301–287–0730).

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Thursday, June 15, 2017

9:00 a.m. Briefing on Results of the Agency Action Review Meeting (Public Meeting) (Contact: Andrew Waugh: 301–415–5601).

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Week of June 19, 2017—Tentative

There are no meetings scheduled for the week of June 19, 2017.

Week of June 26, 2017—Tentative

There are no meetings scheduled for the week of June 26, 2017.

Week of July 3, 2017—Tentative

There are no meetings scheduled for the week of July 3, 2017.

* * * * *

The schedule for Commission meetings is subject to change on short notice. For more information or to verify the status of meetings, contact Denise McGovern at 301–415–0681 or via email at *Denise.McGovern@nrc.gov.*

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The NRC Commission Meeting Schedule can be found on the Internet at:*http://www.nrc.gov/public-involve/public-meetings/schedule.html.*

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0739, by videophone at 240–428–3217, or by email at *Kimberly.Meyer-Chambers@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301–415–1969), or email *Brenda.Akstulewicz@nrc.gov* or *Patricia.Jimenez@nrc.gov.*

Dated: May 24, 2017.

Denise L. McGovern,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2017–11033 Filed 5–24–17; 11:15 am]

BILLING CODE 7590–01–P

OVERSEAS PRIVATE INVESTMENT CORPORATION

Sunshine Act Meeting Notice

TIME AND DATE: Thursday, June 15, 2017, 2 p.m. (OPEN Portion); 2:15 p.m. (CLOSED Portion).

PLACE: Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue NW., Washington, DC.

STATUS: Meeting OPEN to the Public from 2 p.m. to 2:15 p.m. Closed portion will commence at 2:15 p.m. (approx.)

MATTERS TO BE CONSIDERED:

1. President's Report
2. Minutes of the Open Session of the March 16, 2017 Board of Directors Meeting

FURTHER MATTERS TO BE CONSIDERED (CLOSED TO THE PUBLIC 2:15 P.M.):

1. Finance Project—India

2. Finance Project—Colombia
3. Finance Project—Colombia
4. Finance Project—Indonesia
5. Minutes of the Closed Session of the March 16, 2017 Board of Directors Meeting
6. Reports and Budget
7. Pending Projects

CONTACT PERSON FOR MORE INFORMATION: Information on the meeting may be obtained from Catherine F.I. Andrade at (202) 336–8768, or via email at *Catherine.Andrade@opic.gov.*

Dated: May 24, 2017.

Catherine F.I. Andrade,

Corporate Secretary, Overseas Private Investment Corporation.

[FR Doc. 2017–11109 Filed 5–24–17; 4:15 pm]

BILLING CODE 3210–01–P

OFFICE OF PERSONNEL MANAGEMENT

Submission for Review: Life Insurance Election, Standard Form (SF) 2817

AGENCY: Office of Personnel Management.

ACTION: 60-Day Notice and request for comments.

SUMMARY: The Federal Employee Insurance Operations (FEIO), Healthcare & Insurance, Office of Personnel Management (OPM) offers the general public and other federal agencies the opportunity to comment on an extension without change of a currently approved information collection (ICR), SF 2817, Life Insurance Election.

DATES: Comments are encouraged and will be accepted until July 25, 2017.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Healthcare & Insurance/FEIO, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415, Attention: Dave Johnston, Room 3459–AK, or sent via electronic mail to *dave.johnston@opm.gov.*

FOR FURTHER INFORMATION CONTACT: A copy of this ICR with applicable supporting documentation, may be obtained by contacting the Retirement Services Publications Team, Office of Personnel Management, 1900 E Street NW., Room 3316–L, Washington, DC 20415, Attention: Cyrus S. Benson, or sent via electronic mail to *Cyrus.Benson@opm.gov* or faxed to (202) 606–0910.

SUPPLEMENTARY INFORMATION: As required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104–106), OPM is soliciting comments for this collection (OMB No. 3206–0230). The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of functions of the agency, including whether the information will have practical utility;
2. 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;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. 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 submissions of responses.

Standard Form 2817 is used by federal employees and assignees (those who have acquired control of an employee/annuitant's coverage through an assignment or ''transfer'' of the ownership of the life insurance). Clearance of this form for use by active federal employees is not required according to the Paperwork Reduction Act (Pub. L. 98–615). Therefore, only the use of this form by assignees, *i.e.* members of the public, is subject to the Paperwork Reduction Act.

Analysis:

Agency: Federal Employee Insurance Operations, Healthcare & Insurance, Office of Personnel Management.
Title: Life Insurance Election.
OMB Number: 3206–0230.
Frequency: On occasion.
Affected Public: Individuals or Households.
Number of Respondents: 150.
Estimated Time per Respondent: 15 minutes.
Total Burden Hours: 38 hours.

U.S. Office of Personnel Management.

Kathleen M. McGettigan,

Acting Director.

[FR Doc. 2017–10963 Filed 5–25–17; 8:45 am]

BILLING CODE 6325–38–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date:* May 26, 2017.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 19, 2017, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 322 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–137, CP2017–195.

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2017–10796 Filed 5–25–17; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Effective date:* May 26, 2017.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on May 19, 2017, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 321 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2017–136, CP2017–194.

Stanley F. Mires,

Attorney, Federal Compliance.

[FR Doc. 2017–10797 Filed 5–25–17; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:
Form S–4. SEC File No. 270–287, OMB Control No. 3235–0324.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Form S–4 (17 CFR 239.25) is the form used for registration under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) of securities issued in business combination transactions. The information collected is intended to ensure the adequacy of information available to investors in connection with business combination transactions. Form S–4 is a public document and all information provided is mandatory. Form S–4 takes approximately 4,099.68 hours per response to prepare and is filed by 551 registrants annually. We estimate that 25% of the 4,099.68 hours per response (1,024.92 hours) is prepared by the registrant for an annual reporting burden of 564,731 hours (1,024.92 hours per response × 551 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov*. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: May 23, 2017.

Eduard A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10892 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–456, OMB Control No. 3235–0515]

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:
Schedule TO; SEC File No. 270–456, OMB Control No. 3235–0515.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget the request for extension of the previously approved collection of information discussed below.

Schedule TO (17 CFR 240.14d–100) must be filed by a reporting company that makes a tender offer for its own securities. Also, persons other than the reporting company making a tender offer for equity securities registered under Section 12 of the Exchange Act (15 U.S.C. 78*l*) (which offer, if consummated, would cause that person to own over 5% of that class of the securities) must file a Schedule TO. The purpose of Schedule TO is to improve communications between public companies and investors before companies file registration statements involving tender offer statements. This information is made available to the public. The information provided on Schedule TO is mandatory. Schedule TO takes approximately 43.5 hours per response and is filed by approximately 1,378 issuers annually. We estimate that 50% of the 43.5 hours per response (21.75 hours) is prepared by the issuer for an annual reporting burden of 29,972 hours (21.75 hours per response × 1,378 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov*. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: May 23, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10893 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:
Rule 482; SEC File No. 270–508, OMB Control No. 3235–0565

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''Paperwork Reduction Act''), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for extension of the previously approved collection of information discussed below.

Like most issuers of securities, when an investment company (''fund'') [1] offers its shares to the public, its promotional efforts become subject to the advertising restrictions of the Securities Act of 1933 (15 U.S.C. 77) (the ''Securities Act''). In recognition of the particular problems faced by funds that continually offer securities and wish to advertise their securities, the Commission has previously adopted advertising safe harbor rules. The most important of these is rule 482 (17 CFR 230.482) under the Securities Act, which, under certain circumstances, permits funds to advertise investment performance data,

[1] ''Investment company'' refers to both investment companies registered under the Investment Company Act of 1940 (''Investment Company Act'') (15 U.S.C. 80a–1 *et seq.*) and business development companies.

as well as other information. Rule 482 advertisements are deemed to be ''prospectuses'' under Section 10(b) of the Securities Act.[2]

Rule 482 contains certain requirements regarding the disclosure that funds are required to provide in qualifying advertisements. These requirements are intended to encourage the provision to investors of information that is balanced and informative, particularly in the area of investment performance. For example, a fund is required to include disclosure advising investors to consider the fund's investment objectives, risks, charges and expenses, and other information described in the fund's prospectus, and highlighting the availability of the fund's prospectus and, if applicable, its summary prospectus. In addition, rule 482 advertisements that include performance data of open-end funds or insurance company separate accounts offering variable annuity contracts are required to include certain standardized performance information, information about any sales loads or other nonrecurring fees, and a legend warning that past performance does not guarantee future results. Such funds including performance information in rule 482 advertisements are also required to make available to investors month-end performance figures via Web site disclosure or by a toll-free telephone number, and to disclose the availability of the month-end performance data in the advertisement. The rule also sets forth requirements regarding the prominence of certain disclosures, requirements regarding advertisements that make tax representations, requirements regarding advertisements used prior to the effectiveness of the fund's registration statement, requirements regarding the timeliness of performance data, and certain required disclosures by money market funds.

Rule 482 advertisements must be filed with the Commission or, in the alternative, with the Financial Industry Regulatory Authority (''FINRA'').[3] This information collection differs from many other federal information collections that are primarily for the use and benefit of the collecting agency.

Rule 482 contains requirements that are intended to encourage the provision to investors of information that is balanced and informative, particularly in the area of investment performance. The Commission is concerned that in the absence of such provisions fund investors may be misled by deceptive rule 482 advertisements and may rely on less-than-adequate information when determining in which funds they should invest money. As a result, the Commission believes it is beneficial for funds to provide investors with balanced information in fund advertisements in order to allow investors to make better-informed decisions.

The Commission estimates that 53,907[4] responses to rule 482 are filed annually by 3,278 investment companies offering approximately 15,494 portfolios, or approximately 3.5 responses per portfolio annually.[5] The burden associated with rule 482 is presently estimated to be 5.16 hours per response. The annual hourly burden is therefore approximately 278,161 hours.[6]

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms. The provision of information under rule 482 is necessary to obtain the benefits of the safe harbor offered by the rule. The information provided under rule 482 will not be kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov*. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov*. Comments must be submitted to OMB within 30 days of this notice.

Dated: May 19, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10793 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

[2] 15 U.S.C. 77j(b).

[3] See rule 24b–3 under the Investment Company Act (17 CFR 270.24b–3), which provides that any sales material, including rule 482 advertisements, shall be deemed filed with the Commission for purposes of Section 24(b) of the Investment Company Act upon filing with FINRA.

[4] This estimated number of responses to rule 482 is composed of 53,746 responses filed with FINRA and 161 responses filed with the Commission in 2016.

[5] 53,907 responses ÷ 15,494 portfolios = 3.5 responses per portfolio.

[6] 53,907 responses × 5.16 hours per response = 278,161 hours.

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 32641; 812-14707]

TICC Capital Corp., et al.

May 19, 2017

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act permitting certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and under rule 17d–1 under the Act.

Summary of Application: Applicants request an order to permit certain closed-end management investment companies to co-invest in portfolio companies with each other and with affiliated investment funds.

Applicants: TICC Capital Corp. (''TICC''), Oxford Lane Capital Corp. (''OXLC'' and together with TICC, the ''Existing Regulated Funds''), TICC Management, LLC (''TICC Adviser'') on behalf of itself and its successors,[1] Oxford Lane Management, LLC (''OXLC Adviser''), Oxford Bridge, LLC (the ''Private Fund''), and Oxford Bridge Management, LLC (the ''Private Fund Adviser'').

Filing Dates: The application was filed on October 13, 2016, and amended on February 7, 2017 and May 12, 2017.

Hearing or Notification of Hearing: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on June 13, 2017, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a

[1] The term ''successor,'' as applied to each Adviser (as defined below), means an entity that results from a reorganization into another jurisdiction or change in the type of business organization.

hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Brent J. Fields, Secretary, U.S. Securities and Exchange Commission, 100 F St. NE., Washington, DC 20549–1090. Applicants: TICC Capital Corp. and Oxford Lane Capital Corp., 8 Sound Shore Drive, Suite 255, Greenwich, Connecticut 06830, Attention: Jonathan H. Cohen.

FOR FURTHER INFORMATION CONTACT: Laura J. Riegel, Senior Counsel, at (202) 551–3038 or Robert H. Shapiro, Branch Chief, at (202) 551–6821 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Applicants' Representations

1. TICC is a Maryland corporation organized as a closed-end management investment company that has elected to be regulated as a business development company (''BDC'') under section 54(a) of the Act.[2] The Objectives and Strategies [3] of TICC are to maximize its risk adjusted total return by investing primarily in corporate debt securities. The board of directors of TICC (the ''Board'') [4] is comprised of five directors, three of whom are not ''interested persons,'' within the meaning of section 2(a)(19) of the Act (''Non-Interested Directors'').

2. OXLC is a Maryland corporation that is a non-diversified closed-end management investment company registered as an investment company under the Act. OXLC's Objectives and Strategies are to maximize its portfolio's risk-adjusted total return by purchasing portions of equity and junior debt tranches of collateralized loan obligation (''CLO'') vehicles. The Board of OXLC is comprised of five directors, three of whom are Non-Interested Directors.

3. The Private Fund is a Delaware limited liability company with the investment objective to maximize its portfolio's risk-adjusted total return by investing primarily in structured finance investments, specifically the equity and junior debt tranches of CLO vehicles and in warehouse facilities. The Private Fund would be an investment company but for the exclusion from the definition of investment company provided by section 3(c)(1) or 3(c)(7) of the Act.

4. TICC Adviser is a Delaware limited liability company and is registered as an investment adviser under the Investment Advisers Act of 1940 (the ''Advisers Act''). TICC Adviser serves as the investment adviser to TICC.

5. OXLC Adviser is a Connecticut limited liability company and is registered as an investment adviser under the Advisers Act. OXLC Adviser serves as the investment adviser to OXLC.

6. The Private Fund Adviser is a Connecticut limited liability company and is registered as an investment adviser under the Advisers Act. The Private Fund Adviser serves as the investment adviser to the Private Fund.

7. Applicants seek an order (''Order'') to permit one or more Regulated Funds [5] and/or one or more Affiliated Funds [6] to participate in the same investment opportunities through a proposed co-investment program (the ''Co-Investment Program'') where such participation would otherwise be prohibited under section 57(a)(4) and rule 17d–1 by (a) co-investing with each other in securities issued by issuers in private placement transactions in which an Adviser negotiates terms in addition to price [7] and (b) making additional investments in securities of such issuers, including through the exercise of warrants, conversion privileges, and other rights to purchase securities of the issuers (''Follow-On Investments''). ''Co-Investment Transaction'' means any transaction in which a Regulated Fund (or its Wholly-Owned Investment Sub, as defined below) participated together with one or more other Regulated Funds and/or one or more Affiliated Funds in reliance on the requested Order. ''Potential Co-Investment Transaction'' means any investment opportunity in which a Regulated Fund (or its Wholly-Owned Investment Sub) could not participate together with one or more Affiliated Funds and/or one or more other Regulated Funds without obtaining and relying on the Order.[8]

8. Applicants state any of the Regulated Funds may, from time to time, form one or more Wholly-Owned Investment Subs.[9] A Wholly-Owned Investment Sub would be prohibited from investing in a Co-Investment Transaction with any Affiliated Fund or Regulated Fund because it would be a company controlled by its parent Regulated Fund for purposes of section 57(a)(4) and rule 17d–1. Applicants request that each Wholly-Owned Investment Sub be permitted to participate in Co-Investment Transactions in lieu of its parent Regulated Fund and that the Wholly-Owned Investment Sub's participation in any such transaction be treated, for purposes of the requested order, as though the parent Regulated Fund were

[2] Section 2(a)(48) defines a BDC to be any closed-end investment company that operates for the purpose of making investments in securities described in sections 55(a)(1) through 55(a)(3) of the Act and makes available significant managerial assistance with respect to the issuers of such securities.

[3] ''Objectives and Strategies'' means the investment objectives and strategies of a Regulated Fund (as defined below), as described in the Regulated Fund's registration statement on Form N–2, other filings the Regulated Fund has made with the Commission under the Securities Act of 1933 (the ''Securities Act''), or under the Securities Exchange Act of 1934, and the Regulated Fund's reports to shareholders.

[4] The term ''Board'' refers to the board of directors or trustees of any Regulated Fund.

[5] ''Regulated Fund'' means any of the Existing Regulated Funds and any Future Regulated Fund. ''Future Regulated Fund'' means any closed-end management investment company (a) that is registered under the Act or has elected to be regulated as BDC, (b) whose investment adviser is an Adviser, and (c) that intends to participate in the Co-Investment Program. The term ''Adviser'' means (a) TICC Adviser, (b) OXLC Adviser, (c) the Private Fund Adviser, and (d) any future investment adviser that controls, is controlled by or is under common control with TICC Adviser, OXLC Adviser and the Private Fund Adviser and is registered as an investment adviser under the Advisers Act.

[6] ''Affiliated Fund'' means the Private Fund and any Future Affiliated Fund. ''Future Affiliated Fund'' means any entity (a) whose investment adviser is an Adviser, (b) that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act, and (c) that intends to participate in the Co-Investment Program.

[7] The term ''private placement transactions'' means transactions in which the offer and sale of securities by the issuer are exempt from registration under the Securities Act.

[8] All existing entities that currently intend to rely upon the requested Order have been named as applicants. Any other existing or future entity that subsequently relies on the Order will comply with the terms and conditions of the application.

[9] The term ''Wholly-Owned Investment Sub'' means an entity (a) that is wholly-owned by a Regulated Fund (with the Regulated Fund at all times holding, beneficially and of record, 100% of the voting and economic interests); (b) whose sole business purpose is to hold one or more investments on behalf of the Regulated Fund (and in the case of a SBIC Subsidiary (as defined below) maintain a license under the SBA Act (as defined below) and issue debentures guaranteed by the SBA (as defined below); (c) with respect to which the Regulated Fund's Board has the sole authority to make all determinations with respect to the Wholly-Owned Investment Sub's participation under the conditions of the application; and (d) that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act. ''SBIC Subsidiary'' means a Wholly-Owned Investment Sub that is licensed by the Small Business Administration (''SBA'') to operate under the Small Business Investment Act of 1958 (the ''SBA Act'') as a small business investment company.

participating directly.[10] Applicants represent that this treatment is justified because a Wholly-Owned Investment Sub would have no purpose other than serving as a holding vehicle for the Regulated Fund's investments and, therefore, no conflicts of interest could arise between the Regulated Fund and the Wholly-Owned Investment Sub. The Regulated Fund's Board would make all relevant determinations under the conditions with regard to a Wholly-Owned Investment Sub's participation in a Co-Investment Transaction, and the Regulated Fund's Board would be informed of, and take into consideration, any proposed use of a Wholly-Owned Investment Sub in the Regulated Fund's place. If the Regulated Fund proposes to participate in the same Co-Investment Transaction with any of its Wholly-Owned Investment Subs, the Board will also be informed of, and take into consideration, the relative participation of the Regulated Fund and the Wholly-Owned Investment Sub.

9. When considering Potential Co-Investment Transactions for any Regulated Fund, the applicable Adviser will consider only the Objectives and Strategies, investment policies, investment positions, capital available for investment (''Available Capital''),[11] and other pertinent factors applicable to that Regulated Fund. The Board of each Regulated Fund, including the Non-Interested Directors, has (or will have prior to relying on the requested Order) determined that it is in the best interests of the Regulated Fund to participate in Co-Investment Transactions.[12]

10. Other than pro rata dispositions and Follow-On Investments as provided in conditions 7 and 8, and after making the determinations required in conditions 1 and 2(a), the Adviser will present each Potential Co-Investment Transaction and the proposed allocation to the directors of the Board eligible to vote under section 57(o) of the Act (''Eligible Directors''), and the ''required majority,'' as defined in section 57(o) of the Act (''Required Majority'')[13] will approve each Co-Investment Transaction prior to any investment by the participating Regulated Fund.

11. With respect to the pro rata dispositions and Follow-On Investments provided in conditions 7 and 8, a Regulated Fund may participate in a pro rata disposition or Follow-On Investment without obtaining prior approval of the Required Majority if, among other things: (i) The proposed participation of each Regulated Fund and Affiliated Fund in such disposition is proportionate to its outstanding investments in the issuer immediately preceding the disposition or Follow-On Investment, as the case may be; and (ii) the Board of the Regulated Fund has approved that Regulated Fund's participation in pro rata dispositions and Follow-On Investments as being in the best interests of the Regulated Fund. If the Board does not so approve, any such disposition or Follow-On Investment will be submitted to the Regulated Fund's Eligible Directors. The Board of any Regulated Fund may at any time rescind, suspend or qualify its approval of pro rata dispositions and Follow-On Investments with the result that all dispositions and/or Follow-On Investments must be submitted to the Eligible Directors.

12. No Non-Interested Director of a Regulated Fund will have a financial interest in any Co-Investment Transaction, other than through share ownership in one of the Regulated Funds.

13. If the Advisers, the principal owners of any of the Advisers (the ''Principals''), or any person controlling, controlled by, or under common control with the Advisers or the Principals, and the Affiliated Funds (collectively, the ''Holders'') own in the aggregate more than 25 percent of the outstanding voting shares of a Regulated Fund (the ''Shares''), then the Holders will vote such Shares as required under condition 14. Applicants believe that this condition will ensure that the Non-Interested Directors will act independently in evaluating the Co-Investment Program, because the ability of the Advisers or the Principals to influence the Non-Interested Directors by a suggestion, explicit or implied, that the Non-Interested Directors can be removed will be limited significantly. The Non-Interested Directors will evaluate and approve any such independent party, taking into account its qualifications, reputation for independence, cost to the shareholders, and other factors that they deem relevant.

Applicants' Legal Analysis

1. Section 57(a)(4) of the Act prohibits certain affiliated persons of a BDC from participating in joint transactions with the BDC or a company controlled by a BDC in contravention of rules as prescribed by the Commission. Under section 57(b)(2) of the Act, any person who is directly or indirectly controlling, controlled by, or under common control with a BDC is subject to section 57(a)(4). Applicants submit that each of the Regulated Funds and Affiliated Funds could be deemed to be a person related to each Regulated Fund in a manner described by section 57(b) by virtue of being under common control. Section 57(i) of the Act provides that, until the Commission prescribes rules under section 57(a)(4), the Commission's rules under section 17(d) of the Act applicable to registered closed-end investment companies will be deemed to apply to transactions subject to section 57(a)(4). Because the Commission has not adopted any rules under section 57(a)(4), rule 17d–1 also applies to joint transactions with Regulated Funds that are BDCs. Section 17(d) of the Act and rule 17d–1 under the Act are applicable to Regulated Funds that are registered closed-end investment companies.

2. Section 17(d) of the Act and rule 17d–1 under the Act prohibit affiliated persons of a registered investment company from participating in joint transactions with the company unless the Commission has granted an order permitting such transactions. In passing upon applications under rule 17d–1, the Commission considers whether the company's participation in the joint transaction is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

3. Applicants state that in the absence of the requested relief, the Regulated Funds would be, in some circumstances, limited in their ability to participate in attractive and appropriate investment opportunities. Applicants believe that the proposed terms and conditions will ensure that the Co-Investment Transactions are consistent with the protection of each Regulated Fund's shareholders and with the purposes intended by the policies and provisions of the Act. Applicants state that the Regulated Funds' participation in the Co-Investment Transactions will

[10] All subsidiaries of the Regulated Funds participating in Co-Investment Transactions will be Wholly-Owned Investment Subs and will have Objectives and Strategies are either the same as, or a subset of, the Regulated Fund's Objectives and Strategies.

[11] The amount of each Regulated Fund's Available Capital will be determined based on the amount of cash on hand, existing commitments and reserves, if any, the targeted leverage level, targeted asset mix and other investment policies and restrictions set from time to time by the Board of the applicable Regulated Fund or imposed by applicable laws, rules, regulations or interpretations.

[12] The Regulated Funds, however, will not be obligated to invest, or co-invest, when investment opportunities are referred to them.

[13] In the case of a Regulated Fund that is a registered closed-end fund, the Board members that make up the Required Majority will be determined as if the Regulated Fund were a BDC subject to section 57(o).

be consistent with the provisions, policies, and purposes of the Act and on a basis that is not different from or less advantageous than that of other participants.

Applicants' Conditions

Applicants agree that the Order will be subject to the following conditions:

1. Each time an Adviser considers a Potential Co-Investment Transaction for an Affiliated Fund or another Regulated Fund that falls within a Regulated Fund's then-current Objectives and Strategies, the Regulated Fund's Adviser will make an independent determination of the appropriateness of the investment for such Regulated Fund in light of the Regulated Fund's then-current circumstances.

2. (a) If the Adviser deems a Regulated Fund's participation in any Potential Co-Investment Transaction to be appropriate for the Regulated Fund, it will then determine an appropriate level of investment for the Regulated Fund.

(b) If the aggregate amount recommended by the applicable Adviser to be invested by the applicable Regulated Fund in the Potential Co-Investment Transaction, together with the amount proposed to be invested by the other participating Regulated Funds and Affiliated Funds, collectively, in the same transaction, exceeds the amount of the investment opportunity, the investment opportunity will be allocated among them pro rata based on each participant's Available Capital, up to the amount proposed to be invested by each. The applicable Adviser will provide the Eligible Directors of each participating Regulated Fund with information concerning each participating party's Available Capital to assist the Eligible Directors with their review of the Regulated Fund's investments for compliance with these allocation procedures.

(c) After making the determinations required in conditions 1 and 2(a), the applicable Adviser will distribute written information concerning the Potential Co-Investment Transaction (including the amount proposed to be invested by each participating Regulated Fund and Affiliated Fund) to the Eligible Directors of each participating Regulated Fund for their consideration. A Regulated Fund will co-invest with one or more other Regulated Funds and/or one or more Affiliated Funds only if, prior to the Regulated Fund's participation in the Potential Co-Investment Transaction, a Required Majority concludes that:

(i) The terms of the Potential Co-Investment Transaction, including the consideration to be paid, are reasonable and fair to the Regulated Fund and its shareholders and do not involve overreaching in respect of the Regulated Fund or its shareholders on the part of any person concerned;

(ii) the Potential Co-Investment Transaction is consistent with:

(A) The interests of the shareholders of the Regulated Fund; and

(B) the Regulated Fund's then-current Objectives and Strategies;

(iii) the investment by any other Regulated Funds or Affiliated Funds would not disadvantage the Regulated Fund, and participation by the Regulated Fund would not be on a basis different from or less advantageous than that of other Regulated Funds or Affiliated Funds; provided that, if any other Regulated Fund or Affiliated Fund, but not the Regulated Fund itself, gains the right to nominate a director for election to a portfolio company's board of directors or the right to have a board observer or any similar right to participate in the governance or management of the portfolio company, such event shall not be interpreted to prohibit the Required Majority from reaching the conclusions required by this condition (2)(c)(iii), if:

(A) The Eligible Directors will have the right to ratify the selection of such director or board observer, if any;

(B) the applicable Adviser agrees to, and does, provide periodic reports to the Regulated Fund's Board with respect to the actions of such director or the information received by such board observer or obtained through the exercise of any similar right to participate in the governance or management of the portfolio company; and

(C) any fees or other compensation that any Affiliated Fund or any Regulated Fund or any affiliated person of any Affiliated Fund or any Regulated Fund receives in connection with the right of the Affiliated Fund or a Regulated Fund to nominate a director or appoint a board observer or otherwise to participate in the governance or management of the portfolio company will be shared proportionately among the participating Affiliated Funds (who each may, in turn, share its portion with its affiliated persons) and the participating Regulated Funds in accordance with the amount of each party's investment; and

(iv) the proposed investment by the Regulated Fund will not benefit the Advisers, the Affiliated Funds or the other Regulated Funds or any affiliated person of any of them (other than the parties to the Co-Investment Transaction), except (A) to the extent permitted by condition 13, (B) to the extent permitted by section 17(e) or 57(k) of the Act, as applicable, (C) indirectly, as a result of an interest in the securities issued by one of the parties to the Co-Investment Transaction, or (D) in the case of fees or other compensation described in condition 2(c)(iii)(C).

3. Each Regulated Fund has the right to decline to participate in any Potential Co-Investment Transaction or to invest less than the amount proposed.

4. The applicable Adviser will present to the Board of each Regulated Fund, on a quarterly basis, a record of all investments in Potential Co-Investment Transactions made by any of the other Regulated Funds or Affiliated Funds during the preceding quarter that fell within the Regulated Fund's then-current Objectives and Strategies that were not made available to the Regulated Fund, and an explanation of why the investment opportunities were not offered to the Regulated Fund. All information presented to the Board pursuant to this condition will be kept for the life of the Regulated Fund and at least two years thereafter, and will be subject to examination by the Commission and its staff.

5. Except for Follow-On Investments made in accordance with condition 8,[14] a Regulated Fund will not invest in reliance on the Order in any issuer in which another Regulated Fund, Affiliated Fund, or any affiliated person of another Regulated Fund or Affiliated Fund is an existing investor.

6. A Regulated Fund will not participate in any Potential Co-Investment Transaction unless the terms, conditions, price, class of securities to be purchased, settlement date, and registration rights will be the same for each participating Regulated Fund and Affiliated Fund. The grant to an Affiliated Fund or another Regulated Fund, but not the Regulated Fund, of the right to nominate a director for election to a portfolio company's board of directors, the right to have an observer on the board of directors or similar rights to participate in the governance or management of the portfolio company will not be interpreted so as to violate this condition 6, if conditions 2(c)(iii)(A), (B) and (C) are met.

7. (a) If any Affiliated Fund or any Regulated Fund elects to sell, exchange or otherwise dispose of an interest in a security that was acquired in a Co-Investment Transaction, the applicable Advisers will:

[14] This exception applies only to Follow-On Investments by a Regulated Fund in issuers in which that Regulated Fund already holds investments.

(i) Notify each Regulated Fund that participated in the Co-Investment Transaction of the proposed disposition at the earliest practical time; and

(ii) formulate a recommendation as to participation by each Regulated Fund in the disposition.

(b) Each Regulated Fund will have the right to participate in such disposition on a proportionate basis, at the same price and on the same terms and conditions as those applicable to the participating Affiliated Funds and Regulated Funds.

(c) A Regulated Fund may participate in such disposition without obtaining prior approval of the Required Majority if: (i) The proposed participation of each Regulated Fund and each Affiliated Fund in such disposition is proportionate to its outstanding investments in the issuer immediately preceding the disposition; (ii) the Board of the Regulated Fund has approved as being in the best interests of the Regulated Fund the ability to participate in such dispositions on a pro rata basis (as described in greater detail in the application); and (iii) the Board of the Regulated Fund is provided on a quarterly basis with a list of all dispositions made in accordance with this condition. In all other cases, the Adviser will provide its written recommendation as to the Regulated Fund's participation to the Eligible Directors, and the Regulated Fund will participate in such disposition solely to the extent that a Required Majority determines that it is in the Regulated Fund's best interests.

(d) Each Affiliated Fund and each Regulated Fund will bear its own expenses in connection with any such disposition.

8. (a) If any Affiliated Fund or any Regulated Fund desires to make a Follow-On Investment in a portfolio company whose securities were acquired in a Co-Investment Transaction, the applicable Advisers will:

(i) Notify each Regulated Fund that participated in the Co-Investment Transaction of the proposed transaction at the earliest practical time; and

(ii) formulate a recommendation as to the proposed participation, including the amount of the proposed Follow-On Investment, by each Regulated Fund.

(b) A Regulated Fund may participate in such Follow-On Investment without obtaining prior approval of the Required Majority if: (i) The proposed participation of each Regulated Fund and each Affiliated Fund in such investment is proportionate to its outstanding investments in the issuer immediately preceding the Follow-On Investment; and (ii) the Board of the Regulated Fund has approved as being in the best interests of the Regulated Fund the ability to participate in Follow-On Investments on a pro rata basis (as described in greater detail in the application). In all other cases, the Adviser will provide its written recommendation as to the Regulated Fund's participation to the Eligible Directors, and the Regulated Fund will participate in such Follow-On Investment solely to the extent that a Required Majority determines that it is in the Regulated Fund's best interests.

(c) If, with respect to any Follow-On Investment:

(i) The amount of the opportunity is not based on the Regulated Funds' and the Affiliated Funds' outstanding investments immediately preceding the Follow-On Investment; and

(ii) the aggregate amount recommended by the applicable Adviser to be invested by the applicable Regulated Fund in the Follow-On Investment, together with the amount proposed to be invested by the other participating Regulated Funds and Affiliated Funds, collectively, in the same transaction, exceeds the amount of the investment opportunity; then the investment opportunity will be allocated among them pro rata based on each participant's Available Capital, up to the maximum amount proposed to be invested by each.

(d) The acquisition of Follow-On Investments as permitted by this condition will be considered a Co-Investment Transaction for all purposes and subject to the other conditions set forth in this application.

9. The Non-Interested Directors of each Regulated Fund will be provided quarterly for review all information concerning Potential Co-Investment Transactions and Co-Investment Transactions, including investments made by other Regulated Funds or Affiliated Funds that the Regulated Fund considered but declined to participate in, so that the Non-Interested Directors may determine whether all investments made during the preceding quarter, including those investments that the Regulated Fund considered but declined to participate in, comply with the conditions of the Order. In addition, the Non-Interested Directors will consider at least annually the continued appropriateness for the Regulated Fund of participating in new and existing Co-Investment Transactions.

10. Each Regulated Fund will maintain the records required by section 57(f)(3) of the Act as if each of the Regulated Funds were a BDC and each of the investments permitted under these conditions were approved by the Required Majority under section 57(f) of the Act.

11. No Non-Interested Director of a Regulated Fund will also be a director, general partner, managing member or principal, or otherwise an ''affiliated person'' (as defined in the Act) of an Affiliated Fund.

12. The expenses, if any, associated with acquiring, holding or disposing of any securities acquired in a Co-Investment Transaction (including, without limitation, the expenses of the distribution of any such securities registered for sale under the Securities Act) will, to the extent not payable by the Advisers under their respective investment advisory agreements with Affiliated Funds and the Regulated Funds, be shared by the Regulated Funds and the Affiliated Funds in proportion to the relative amounts of the securities held or to be acquired or disposed of, as the case may be.

13. Any transaction fee (including break-up or commitment fees but excluding broker's fees contemplated by section 17(e) or 57(k) of the Act, as applicable), received in connection with a Co-Investment Transaction will be distributed to the participating Regulated Funds and Affiliated Funds on a pro rata basis based on the amounts they invested or committed, as the case may be, in such Co-Investment Transaction. If any transaction fee is to be held by an Adviser pending consummation of the transaction, the fee will be deposited into an account maintained by such Adviser at a bank or banks having the qualifications prescribed in section 26(a)(1) of the Act, and the account will earn a competitive rate of interest that will also be divided pro rata among the participating Regulated Funds and Affiliated Funds based on the amounts they invest in such Co-Investment Transaction. None of the Affiliated Funds, the Advisers, the other Regulated Funds or any affiliated person of the Regulated Funds or Affiliated Funds will receive additional compensation or remuneration of any kind as a result of or in connection with a Co-Investment Transaction (other than (a) in the case of the Regulated Funds and the Affiliated Funds, the pro rata transaction fees described above and fees or other compensation described in condition 2(c)(iii)(C); and (b) in the case of an Adviser, investment advisory fees paid in accordance with the agreement between the Adviser and the Regulated Fund or Affiliated Fund.

14. If the Holders own in the aggregate more than 25% of the Shares of a Regulated Fund, then the Holders will

vote such Shares as directed by an independent third party when voting on (1) the election of directors; (2) the removal of one or more directors; or (3) any other matter under either the Act or applicable state law affecting the Board's composition, size or manner of election.

15. Each Regulated Fund's chief compliance officer, as defined in rule 38a–1(a)(4) under the Act, will prepare an annual report for its Board each year that evaluates (and documents the basis of that evaluation) the Regulated Fund's compliance with the terms and conditions of the application and the procedures established to achieve such compliance.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10830 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Form 144, SEC File No. 270–112, OMB Control No. 3235–0101.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collections of information discussed below.

Form 144 (17 CFR 239.144) is used to report the sale of securities during any three-month period that exceeds 5,000 shares or other units and has an aggregate sales price that does not exceed $50,000. Under Sections 2(a)(11), 4(a)(1), 4(a)(2), 4(a)(4) and 19(a) of the Securities Act of 1933 (15 U.S.C. 77b(a)(11), 77d(a)(1), 77d(a)(2), 77d(a)(4) and 77s (a)) and Rule 144 (17 CFR 230.144) there under, the Commission is authorized to solicit the information required to be supplied by Form 144. The objectives of the rule could not be met, if the information collection was not required. The information collected must be filed with the Commission and is publicly available. Form 144 takes approximately one burden hour per response and is filed by 490 respondents for a total of 490 total burden hours.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov*. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: May 23, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10891 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Form 10, SEC File No. 270–51, OMB Control No. 3235–0064.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget this request for extension of the previously approved collection of information discussed below.

Form 10 (17 CFR 249.210) is used by issuers to register a class of securities pursuant to Section 12(b) or Section 12(g) (15 U.S.C. 78*l*(b) and 78*l*(g)) of the Exchange Act of 1934. Form 10 requires financial and other information about such matters as the issuer's business, properties, identity and remuneration of management, outstanding securities and securities to be registered and financial condition. The information provided by Form 10 is intended to ensure the adequacy of information available to investors about a company. Form 10 takes approximately 215.21 hours per response to prepare and is filed by approximately 216 respondents. We estimate that 25% of the 215.21 hours per response (53.803 hours) is prepared by the company for an annual reporting burden of 11,621 hours (53.803 hours per response x 216 responses).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view the background documentation for this information collection at the following Web site, *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: May 23, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10890 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–155, OMB Control No. 3235–0123]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Rule 17a–5

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''PRA''), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 17a–5 (17 CFR 240.17a–5), under

the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 17a–5 is the basic financial reporting rule for brokers and dealers.[1] The rule requires the filing of Form X–17A–5, the Financial and Operational Combined Uniform Single Report (''FOCUS Report''), which was the result of years of study and comments by representatives of the securities industry through advisory committees and through the normal rule proposal methods. The FOCUS Report was designed to eliminate the overlapping regulatory reports required by various self-regulatory organizations and the Commission and to reduce reporting burdens as much as possible. The rule also requires the filing of an annual audited report of financial statements.

The FOCUS Report consists of: (1) Part I, which is a monthly report that must be filed by brokers or dealers that clear transactions or carry customer securities; (2) one of three alternative quarterly reports: Part II, which must be filed by brokers or dealers that clear transactions or carry customer securities; Part IIA, which must be filed by brokers or dealers that do not clear transactions or carry customer securities; and Part IIB, which must be filed by specialized broker-dealers registered with the Commission as OTC derivatives dealers;[2] (3) supplemental schedules, which must be filed annually; and (4) a facing page, which must be filed with the annual audited report of financial statements. Under the rule, a broker or dealer that computes certain of its capital charges in accordance with Appendix E to Exchange Act Rule 15c3–1 must file additional monthly, quarterly, and annual reports with the Commission.

The Commission estimates that the total hours burden under Rule 17a–5 is approximately 353,510 hours per year when annualized, and the total cost burden under Rule 17a–5 is approximately $45,131,475 per year.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following Web site: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: May 19, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10794 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

[1] Rule 17a–5(c) requires a broker or dealer to furnish certain of its financial information to customers and is subject to a separate PRA filing (OMB Control Number 3235–0199).

[2] Part IIB of Form X–17A–5 must be filed by OTC derivatives dealers under Exchange Act Rule 17a–12 and is subject to a separate PRA filing (OMB control number 3235–0498).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80740; File No. SR–CHX–2017–04]

Self-Regulatory Organizations; Chicago Stock Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Adopt the CHX Liquidity Enhancing Access Delay

May 22, 2017.

I. Introduction

On February 10, 2017, the Chicago Stock Exchange, Inc. (''CHX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt the CHX Liquidity Enhancing Access Delay (''LEAD''). The proposed rule change was published for comment in the **Federal Register** on February 21, 2017.[3] On April 3, 2017, the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved.[4] The Commission received eleven comment letters on the proposed rule change, including a response from the Exchange.[5] This order institutes proceedings under Section 19(b)(2)(B) of the Exchange Act[6] to determine whether to approve or disapprove the proposed rule change.

II. Summary of the Proposal

The Exchange proposes to adopt the LEAD, which would subject all new incoming orders,[7] cancel and cancel/replace messages to a 350-microsecond intentional access delay, provided that certain types of messages would not be subject to the delay: (1) New incoming orders submitted by LEAD Market Makers (''LEAD MM''), a new class of CHX Market Maker[8] with heightened quoting and trading obligations (referred to collectively as the ''minimum performance standards''), which would be immediately ranked on the CHX book without executing against any resting orders on the CHX book; (2) certain cancel messages related to resting orders that were submitted by LEAD MMs; (3) cancel/replace messages related to resting orders that were submitted by LEAD MMs (except that any part of the replace portion of the order that would immediately execute against a resting order would be intentionally delayed); and (4) the portion of a routable order that is to be routed away, regardless of who submitted the routable order. A message will be subject to a 350

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 80041 (February 14, 2017), 82 FR 11252 (''Notice'').

[4] *See* Securities Exchange Act Release No. 80364, 82 FR 11252 (April 7, 2017).

[5] *See* letters from: (1) Ryan Hitch, Head of Equities Trading, XR Securities LLC, dated February 24, 2017 (''XR Securities Letter''); (2) Douglas A. Cifu, Chief Executive Officer, Virtu Financial LLC, dated February 27, 2017 (''Virtu Letter''); (3) Joanna Mallers, Secretary, FIA Principal Traders Group, dated March 13, 2017 (''FIA PTG Letter''); (4) Adam Nunes, Head of Business Development, Hudson River Trading LLC, dated March 13, 2017 (''Hudson River Trading Letter''); (5) R.T. Leuchtkafer, dated March 14, 2017 (''Leuchtkafter Letter''); (6) Stephen John Berger, Managing Director, Government & Regulatory Policy, Citadel Securities, dated March 14, 2017 (''Citadel Letter''); (7) Tyler Gellasch, Executive Director, Healthy Markets Association, March 17, 2017 (''Healthy Markets Letter''); (8) Elizabeth K. King, General Counsel and Corporate Secretary, New York Stock Exchange, dated March 20, 2017 (''NYSE Letter''); (9) James G. Ongena, Executive Vice President and General Counsel, CHX, dated March 24, 2017 (''CHX Letter''); (10) Steve Crutchfield, Head of Market Structure, CTC Trading Group, LLC, dated April 4, 2017 (''CTC Trading Letter''); and (11) Theodore R. Lazo, Managing Director and Associate General Counsel, Securities Industry and Financial Markets Association, dated May 17, 2017 (''SIFMA Letter''). All comments on the proposed rule change are available at: *https://www.sec.gov/comments/sr-chx-2017–04/chx201704.htm.*

[6] 15 U.S.C. 78s(b)(2)(B).

[7] New incoming orders are orders received by the Matching System for the first time. The LEAD would *not* apply to other situations where existing orders or portions thereof are treated as incoming orders, such as: (1) Resting orders that are price slid into a new price point pursuant to the CHX only price sliding or limit up-limit down price sliding processes; and (2) unexecuted remainders of routed orders released into the matching system.

[8] *See* CHX Article 1, Rule 1(tt) (defining ''Market Maker''); *see also generally* CHX Article 16 (Market Makers).

microsecond delay after initial receipt by the Exchange (''Fixed LEAD Period''), but will only be processed after the Exchange's matching system[9] has evaluated and processed, if applicable, all messages in the security received by the Exchange during the Fixed LEAD Period. A delayed message will retain its original sequence number and may be delayed only once. The LEAD would be applied to all securities traded on the Exchange throughout the trading day.

The Exchange states that the LEAD is designed to enhance displayed liquidity and price discovery by minimizing the effectiveness of ''latency arbitrage'' strategies,[10] which the Exchange says diminish displayed liquidity and impair price discovery. According to the Exchange, latency arbitrage is and has been effected at CHX by low-latency market participants that leverage microsecond speed advantages to take resting liquidity at stale prices from the CHX limit order book. Specifically, in 2016, the Exchange experienced a decline in volume in the SPDR S&P 500 trust exchange-traded fund (''SPY''), which the Exchange attributes to latency arbitrage activity in SPY first observed at CHX in January 2016. Between January and July 2016, the Exchange found that SPY latency arbitrage activity caused CHX liquidity providers to dramatically reduce displayed trading interest in SPY (and at times withdraw from the market altogether).

The Exchange believes that the LEAD would not materially impact the ability of liquidity takers not engaged in latency arbitrage, such as retail investors, to access displayed liquidity at CHX.[11] The Exchange also contends that, to the extent a sophisticated market participant seeks to take displayed liquidity pursuant to better or different information (as opposed to the same information exploited by latency arbitrageurs), the LEAD would be too short to have an incrementally negative impact on such non-latency arbitrage strategies.[12]

A LEAD MM would be required to meet the proposed minimum performance standards in return for undelayed access to submit liquidity providing orders and to cancel its resting orders. The proposed minimum performance standards require:

- a LEAD MM to satisfy the Quotation Requirements and Obligations prescribed under current CHX Article 16, Rule 4(d),[13] except that the Designated Percentages described under current Article 16, Rule 4(d)(2)(B) shall be halved; [14]
- a LEAD MM to maintain a ''Monthly Average NBBO Quoting Percentage,'' as defined in proposed CHX Article 16, Rule 4(f)(2)(B)(iv), in each of the securities assigned to the LEAD MM (''LEAD MM Securities''), of at least 10% over the course of a calendar month; [15]
- a LEAD MM's Qualified Executions; [16] in each of its LEAD MM Securities must comprise on an equally-weighted daily average at least 2% of all Qualified Executions in the same security over the course of a calendar month; [17] and
- that at least 80% of the LEAD MM's Qualified Executions in each of its LEAD MM Securities must result from its resting orders that originated from the corresponding LEAD MM trading account [18] over the course of a calendar month.[19]

The proposed rule change also establishes the procedure for CHX to designate LEAD MMs in a security. Only a Market Maker could apply to be a LEAD MM in one or more securities,[20] and Market Makers must receive written approval from the Exchange to be assigned securities as a LEAD MM. LEAD MMs would be selected by the Exchange based on factors including, but not limited to, experience with making markets in securities, adequacy of capital, willingness to promote the Exchange as a marketplace, issuer preference, operational capacity, support personnel and history of adherence to Exchange rules and securities laws. Current Article 16, Rules 2(c)–(e) govern Market Maker withdrawal from assigned securities, and would apply to LEAD MMs and LEAD MM Securities. The Exchange could approve at its discretion more than one LEAD MM to be assigned to any LEAD MM Security and limit the number of LEAD MMs assigned to any security.[21]

Proposed CHX Article 16, Rule 4(f)(3)(D) outlines requirements regarding LEAD MM trading accounts and, according to the Exchange, facilitates the ability of the Exchange to monitor compliance with the proposed minimum performance standards. The Exchange would review each LEAD MM's quoting and trading activity on a monthly basis to determine whether the LEAD MM has met the minimum performance standards.[22] A LEAD MM's failure to meet the minimum performance standards on any given month would result in the Exchange: (1) Suspending or terminating a LEAD MM's registration as a Market Maker pursuant to current Article 16, Rule 1(d); or (2) suspending or terminating assignment to a LEAD MM Security pursuant to proposed CHX Article 16,

[9] The matching system is an automated order execution system, which is a part of the Exchange's ''Trading Facilities,'' as defined under CHX Article 1, Rule 1(z).

[10] The Exchange defines ''latency arbitrage'' as the practice of exploiting disparities in the price of a security or related securities that are being traded in different markets by taking advantage of the time it takes to access and respond to symmetric public information.

[11] *See* Notice, *supra* note 3, 82 FR at 11268.

[12] *See id.* at 11253.

[13] Currently, CHX Market Makers must disseminate throughout the ''Open Trading State'' a continuous two-sided quote with bids and offers being no further away from the National Best Bid (''NBB'') and National Best Offer (''NBO''), respectively, than the Designated Percentage or Defined Limit, as applicable. *See* CHX Article 16, Rule 4(d).

[14] *See* proposed CHX Article 16, Rule 4(f)(2)(A). For example, the 8% Designated Percentage for securities subject to the Article 20, Rule 2A(c)(1)(A) pursuant to current CHX Article 16, Rule 4(d)(2)(A) and (B) would be 4% for LEAD MMs.

[15] *See* proposed CHX Rule Article 16, Rule 4(f)(2)(B). For each such security, the Exchange will determine: (1) The ''Daily NBB Quoting Percentage'' by determining the percentage of time the LEAD MM has at least one Round Lot (as defined in CHX Article 1, Rule 2(f)(3)) of displayed interest in an Exchange bid at the NBB during the Open Trading State (as defined in CHX Article 1, Rule 1(qq)) of each trading day for a calendar month; (2) the ''Daily NBO Quoting Percentage'' by determining the percentage of time the LEAD MM has at least one Round Lot of displayed interest in an Exchange offer at the NBO during the Open Trading State of each trading day for a calendar month; (3) the ''Average Daily NBBO Quoting Percentage'' for each trading day by summing the ''Daily NBB Quoting Percentage'' and the ''Daily NBO Quoting Percentage'' then dividing such sum by two; and (4) the ''Monthly Average NBBO Quoting Percentage'' for each security by summing the security's ''Average Daily NBBO Quoting Percentages'' for each trading day in a calendar month then dividing the resulting sum by the total number of trading days in such calendar month.

[16] ''Qualified Executions'' are all executed shares at CHX, during all trading sessions resulting from single-sided orders, excluding any executed shares resulting from auctions. *See* proposed CHX Article 16, Rule 4(f)(1)(D).

[17] *See* proposed CHX Article 16, Rule 4(f)(2)(C).

[18] Prior to commencing LEAD market making activities in a security, a LEAD MM must, among other things, establish at least one separately designated LEAD MM trading account through which all and only LEAD market making activities in LEAD MM Securities must originate. *See* proposed CHX Article 16, Rule 4(f)(3)(B)(i).

[19] *See* proposed CHX Article 16, Rule 4(f)(2)(D). Unlike the standards provided under proposed paragraphs (f)(2)(A)–(C), this standard would be measured based on aggregate activity over the course of a calendar month. Trading days on which the Exchange does not open for trading would be excluded from the Exchange's calculations regarding compliance with the proposed minimum performance standards.

[20] *See* proposed CHX Article 16, Rule 4(f)(3)(A).

[21] *See* proposed CHX Article 16, Rule 4(f)(3)(C).

[22] *See* proposed CHX Article 16, Rule 4(f)(3)(D).

Rule 4(f)(3)(A).[23] These proposed provisions would not limit any other power of the Exchange to discipline a LEAD MM pursuant to other CHX rules.[24]

III. Summary of the Comments

The Commission has received eleven comments on the proposed rule change, including a response letter from the Exchange.[25] Two commenters expressed support for the proposal,[26] and eight commenters expressed opposition to the proposal.[27]

Some commenters questioned whether, as asserted by CHX, latency arbitrage is to blame for the decline in CHX's market share, and whether the LEAD would solve the purported problem.[28] One commenter questioned CHX's assertion that there is structural bias against displayed liquidity, and the need for an asymmetrical remedy.[29] Another commenter opined that the proposed rule change is overbroad because the proposed LEAD is a systemic solution to a problem—namely a decline in CHX's market share in one security—that CHX has not demonstrated to be market-wide.[30] In addition, a commenter questioned whether CHX could address what it perceives as latency arbitrage by improving its technology to reduce the time to cancel for liquidity providers.[31] Another commenter suggested other ways to confront latency arbitrage, including that the Exchange could move its servers closer to the Chicago Mercantile Exchange's (''CME'') servers or to New Jersey, apply a delay to messages coming from CME's data centers, implement a random delay for everyone, or prohibit latency arbitrage by rule.[32]

Several commenters discussed the potential impact of the proposal on displayed liquidity and price discovery. Two commenters asserted that the LEAD would enable liquidity providers to improve displayed liquidity.[33] Six commenters, however, expressed concern that the LEAD could deteriorate the accessibility of quotes and overall market quality.[34] For example, one commenter predicted that, while overall spreads and liquidity may improve, the increased liquidity would be more conditional and less accessible.[35] In addition, a commenter predicted that spreads made by ''real'' liquidity providers—as distinguished from ''fleeting'' quotes submitted by LEAD MMs—would widen.[36] In response, the Exchange asserted that the proposal would promote tighter spreads and larger size, and that there is no evidence that it would result in CHX quotes being less accessible to ''natural'' buyers and sellers.[37]

In addition, some commenters stated that the LEAD would impinge upon price discovery across the national market system.[38] Some commenters noted that an asymmetric delay on TSX Alpha, a Canadian exchange, degraded overall market quality, harmed institutional order routers, and increased effective spreads.[39] One commenter noted that while quoted depth increased on TSX Alpha, the exchange did not demonstrate tighter spreads, and the accessibility of quotes significantly degraded.[40] In addition, a commenter asserted that the only counterbalance to the negative impact on market quality caused by an asymmetric delay (such as that exhibited due to TSX Alpha) would be coupling it with ''robust and rigorous'' affirmative obligations for those benefitting from the delay.[41] In response, the Exchange asserted that the TSX Alpha delay is materially different from LEAD because it is randomized and, unlike CHX, TSX Alpha utilizes an inverted maker-taker model.[42] The Exchange also observed that TSX Alpha does not require its liquidity providers to meet heightened requirements designed to enhance market quality.[43]

One commenter asserted that the indeterminacy of the proposed delay may result in the LEAD producing delays that are not *de minimis*.[44] In response, the Exchange stated that processing delays and message queuing currently exists in every market.[45] The Exchange also asserted that these delays would not provide LEAD MMs with more than a 350 microsecond window to adjust or cancel their resting orders at CHX.[46]

Several commenters stated that the LEAD would unfairly discriminate in favor of the LEAD MMs.[47] Specifically, commenters asserted that the LEAD would harm market participants seeking to access liquidity provided by LEAD MMs as the LEAD MMs may alter their prices while incoming orders are being delayed.[48] In addition, a commenter stated that the LEAD would give LEAD MMs an unfair advantage.[49] One commenter asserted that the LEAD could make it more difficult for non-LEAD MMs to quote better prices at larger size.[50] Two commenters stated that the LEAD would unfairly discriminate against market participants that are primarily liquidity takers, such

[23] *See id.*

[24] *See id.*

[25] *See supra* note 5.

[26] *See* Virtu Letter, *supra* note 5; and CTC Trading Group Letter, *supra* note 5.

[27] *See* XR Securities Letter, *supra* note 5; FIA PTG Letter, *supra* note 5; Hudson River Trading Letter, *supra* note 5; Leuchtkafer Letter, *supra* note 5; Citadel Letter, *supra* note 5; Healthy Markets Letter, *supra* note 5; NYSE Letter, *supra* note 5; and SIFMA Letter, *supra* note 5.

[28] *See* FIA PTG Letter, *supra* note 5, at 2; and Hudson River Trading Letter, *supra* note 5, at 2, 5.

[29] *See* FIA PTG Letter, *supra* note 5, at 2.

[30] *See* Citadel Letter, *supra* note 5, at 7.

[31] *See* SIFMA Letter, *supra* note 5, at 7–8.

[32] *See* Leuchtkafer Letter, *supra* note 5, at 6–7.

[33] *See* Virtu Letter, *supra* note 5, at 2 (stating that the proposal would improve displayed liquidity available to institutional investors without limiting the ability of ''natural'' buyers and sellers to access liquidity); and CTC Trading Letter, *supra* note 5, at 3 (asserting that the LEAD would result in tighter bid-ask spreads).

[34] *See* Healthy Markets Letter, *supra* note 5, at 4–5; XR Securities Letter, *supra* note 5, at 2; FIA PTG Letter, *supra* note 5, at 4; SIFMA Letter, *supra* note 5, at 6; Citadel Letter, *supra* note 5, at 3; and Hudson River Trading Letter *supra* note 5, at 6.

[35] *See* Hudson River Trading Letter, *supra* note 5, at 6. Another commenter similarly predicted that the LEAD would result in complex trickle-down impacts on the NBBO including CHX quotes that would not be accessible. *See* FIA PTG Letter, *supra* note 5, at 3.

[36] *See* XR Securities Letter, *supra* note 5, at 2. *See also* FIA PTG Letter, *supra* note 5, at 4 (expressing concern that non-LEAD MMS would be forced to widen their bid/ask spreads across the marketplace).

[37] *See* CHX Letter, *supra* note 5, at 4–5.

[38] *See* XR Securities Letter, *supra* note 5, at 3; FIA PTG Letter, *supra* note 5, at 3–4, and Hudson River Trading Letter *supra* note 5, at 5.

[39] *See* Hudson River Trading Letter, *supra* note 5, at 2. *See also* Healthy Markets Letter, *supra* note 5, at 5; and SIFMA Letter, *supra* note 5, at 6. These commenters cite a recent study regarding TSX Alpha: *See* Chen, Haoming, Foley, Sean, Goldstein, Michael, and Ruf, Thomas, ''The Value of a Millisecond: Harnessing Information in Fast, Fragmented Markets'' *https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2860359.*

[40] *See* Hudson River Trading Letter, *supra* note 5, at 2.

[41] *See* Healthy Markets Letter, *supra* note 5, at 5.

[42] *See* CHX Letter, *supra* note 5, at 8.

[43] *See id.* at 8–9.

[44] *See* Leuchtkafer Letter, *supra* note 5, at 2. *See also* Healthy Markets Letter, *supra* note 5, at 5 (urging the Commission to consider concerns about the delay being implemented by software as opposed to hardware, what happens in periods of high volume, and how CHX would ensure that the delay does not vary under different circumstances).

[45] *See* CHX Letter, *supra* note 5, at 9. *See also* CTC Letter, *supra* note 5, at 5.

[46] *See* CHX Letter, *supra* note 5, at 9.

[47] *See* FIA PTG Letter, *supra* note 5, at 2–3; Leuchtkafer Letter, *supra* note 5, at 4; Citadel Letter, *supra* note 5, at 4; Hudson River Trading Letter, *supra* note 5, at 5–6. *See also* XR Securities Letter, *supra* note 5, at 2 (stating that the LEAD would give LEAD MMs an ''unfair advantage''); and Healthy Markets Letter, *supra* note 5, at 4 (stating that the proposal would ''venture into unchartered discriminatory waters, and offers little explanation or justification''). *See also* SIFMA Letter, *supra* note 5, at 5 (asserting that any intentional delay should be universally applied to all market participants in a non-discriminatory manner).

[48] *See* Hudson River Trading Letter, *supra* note 5, at 2.

[49] *See* XR Securities Letter, *supra* note 5, at 2.

[50] *See* Hudson River Trading Letter, *supra* note 5, at 1–2.

as retail investors or institutions.[51] Another commenter expressed concern that, unlike other examples of ''permissible'' discrimination, the LEAD would affect the regulatory mechanics of trading because, in some cases, traders would be required to route orders to the Exchange pursuant to Rule 611 of Regulation NMS.[52] In addition, one commenter asserted that the delay would only benefit market participants who become LEAD MMs and subscribe to the CME's data feeds.[53] In response, CHX stated that the LEAD would discriminate on fair terms because it is designed to correct the current asymmetry that CHX says currently exists in the market.[54] In addition, CHX asserted that the LEAD would reduce the cost of providing liquidity to the LEAD MMs, which CHX asserted would result in efficient price discovery for retail and institutional investors.[55]

Other commenters expressed concern that the proposal would be unfairly discriminatory because only firms selected by CHX as LEAD MMs would be given the speed advantage,[56] and LEAD MMs would be named based on subjective criteria.[57] CHX responded that the LEAD MM factors are designed to forecast how well that applicant would perform as a LEAD MM if approved.[58] CHX further noted that the criteria are ''virtually identical'' to the criteria under Bats BZX's rules for its lead market maker program.[59]

Several commenters commented on the proposed minimum performance standards. Two commenters expressed support for the proposed minimum performance standards.[60] One of these commenters asserted that the proposal would effectively couple heightened quoting and trading requirements with the ability to adequately manage the heightened risks of such requirements.[61] Other commenters expressed concern that the minimum performance standards may not be adequate to justify the benefits that LEAD MMs would receive under the proposal.[62] Two commenters suggested that CHX should provide data regarding the materiality of the minimum performance standards, how they will improve market quality, and whether CHX market makers already satisfy these criteria.[63] In response, the Exchange asserted that the proposed minimum performance standards are ''substantial and proportionate to the benefits conferred upon LEAD MMs,'' and that they would minimize the risk of incremental quote fading and other non-bona fide liquidity provision strategies.[64] Further, the Exchange stated that the minimum performance standards are appropriate in light of the requirements imposed upon and benefits incurred by market makers on other exchanges.[65]

Some commenters suggested that the LEAD could increase the risk of manipulative activity. One commenter argued that the LEAD would enable intra-exchange latency arbitrage because CHX would impose neither negative obligations on its LEAD MMs nor information barriers to segregate LEAD market making from other proprietary trading.[66] Another commenter expressed concern that the LEAD would frustrate strategies that involve taking prices across multiple venues by giving extra time to LEAD MMs to pull their quotes in the middle of a multi-venue order.[67] The Exchange responded that sophisticated order routing strategies would minimize incremental leakage, and that the LEAD is much shorter than the time that it would take for information regarding a CHX routed order that is executed away to be consumed and processed by the LEAD MM.[68]

One commenter asserted that the LEAD would unduly burden competition among CHX members and among national securities exchanges.[69] Another commenter stated that the LEAD would alter the competitive balance in the market by benefitting only LEAD MMs.[70]

In addition, some commenters asserted that the LEAD may be inconsistent with the ''firm quote'' provisions of Rule 602 of Regulation NMS (''Quote Rule'') because commenters asserted that it would allow liquidity providers to back away from their quotes.[71] The Exchange responded that the LEAD would not violate the Quote Rule because the duty of a broker or dealer to stand behind its quote would not vest because the LEAD would prevent the liquidity provider from receiving (*i.e.,* being presented with) a marketable contra-side order.[72]

Several commenters asserted that the adoption of the LEAD could be inconsistent with CHX's protected quotation status under Regulation NMS.[73] In particular, some commenters asserted that by providing LEAD MMs with a structural advantage, the LEAD would frustrate the purposes of Rule 611 by impairing fair and efficient access to an exchange's quotations.[74] In response, the Exchange stated that it believes that LEAD would be a *de minimis* delay so short as not to: (1) Frustrate the purposes of the Rule 611 by impairing fair and efficient access to the Exchange's quotations; and (2) neither provide an incremental advantage other than neutralizing structural bias nor permit a LEAD MM to back away from a quote on a quotation-by-quotation basis.[75]

Certain commenters also asserted that the LEAD would result in unfair allocation of consolidated market data revenue by generating an increase in quoting, but not necessarily trading, on the Exchange.[76] The Exchange responded that the LEAD would not encourage non-bona fide quote activity for the purpose of earning rebates because quotes cancelled within the 350-microsecond LEAD would not be eligible for market data revenue rebates,

[51] *See* Citadel Letter, *supra* note 5, at 5–6; Leuchtkafer Letter, *supra* note 5, at 4.

[52] *See* FIA PTG Letter, *supra* note 5, at 4.

[53] *See* Leuchtkafer Letter, *supra* note 5, at 4.

[54] *See* CHX Letter, *supra* note 5, at 10–11.

[55] *See id.* at 4.

[56] *See* XR Securities Letter, *supra* note 5, at 1; and FIA PTG Letter, *supra* note 5, at 2.

[57] *See* Citadel Letter, *supra* note 5, at 4.

[58] *See* CHX Letter, *supra* note 5, at 11–12.

[59] *See id.*

[60] *See* Virtu Letter, *supra* note 5, at 2; and CTC Trading Letter, *supra* note 5, at 4.

[61] *See* Virtu Letter, *supra* note 5, at 2.

[62] *See* Leuchtkafter Letter, *supra* note 5, at 5; NYSE Letter, *supra* note 5, at 4–5 (stating that the benefit is ''disproportionate'' to the proposed standards); Citadel Letter, *supra* note 5, at 7 (asserting that the minimum performance standards appear to be ''largely immaterial in substance'' and the benefits of the LEAD would be ''entirely disproportionate'' to these obligations).

[63] *See* Citadel Letter, *supra* note 5, at 3; and Healthy Markets Letter, *supra* note 5, at 4.

[64] *See* CHX Letter, *supra* note 5, at 6. Another commenter agreed with CHX that the proposed quoting requirements are ''substantial and proportionate.'' *See* CTC Trading Letter, *supra* note 5, at 4.

[65] *See* CHX Letter, *supra* note 5, at 6.

[66] *See* Leuchtkafer Letter, *supra* note 5, at 6.

[67] *See* FIA PTG Letter, *supra* note 5, at 3.

[68] *See* CHX Letter, *supra* note 5, at 8.

[69] *See* Hudson River Trading Letter, *supra* note 5, at 8.

[70] *See* Citadel Letter, *supra* note 5, at 8.

[71] *See* FIA PTG Letter, *supra* note 5, at 5; Hudson River Trading Letter, *supra* note 5, at 6; Citadel Letter, *supra* note 5, at 5; NYSE Letter, *supra* note 5, at 2.

[72] *See* CHX Letter, *supra* note 5, at 12.

[73] *See* Hudson River Trading Letter, *supra* note 5, at 7; Citadel Letter, *supra* note 5, at 6; NYSE Letter, *supra* note 5, at 4; XR Securities Letter, *supra* note 5, at 1. *See also* SIFMA Letter, *supra* note 5, at 7 (suggesting that the Commission should ''carefully consider the implications'' of market participants routing orders to CHX to access a protected quote when the accessibility of such quote is ''questionable'').

[74] *See* FIA PTG Letter, *supra* note 5, at 2; Hudson River Trading Letter, *supra* note 5, at 7; Citadel Letter, *supra* note 5, at 6; NYSE Letter, *supra* note 5, at 4; XR Securities, *supra* note 5, at 1; and SIFMA Letter, *supra* note 5, at 6 (questioning the effect of an access delay coupled with existing geographic or technological latencies on the fair and efficient access to an exchange's protected quotations).

[75] *See* CHX Letter, *supra* note 5, at 14.

[76] *See* Hudson River Trading Letter, *supra* note 5, at 7; Citadel Letter, *supra* note 5, at 6; and SIFMA Letter, *supra* note 5, at 7.

and cancellation of such quotes could result in the CHX participant being assessed an order cancellation fee.[77]

IV. Proceedings To Determine Whether To Approve or Disapprove SR–CHX–2017–04 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Exchange Act [78] to determine whether the proposed rule change should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as stated below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Exchange Act,[79] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with: (1) Section 6(b)(5) of the Exchange Act, which requires, among other things, that the rules of a national securities exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers; [80] (2) Section 6(b)(8) of the Exchange Act, which requires that the rules of a national securities exchange not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Exchange Act; [81] and (3) Section 11A of the Exchange Act.[82]

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Sections 6(b)(5), 6(b)(8), and 11A of the Exchange Act, any other provision of the Exchange Act, or any other rule or regulation under the Exchange Act. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[83]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposal should be approved or disapproved by June 16, 2017. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by June 30, 2017. The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on the following:

1. Would the proposed minimum performance standards for LEAD MMs enhance market quality? Why or why not? What metrics would help determine any enhancement to market quality? How should enhancements to market quality be measured with the delay in effect?

2. How would the proposal affect price volatility during stressed trading conditions?

3. How would the proposal affect transaction costs for retail and institutional investors?

4. How would the proposal affect an institutional investor's experience providing liquidity and removing liquidity on CHX?

5. Would the proposal provide an unfair advantage to LEAD MMs providing liquidity vis-à-vis other liquidity providers and in particular when the price of a security moves?

6. Do commenters agree with the Exchange's assertion that the proposed rule change would increase displayed liquidity on the Exchange?

7. Do the obligations for LEAD MMs to comply with the proposed minimum performance standards justify the LEAD MMs' speed advantage?

8. According to several commenters, liquidity provided by LEAD MMs would be ''fleeting'' because they could update their quotations while incoming orders are delayed. Do commenters agree? If so, what are commenters' views on how significant ''fleeting'' liquidity would be in comparison to the overall liquidity provided on the Exchange?

9. How would the proposal affect the national market system if exchanges with a larger percentage of overall trading volume were to adopt a similar proposal? In particular, how would the proposal affect market quality?

10. One of the stated goals of the proposal is to minimize the effectiveness of latency arbitrage strategies. What metrics would help determine if latency arbitrage is currently a problem on CHX? Is 350 microsecond necessary to minimize the effectiveness of latency arbitrage strategies? Should the delay be shorter or longer to accomplish this goal? Is the 350 microsecond delay appropriate for trading at both CHX's Chicago data center and its East Coast data center? Why or why not?

11. Does the proposal's protection against latency arbitrage strategies for LEAD MMs warrant the benefits of the delay?

12. Is the delay short enough that it would not harm liquidity takers or providers other than those engaging in latency arbitrage?

13. What are commenters' views on how the proposal would affect liquidity providers on CHX other than LEAD Market Makers as well as liquidity providers on other markets?

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File Number SR–CHX–2017–04 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Numbers SR–CHX–2017–04. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the

[77] *See* CHX Letter, *supra* note 5, at 10.

[78] 15 U.S.C. 78s(b)(2)(B).

[79] *Id.*

[80] 15 U.S.C. 78f(b)(5).

[81] 15 U.S.C. 78f(b)(8).

[82] 15 U.S.C. 78k–1.

[83] Section 19(b)(2) of the Exchange Act, as amended by the Securities Act Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Act Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of these filings also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CHX–2017–04 and should be submitted on or before June 16, 2017. Rebuttal comments should be submitted by June 30, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[84]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10807 Filed 5–25–17; 8:45 am]

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[84] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80738; File No. SR–CBOE–2017–029]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Order Approving a Proposed Rule Change Relating to the Exposure Periods of the Automated Improvement Mechanism and the Solicitation Auction Mechanism

May 22, 2017.

I. Introduction

On March 31, 2017, Chicago Board Options Exchange, Incorporated (the ''Exchange'' or ''CBOE'') filed with the Securities and Exchange Commission (''Commission'') pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend CBOE Rules 6.74A and 6.74B to reduce the exposure periods of the Exchange's Automated Improvement Mechanism (''AIM'') and Solicitation Auction Mechanism (''SAM'') from 1 second to a time period designated by the Exchange of no less than 100 milliseconds and no more than 1 second. The proposed rule change was published for comment in the **Federal Register** on April 14, 2017.[3] The Commission received no comment letters on the proposed rule change. This order approves the proposed rule change.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

II. Description of the Proposed Rule Change

CBOE's AIM auction allows a Trading Permit Holder (''TPH'') to execute electronically an order it represents as agent against principal interest or against a solicited order.[4] CBOE's SAM auction allows a TPH to execute electronically an agency order of 500 contracts or more against solicited orders.[5] After an agency order is properly designated for AIM or SAM processing, the Exchange will send a Request for Responses (''RFR'') to all TPHs who have elected to receive RFRs.[6] Orders entered in the AIM or SAM are currently exposed for a period of 1 second, during which time competitive responses to the auction may be submitted. The Exchange proposes to revise the RFR response periods for AIM and SAM to permit the Exchange to designate a specific time within a range of no less than 100 milliseconds and no more than 1 second.[7]

[3] *See* Securities Exchange Act Release No. 80421 (April 10, 2017), 82 FR 18048 (''Notice'').

[4] *See* CBOE Rule 6.74A.

[5] *See* CBOE Rule 6.74B.

[6] The AIM RFR specifies the side and size of the order, while the SAM RFR specifies the price, side, and size of the order. *See* CBOE Rule 6.74A(b)(1)(B) and 6.74B(b)(1)(B).

[7] Although the proposed rule change would allow the Exchange to select an exposure period from a range of 1 second to 100 milliseconds, the Exchange stated that it currently plans to decrease the time period allowed for responses to 100 milliseconds. *See* Notice, *supra* note 3, at 18050. The Exchange noted that its proposal is consistent with exposure periods permitted in similar mechanisms on other options exchanges. *See id.* at 18049; *see also* Securities Exchange Act Release Nos. 76301 (October 29, 2015), 80 FR 68347 (November 4, 2015) (SR–BX–2015–032) (establishing an exposure period for the Nasdaq BX's options price improvement mechanism (''PRISM'') of no less than 100 milliseconds and no more than 1 second); 77557 (April 7, 2016), 81 FR 21935 (April 13, 2016) (SR–Phlx–2016–40) (amending the exposure period for the Nasdaq Phlx's Price Improvement XL (''PIXL'') to be no less than 100 milliseconds and no more than 1 second); and 79733 (January 4, 2017), 82 FR 3055 (January 10, 2017) (SR–ISE–2016–26) (amending the exposure period for the Nasdaq ISE's Price Improvement Mechanism (''PIM'') to be no less than 100 milliseconds and no more than 1 second).

III. Discussion and Commission's Findings

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[8] In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,[9] which requires, among other things, that the rules of a national securities exchange be designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest, and not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Commission also finds that the proposed rule change is consistent with Section 6(b)(8) of the Act,[10] which requires that the rules of an exchange not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The Commission believes that, given the electronic nature of the AIM and SAM mechanisms and the ability of TPHs to respond within the proposed exposure periods, reducing each of the exposure periods from 1 second to no less than 100 milliseconds could facilitate the prompt execution of orders, while continuing to provide market participants with an opportunity to compete to trade with the exposed order by submitting responses to the auctions. According to the Exchange, numerous TPHs have the capability to and do respond within a 100 millisecond exposure period or less on the Hybrid Trading System.[11] The Exchange notes that the response timers for its Exchange's Hybrid Agency Liaison (''HAL''), Complex Order Auction (''COA''), and Simple Auction Liaison (''SAL'') mechanisms are set at 100 milliseconds or less and numerous TPHs can and do respond to HAL, SAL, and COA messages within these time frames.[12] The Exchange also notes that the AIM and SAM mechanisms operate on the Hybrid Trading System and employ the same type of mechanical

[8] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[9] 15 U.S.C. 78f(b)(5).

[10] 15 U.S.C. 78f(b)(8).

[11] *See* Notice, *supra* note 3, at 18049 n.4.

[12] *See id.*

messaging as the HAL, SAL, and COA mechanisms.[13]

To substantiate that its members can receive, process, and communicate a response back to the Exchange within 100 milliseconds, the Exchange states that it surveyed its top 15 AIM and SAM responders.[14] According to the Exchange, each of the 15 TPHs it surveyed indicated that they can receive, process, and communicate a response back to the Exchange within 100 milliseconds.[15] In addition, the Exchange states that it reviewed all AIM and SAM responses that resulted in traded orders in December 2016, and its review indicated that approximately 63% of AIM responses and 63% of SAM responses resulting in price improving executions at the conclusion of the auction occurred within 100 milliseconds of the initial order.[16] Furthermore, with regard to the impact of the proposal on system capacity, the Exchange states that it has analyzed its capacity and represents that it has the necessary systems capacity to handle the potential additional traffic associated with the additional transactions that may occur with the implementation of the proposed reduction in the AIM and SAM duration to no less than 100 milliseconds.[17] The Exchange also represents that its systems will be able to sufficiently maintain an audit trail for order and trade information with the reduction in the AIM and SAM duration.[18]

Upon effectiveness of the proposed rule change, and at least six weeks prior to implementation of the proposed rule change, the Exchange will issue a circular to TPHs, informing them of the implementation date of the reduction of the AIM and SAM duration from 1 second to the auction time designated by the Exchange to allow TPHs to perform any necessary systems changes.[19] The Exchange also represents that it will issue a circular at least four weeks prior to any future changes, as permitted by its rules, to the auction response time.[20]

Based on the Exchange's statements, the Commission believes that market participants should continue to have opportunities to compete to trade with the exposed order by submitting responses to the auctions within an exposure period of no less than 100 milliseconds and no more than 1 second.[21] Accordingly, for the reasons discussed above, the Commission believes that the Exchange's proposal is consistent with the Act.

IV. Conclusion

It is Therefore Ordered, pursuant to Section 19(b)(2) of the Act,[22] that the proposed rule change (SR–CBOE–2017–029) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10790 Filed 5–25–17; 8:45 am]

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[13] *See id.*

[14] *See* Notice, *supra* note 3, at 18050.

[15] *See id.*

[16] *See id.* In addition to the 63% of AIM responses and 63% of SAM responses that occur within 100 milliseconds of the initial order, approximately 20% of AIM responses and 15% of SAM responses that resulted in price improving executions at the conclusion of the auction occurred in the final 800–1000 milliseconds (*i.e.,* within 200 milliseconds of the end of the RFR). *See id.* The Exchange believes that the timing of these responses indicates that TPHs have configured their trading systems to either respond immediately to an AIM or SAM auction, or to wait until the end of an auction period to reduce the risk of the market moving. *See id.*

[17] *See id.*

[18] *See id.*

[19] *See id.*

[20] *See id.*

[21] The Commission notes that the ability to designate such an exposure time period is consistent with the rules of other options exchanges. *See supra* note 7. *See also* NASDAQ Phlx Rule 1080(n)(ii)(A)(4), NASDAQ BX Options Rules Chapter VI, Section 9(ii)(A)(3), Nasdaq ISE Rule 716, Supplementary Material .04, and Nasdaq ISE Rule 723(c)(1).

[22] 15 U.S.C. 78s(b)(2).

[23] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 32642; 812–14408]

Corporate Capital Trust, Inc., et al.

May 22, 2017.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the ''Act'') and rule 17d–1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d–1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit business development companies (''BDCs'') and closed-end management investment companies to co-invest in portfolio companies with each other and with certain affiliated investment funds and accounts.[1]

APPLICANTS: Corporate Capital Trust, Inc. (''CCT I''); Corporate Capital Trust II (''CCT II''); KKR Income Opportunities Fund (''KIO,'' and together with CCT I and CCT II, the ''Existing Regulated Entities''); CNL Fund Advisors Company (''CFA''); CNL Fund Advisors II, LLC (''CFA II''); KKR Credit Advisors (US) LLC (''KKR Credit''); the investment advisory subsidiaries and relying advisers of KKR Credit set forth on Schedule A to the application (collectively, with KKR Credit, the ''Existing KKR Credit Advisers''); KKR Capital Markets Holdings L.P. and its capital markets subsidiaries and other indirect, wholly- or majority-owned subsidiaries of KKR & Co. L.P. (''KKR'') set forth on Schedule A to the application (collectively, the ''KCM Companies''); [2] KKR Financial Holdings LLC (''KFN'') and its wholly-owned subsidiaries set forth on Schedule A to the application (together with wholly-owned subsidiaries of KFN that may be formed in the future, the ''KFN Subsidiaries.''); the Existing Affiliated Funds set forth on Schedule A to the application [3]; and Prisma Capital Partners LP (the ''Existing KKR Primary Adviser'').

FILING DATES: The application was filed on December 24, 2014, and amended on June 1, 2015, December 7, 2015, July 14, 2016, and May 8, 2017.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on June 16, 2017, and

[1] The requested order (''Order'') would supersede an exemptive order issued by the Commission on May 21, 2013 (In the Matter of Corporate Capital Trust, et al., Investment Company Act Release Nos. 30494 (Apr. 25, 2013) (notice) and 30526 (May 21, 2013) (order)) (the ''Prior Order''), with the result that no person will continue to rely on the Prior Order if the Order is granted.

[2] These entities are all indirect, wholly- or majority-owned subsidiaries of KKR and, from time to time, may hold various financial assets in a principal capacity (in such capacity, ''Existing KKR Proprietary Accounts'').

[3] The Existing Affiliated Funds, together with their direct and indirect wholly-owned subsidiaries, are entities (i) (A) whose primary investment adviser is an Existing KKR Credit Adviser or (B) whose primary investment adviser is the Existing KKR Primary Adviser and whose sub-adviser is an Existing KKR Credit Adviser (''Sub-Advised Affiliated Fund'') and (ii) that either (A) would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act or (B) may rely on the rule 3a–7 exemption from investment company status. Certain Existing Affiliated Funds are collateralized loan obligation (''CLO'') entities that rely on rule 3a–7 under the Act in addition to section 3(c)(7) thereof. These Existing Affiliated Funds are all advised by Existing KKR Credit Advisers.

should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F St. NE., Washington, DC 20549–1090. Applicants: CCT I, CCT II, CFA, and CFA II, 450 S. Orange Avenue, Orlando, FL 32801; KIO, KKR Credit, KKR the KCM Companies, KFN, the KFN Subsidiaries, the Existing Affiliated Funds, and the Existing KKR Primary Adviser, 555 California Street, 50th Floor, San Francisco, CA 94104.

FOR FURTHER INFORMATION CONTACT: Courtney S. Thornton, Senior Counsel, at (202) 551–6812 or David J. Marcinkus, Branch Chief, at (202) 551–6821 (Chief Counsel's Office, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Applicants' Representations

1. CCT I, a Maryland corporation, and CCT II, a Delaware statutory trust, are closed-end management investment companies that have elected to be regulated as BDCs under the Act.[4] Each of CCT I and CCT II's investment objective is to provide shareholders with current income and, to a lesser extent, long-term capital appreciation. CCT I and CCT II each have a five-member Board, of which three members are Independent Directors.[5]

2. KIO, a Delaware statutory trust, is a non-diversified, closed-end management investment company registered under the Act. KIO's primary investment objective is to seek a high level of current income with a secondary objective of capital appreciation. KIO has a four member Board, of which three members are Independent Directors.

3. Each of CFA and CFA II is a subsidiary of CNL Financial Group, LLC and is registered as an investment adviser under the Investment Advisers Act of 1940 (the ''Advisers Act''). CFA serves as CCT I's investment adviser. CFA II serves as CCT II's investment adviser. A CFA Adviser (as defined below) will serve as the investment adviser and administrator to each Regulated Entity with KKR Credit as Sub-Adviser.

4. KKR is a global investment firm structured as a holding company that conducts its business through various subsidiaries, which include investment advisers and broker-dealers. KKR also holds various financial assets in a principal capacity. KKR Credit, a subsidiary of KKR, is a Delaware limited liability company registered as an investment adviser under the Advisers Act. KKR Credit serves as investment adviser to KIO and as sub-adviser to CCT I and CCT II. The CFA Advisers and the KKR Credit Advisers are not affiliated persons or affiliated persons of affiliated persons (as defined in the Act), except for the affiliation that arises as a result of serving as the advisers of any Regulated Entity with KKR Credit as Sub-Adviser.

5. The Existing KKR Primary Adviser is registered as an investment adviser under the Advisers Act and serves as the primary investment adviser to the Sub-Advised Affiliated Funds. A KKR Primary Adviser will serve as the primary investment adviser to any Sub-Advised Affiliated Fund.

6. KFN, a majority-owned subsidiary of KKR, is a specialty finance company that is externally advised by an Existing KKR Credit Adviser. KFN, which was acquired by KKR on April 30, 2014, is a holding company that engages in its specialty finance business through the wholly-owned KFN Subsidiaries, which rely on one or more exemptions or exceptions from the definition of an investment company.

7. The KCM Companies are indirect, wholly- or majority-owned subsidiaries of KKR and, from time to time, may hold various financial assets in a principal capacity (in such capacity, together with KFN and the KFN Subsidiaries, the ''Existing KKR Proprietary Accounts,'' and, together with any Future KKR Proprietary Account, the ''KKR Proprietary Accounts''). Each KKR Proprietary Account, other than the KCM Companies, is or will be advised by a KKR Credit Adviser.

8. Applicants seek an order to permit one or more Regulated Entities[6] and/or one or more Affiliated Investors[7] to participate in the same investment opportunities through a proposed co-investment program (the ''Co-Investment Program'') where such participation would otherwise be prohibited under sections 17(d) and 57(a)(4) of the Act and rule 17d–1 thereunder.

9. For purposes of the requested Order, ''Co-Investment Transaction'' means any transaction in which a Regulated Entity (or its Blocker Subsidiary) participated together with one or more other Regulated Entities and/or one or more Affiliated Investors in reliance on the requested Order or the Prior Order. ''Potential Co-Investment Transaction'' means any investment opportunity in which a Regulated Entity (or its Blocker Subsidiary) could not

[4] Section 2(a)(48) defines a BDC to be any closed-end investment company that operates for the purpose of making investments in securities described in sections 55(a)(1) through 55(a)(3) of the Act and makes available significant managerial assistance with respect to the issuers of such securities.

[5] ''Board'' means the board of directors of CCT I, CCT II, KIO, and any other Regulated Entity.

''Independent Directors'' means the independent directors of CCT I, CCT II, KIO, and the independent directors or trustees of any other Regulated Entity who are not ''interested persons'' within the meaning of section 2(a)(19) of the Act.

[6] ''Regulated Entity'' means any of the Existing Regulated Entities and any Future Regulated Entity.

''Future Regulated Entity'' means any closed-end management investment company formed in the future (a) that is registered under the Act or has elected to be regulated as a BDC, (b)(i) whose investment adviser is KKR Credit or (ii) whose investment adviser is a CFA Adviser and whose sub-adviser is KKR Credit.

''Regulated Entity with KKR Credit as Sub-Adviser'' means a Regulated Entity whose investment adviser is a CFA Adviser and whose sub-adviser is KKR Credit.

''CFA Adviser'' means CFA, CFA II, or any future investment adviser that (i) controls, is controlled by, or is under common control with CFA, (ii) is registered as an investment adviser under the Advisers Act, and (iii) is not a Regulated Entity or a subsidiary of a Regulated Entity.

''KKR Credit Adviser'' means any Existing KKR Credit Adviser or any future investment adviser that (i) is controlled by, or a relying adviser of, KKR Credit, (ii) is registered as an investment adviser under the Advisers Act, and (iii) is not a Regulated Entity or a subsidiary of a Regulated Entity.

''Adviser'' means any KKR Credit Adviser or any CFA Adviser. The term Adviser does not include any KKR Primary Adviser.

''KKR Primary Adviser'' means the Existing KKR Primary Adviser or any future investment adviser that (i) is controlled by KKR, (ii) is registered as an investment adviser under the Advisers Act, and (iii) is not a KKR Credit Adviser.

[7] ''Affiliated Investor'' means (a) any Existing Affiliated Fund, (b) any Future Affiliated Fund, (c) any Existing KKR Proprietary Account; or (d) any Future KKR Proprietary Account.

''Future Affiliated Fund'' means an entity formed in the future (a)(i) whose primary investment adviser is a KKR Credit Adviser or (ii) whose primary adviser is a KKR Primary Adviser and whose sub-adviser is a KKR Credit Adviser (''a ''Sub-Advised Affiliated Fund''), and (b)(i) that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act or (ii) with respect to CLO entities, may rely on Rule 3a–7 under the 1940 Act in addition to Section 3(c)(7) of the 1940 Act.

''Future KKR Proprietary Account'' means an indirect, wholly- or majority-owned subsidiary of KKR that is formed in the future and, from time to time, may hold various financial assets in a principal capacity.

participate together with one or more Affiliated Investors and/or one or more other Regulated Entities without obtaining and relying on the Order.[8] Neither any CFA Adviser nor any KKR Primary Adviser will be the source of any Potential Co-Investment Transaction.

10. Applicants state that a Regulated Entity may, from time to time, form a special purpose subsidiary (a ''Blocker Subsidiary'').[9] A Blocker Subsidiary would be prohibited from investing in a Co-Investment Transaction with any Affiliated Investor or Regulated Entity because it would be a company controlled by its parent Regulated Entity for purposes of section 57(a)(4) and rule 17d–1. Applicants request that a Blocker Subsidiary be permitted to participate in Co-Investment Transactions in lieu of its parent Regulated Entity and that the Blocker Subsidiary's participation in any such transaction be treated, for purposes of the requested Order, as though the parent Regulated Entity were participating directly.

11. Applicants note that CFA is responsible for the overall management of CCT I, while KKR Credit is responsible for the day-to-day management of CCT I's investment portfolio. CFA II is responsible for the overall management of CCT II, while KKR Credit is responsible for the day-to-day management of CCT II's investment portfolio. Applicants represent that although KKR Credit will identify and recommend investments for the Regulated Entities with KKR Credit as Sub-Adviser, the CFA Advisers will have ultimate authority to approve or reject the investments proposed by KKR Credit, subject to the oversight of the Board of each Regulated Entity.

12. Applicants state that opportunities for Potential Co-Investment Transactions may arise when advisory personnel of a KKR Credit Adviser become aware of investment opportunities that may be appropriate for a Regulated Entity, one or more other Regulated Entities and/or one or more Affiliated Investors. In such cases, Applicants state that the Adviser to a Regulated Entity will be notified of such Potential Co-Investment Transactions and of KKR Credit's recommended allocation. Applicants submit that the Adviser will then independently analyze and evaluate the investment opportunity as to its appropriateness for each Regulated Entity for which it serves as investment adviser, taking into consideration the Regulated Entity's Objectives and Strategies [10] and any Board-Established Criteria.[11] Applicants represent that, if the CFA Adviser to a Regulated Entity determines that the opportunity is appropriate for the Regulated Entity, the CFA Adviser will present the investment opportunity to the CFA Adviser's investment committee for its approval. If the CFA Adviser's investment committee approves the investment for the Regulated Entity, the CFA Adviser will present the Potential Co-Investment Transaction and the proposed allocation to the directors of the Board eligible to vote under section 57(o) of the Act (''Eligible Directors''), and the ''required majority,'' as defined in section 57(o) of the Act (''Required Majority'') [12] will approve such Co-Investment Transaction prior to any investment by the participating Regulated Entity.

13. Applicants state that KKR Credit has an investment committee through which KKR Credit will carry out its obligation under condition 1 to make a determination as to the appropriateness of the Potential Co-Investment Transaction for any Regulated Entity. Applicants represent that in the case of a Potential Co-Investment Transaction, KKR Credit would apply its allocation policies and procedures in determining the proposed allocation for the Regulated Entity consistent with the requirements of condition 2(a). Applicants further note that each CFA Adviser and KKR Credit has adopted its own allocation policies and procedures that take into account the allocation policies and procedures for the Regulated Entities. Applicants believe that while each KKR Credit client may not participate in each investment opportunity, over time each KKR Credit client would participate in investment opportunities fairly and equitably.

14. Applicants submit that, if a Potential Co-Investment Transaction were within the investment objectives and strategies of a Sub-Advised Affiliated Fund, the KKR Credit Adviser would have primary responsibility for the investment, including making the initial investment recommendation. Applicants further note that the KKR Credit Adviser will be responsible for complying with the conditions of the Order that relate to any Sub-Advised Affiliated Fund. Applicants state that if the KKR Credit Adviser and KKR Primary Adviser agree that the Sub-Advised Affiliated Fund should invest in the Potential Co-Investment Transaction and at what size of investment, the KKR Credit Adviser would then determine an allocation for the Regulated Entities and Affiliated Investors, including the Sub-Advised Affiliated Fund.

15. Applicants acknowledge that some of the Affiliated Investors may not be funds advised by a KKR Credit Adviser because they are KKR Proprietary Accounts. The KKR Proprietary Accounts are either entities that are advised by a KKR Credit Adviser pursuant to an investment management agreement or, in the case of KCM Companies, are broker-dealers that may hold financial assets in a principal capacity. Applicants do not believe the participation of these KKR Proprietary Accounts in Co-Investment Transactions should raise issues under the conditions

[8] All existing entities that currently intend to rely upon the requested Order have been named as applicants. Any other existing or future entity that subsequently relies on the Order will comply with the terms and conditions of the application.

[9] ''Blocker Subsidiary'' means an entity (i) whose sole business purpose is to hold one or more investments on behalf of the Regulated Entity; (ii) that is wholly-owned by a Regulated Entity (with the Regulated Entity at all times holding, beneficially and of record, 100% of the voting and economic interests); (iii) with respect to which the Regulated Entity's Board has the sole authority to make all determinations with respect to the entity's participation under the conditions of the application; and (iv) that does not pay a separate advisory fee, including any performance-based fee, to any person; and (v) that is an entity that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act.

[10] ''Objectives and Strategies'' means a Regulated Entity's investment objectives and strategies, as described in the Regulated Entity's registration statement on Form N–2, other filings the Regulated Entity has made with the Commission under the Securities Act of 1933, as amended (the ''1933 Act''), or under the Securities and Exchange Act of 1934, as amended, and the Regulated Entity's reports to shareholders.

[11] ''Board-Established Criteria'' means criteria that the Board of a Regulated Entity may establish from time to time to describe the characteristics of Potential Co-Investment Transactions regarding which each Adviser to the Regulated Entity should be notified under condition 1. The Board-Established Criteria will be consistent with a Regulated Entity's Objectives and Strategies. If no Board-Established Criteria are in effect, then each Adviser to a Regulated Entity will be notified of all Potential Co-Investment Transactions that fall within the Regulated Entity's then-current Objectives and Strategies. Board-Established Criteria will be objective and testable, meaning that they will be based on observable information, such as industry/sector of the issuer, minimum EBITDA of the issuer, asset class of the investment opportunity or required commitment size, and not on characteristics that involve a discretionary assessment. Each Adviser to a Regulated Entity may from time to time recommend criteria for the Board's consideration, but Board-Established Criteria will only become effective if approved by a majority of the Independent Directors. The Independent Directors of a Regulated Entity may at any time rescind, suspend, or qualify its approval of any Board-Established Criteria, though applicants anticipate that, under normal circumstances, the Board would not modify these criteria more often than quarterly.

[12] In the case of a Regulated Entity that is a registered closed-end fund, the Board members that make up the Required Majority will be determined as if the Regulated Entity were a BDC subject to section 57(o).

of this Application because KKR's and a KKR Credit Adviser's allocation policies and procedures provide that investment opportunities are offered to client accounts before they are offered to KKR Proprietary Accounts, even if the KKR Proprietary Accounts are the first to learn of an investment opportunity.

16. Under condition 16, if an Adviser or its principals, or any person controlling, controlled by, or under common control with the Adviser or its principals, and any Affiliated Investor (collectively, the ''Holders'') own in the aggregate more than 25 percent of the outstanding voting shares of a Regulated Entity (''Shares''), then the Holders will vote such Shares as directed by an independent third party when voting on (1) the election of directors; (2) the removal of one or more directors; or (3) all other matters under either the Act or applicable state law affecting the Board's composition, size or manner of election.

17. No Independent Director of a Regulated Entity will have a financial interest in any Co-Investment Transaction, other than indirectly through share ownership in one of the Regulated Entities.

Applicants' Legal Analysis

1. Section 57(a)(4) of the Act prohibits certain affiliated persons of a BDC from participating in joint transactions with the BDC or a company controlled by a BDC in contravention of rules as prescribed by the Commission. Under section 57(b)(2) of the Act, any person who is directly or indirectly controlling, controlled by, or under common control with a BDC is subject to section 57(a)(4). Section 57(i) of the Act provides that, until the Commission prescribes rules under section 57(a)(4), the Commission's rules under section 17(d) of the Act applicable to registered closed-end investment companies will be deemed to apply to transactions subject to section 57(a)(4). Because the Commission has not adopted any rules under section 57(a)(4), rule 17d–1 applies.

2. Rule 17d–1 under the Act prohibits affiliated persons of a registered investment company from participating in joint transactions with the company unless the Commission has granted an order permitting such transactions. In considering whether to grant an application under rule 17d–1, the Commission considers whether the participation by the company is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

3. Applicants submit that each of the Affiliated Investors and the Regulated Entities could be deemed to be a person related to each other Regulated Entity in a manner described by section 57(b) by virtue of being under common control. In addition, section 57(b) applies to any investment adviser to a Regulated Entity, including sub-advisers. Applicants submit that KKR Credit, in its role as sub-adviser to CCT I and CCT II, could be deemed to be a person related to CCT I and CCT II in a manner described in section 57(b). Therefore, KKR Credit and any person under common control with KKR Credit (such as the Regulated Entities and the Affiliated Investors) could be prohibited from participating in the Co-Investment Program with CCT I and CCT II by section 57(a)(4) and Rule 17d–1.

4. Section 17(d) of the Act and rule 17d–1 under the Act prohibit affiliated persons of a registered investment company from participating in joint transactions with the company unless the Commission has granted an order permitting such transactions. In passing upon applications under rule 17d–1, the Commission considers whether the company's participation in the joint transaction is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

5. Applicants state that in the absence of the requested relief, the Regulated Entities would be, in some circumstances, limited in their ability to participate in attractive and appropriate investment opportunities. Applicants believe that the proposed terms and conditions will ensure that the Co-Investment Transactions are consistent with the protection of each Regulated Entity's shareholders and with the purposes intended by the policies and provisions of the Act. Applicants state that the Regulated Entities' participation in the Co-Investment Transactions will be consistent with the provisions, policies, and purposes of the Act and on a basis that is not different from or less advantageous than that of other participants.

Applicants' Conditions

Applicants agree that the Order will be subject to the following conditions:

1. Each time a KKR Credit Adviser considers a Potential Co-Investment Transaction for an Affiliated Investor or another Regulated Entity that falls within a Regulated Entity's then-current Objectives and Strategies and Board-Established Criteria, each Adviser to a Regulated Entity will make an independent determination of the appropriateness of the investment for the Regulated Entity in light of the Regulated Entity's then-current circumstances.

2. (a) If each Adviser to a Regulated Entity deems participation in any Potential Co-Investment Transaction to be appropriate for the Regulated Entity, the Adviser (or Advisers, if there are more than one) will then determine an appropriate level of investment for such Regulated Entity.

(b) If the aggregate amount recommended by the Adviser (or Advisers, if there are more than one) to a Regulated Entity to be invested by the Regulated Entity in the Potential Co-Investment Transaction, together with the amount proposed to be invested by the other participating Regulated Entities and Affiliated Investors, collectively, in the same transaction, exceeds the amount of the investment opportunity, the amount of the investment opportunity will be allocated among the Regulated Entities and such Affiliated Investors, *pro rata* based on each participant's Available Capital for investment in the asset class being allocated, up to the amount proposed to be invested by each.[13] The Adviser (or Advisers, if there are more than one) to a Regulated Entity will provide the Eligible Directors of a Regulated Entity with information concerning each participating party's Available Capital to assist the Eligible Directors with their review of the Regulated Entity's investments for compliance with these allocation procedures.

(c) After making the determinations required in conditions 1 and 2(a) above, the Adviser to the Regulated Entity (or Advisers, if there are more than one) will distribute written information concerning the Potential Co-Investment Transaction, including the amount proposed to be invested by each Regulated Entity and any Affiliated Investor, to the Eligible Directors for their consideration. A Regulated Entity

[13] ''Available Capital'' means (a) for each Regulated Entity, the amount of capital available for investment determined based on the amount of cash on hand, existing commitments and reserves, if any, the targeted leverage level, targeted asset mix and other investment policies and restrictions set from time to time by the Board of the applicable Regulated Entity or imposed by applicable laws, rules, regulations or interpretations, and (b) for each Affiliated Investor (excluding KKR Proprietary Accounts), the amount of capital available for investment determined based on the amount of cash on hand, existing commitments and reserves, if any, the targeted leverage level, targeted asset mix and other investment policies and restrictions set by the Affiliated Investors' directors, general partners, or adviser or imposed by applicable laws, rules, regulations or interpretations.

will co-invest with one or more other Regulated Entities and/or an Affiliated Investor only if, prior to the Regulated Entities' and the Affiliated Investors' participation in the Potential Co-Investment Transaction, a Required Majority concludes that:

(i) The terms of the Potential Co-Investment Transaction, including the consideration to be paid, are reasonable and fair to the Regulated Entity and its shareholders and do not involve overreaching in respect of the Regulated Entity or its shareholders on the part of any person concerned;

(ii) the Potential Co-Investment Transaction is consistent with:

(A) The interests of the Regulated Entity's shareholders; and

(B) the Regulated Entity's then-current Objectives and Strategies and Board-Established Criteria;

(iii) the investment by any other Regulated Entity or an Affiliated Investor would not disadvantage the Regulated Entity, and participation by the Regulated Entity would not be on a basis different from or less advantageous than that of any other Regulated Entity or Affiliated Investor; provided that, if another Regulated Entity or Affiliated Investor, but not the Regulated Entity itself, gains the right to nominate a director for election to a portfolio company's board of directors or the right to have a board observer or any similar right to participate in the governance or management of the portfolio company, such event shall not be interpreted to prohibit a Required Majority from reaching the conclusions required by this condition (2)(c)(iii), if:

(A) The Eligible Directors will have the right to ratify the selection of such director or board observer, if any; and

(B) the Adviser to the Regulated Entity (or Advisers, if there are more than one) agrees to, and does, provide periodic reports to the Regulated Entity's Board with respect to the actions of such director or the information received by such board observer or obtained through the exercise of any similar right to participate in the governance or management of the portfolio company; and

(C) any fees or other compensation that any other Regulated Entity or any Affiliated Investor or any affiliated person of any other Regulated Entity or an Affiliated Investor receives in connection with the right of one or more Regulated Entities or Affiliated Investors to nominate a director or appoint a board observer or otherwise to participate in the governance or management of the portfolio company will be shared proportionately among the participating Affiliated Investors (who may, in turn, share their portion with their affiliated persons) and any participating Regulated Entity in accordance with the amount of each party's investment; and

(iv) the proposed investment by the Regulated Entity will not benefit the Adviser to the Regulated Entity (or Advisers, if there are more than one), any other Regulated Entity, any KKR Primary Adviser or the Affiliated Investors or any affiliated person of any of them (other than the parties to the Co-Investment Transaction), except (A) to the extent permitted by condition 13, (B) to the extent permitted under sections 17(e) or 57(k) of the Act, as applicable, (C) in the case of fees or other compensation described in condition 2(c)(iii)(C), or (D) indirectly, as a result of an interest in the securities issued by one of the parties to the Co-Investment Transaction.

3. A Regulated Entity will have the right to decline to participate in any Potential Co-Investment Transaction or to invest less than the amount proposed.

4. The Adviser to the Regulated Entity (or Advisers, if there are more than one) will present to the Board of each Regulated Entity, on a quarterly basis, a record of all investments in Potential Co-Investment Transactions made by any of the other Regulated Entities or any of the Affiliated Investors during the preceding quarter that fell within the Regulated Entity's then-current Objectives and Strategies and Board-Established Criteria that were not made available to the Regulated Entity, and an explanation of why the investment opportunities were not offered to the Regulated Entity. All information presented to the Board pursuant to this condition will be kept for the life of the Regulated Entity and at least two years thereafter, and will be subject to examination by the Commission and its staff.

5. Except for Follow-On Investments made in accordance with condition 8,[14] a Regulated Entity will not invest in reliance on the Order in any issuer in which another Regulated Entity or an Affiliated Investor, or any affiliated person of another Regulated Entity or Affiliated Investor is an existing investor.

6. A Regulated Entity will not participate in any Potential Co-Investment Transaction unless the terms, conditions, price, class of securities to be purchased, settlement date, and registration rights will be the same for each participating Regulated Entity and Affiliated Investor. The grant to one or more Regulated Entities or Affiliated Investors, but not the Regulated Entity itself, of the right to nominate a director for election to a portfolio company's board of directors, the right to have an observer on the board of directors or similar rights to participate in the governance or management of the portfolio company will not be interpreted so as to violate this condition 6, if conditions 2(c)(iii)(A), (B) and (C) are met.

7. (a) If any Regulated Entity or Affiliated Investor elects to sell, exchange or otherwise dispose of an interest in a security that was acquired by one or more Regulated Entities and/or Affiliated Investors in a Co-Investment Transaction, the applicable Adviser(s) will:[15]

(i) notify each Regulated Entity of the proposed disposition at the earliest practical time; and

(ii) formulate a recommendation as to participation by the Regulated Entity in the disposition.

(b) Each Regulated Entity will have the right to participate in such disposition on a proportionate basis, at the same price and on the same terms and conditions as those applicable to the Affiliated Investors and any other Regulated Entity.

(c) A Regulated Entity may participate in such disposition without obtaining prior approval of the Required Majority if:

(i) The proposed participation of each Regulated Entity and each Affiliated Investor in such disposition is proportionate to its outstanding investments in the issuer immediately preceding the disposition;

(ii) the Regulated Entity's Board has approved as being in the best interests of the Regulated Entity the ability to participate in such dispositions on a *pro rata* basis (as described in greater detail in the application); and

(iii) the Regulated Entity's Board is provided on a quarterly basis with a list of all dispositions made in accordance with this condition. In all other cases, the Adviser to the Regulated Entity (or Advisers, if there are more than one) will provide their written recommendation as to the Regulated Entity's participation to the Eligible Directors, and the Regulated Entity will participate in such disposition solely to the extent that a Required Majority determines that it is in the Regulated Entity's best interests.

[14] This exception applies only to Follow-On Investments by a Regulated Entity in issuers in which that Regulated Entity already holds investments.

[15] Any KCM Company that is not advised by an Adviser is itself deemed to be an Adviser for purposes of Conditions 7(a)(i) and 8(a)(i).

(d) Each Regulated Entity and each Affiliated Investor will bear its own expenses in connection with the disposition.

8. (a) If any Regulated Entity or Affiliated Investor desires to make a Follow-On Investment in a portfolio company whose securities were acquired by the Regulated Entity and the Affiliated Investor in a Co-Investment Transaction, the applicable Adviser(s) will:

(i) Notify the Regulated Entity of the proposed transaction at the earliest practical time; and

(ii) formulate a recommendation as to the proposed participation, including the amount of the proposed Follow-On Investment, by the Regulated Entity.

(b) A Regulated Entity may participate in such Follow-On Investment without obtaining prior approval of the Required Majority if:

(i) The proposed participation of each Regulated Entity and each Affiliated Investor in such investment is proportionate to its outstanding investments in the issuer immediately preceding the Follow-On Investment; and

(ii) the Regulated Entity's Board has approved as being in the best interests of such Regulated Entity the ability to participate in Follow-On Investments on a *pro rata* basis (as described in greater detail in the application). In all other cases, the Adviser to the Regulated Entity (or Advisers, if there are more than one) will provide their written recommendation as to such Regulated Entity's participation to the Eligible Directors, and the Regulated Entity will participate in such Follow-On Investment solely to the extent that a Required Majority determines that it is in such Regulated Entity's best interests.

(c) If, with respect to any Follow-On Investment:

(i) The amount of a Follow-On Investment is not based on the Regulated Entities' and the Affiliated Investors' outstanding investments immediately preceding the Follow-On Investment; and

(ii) the aggregate amount recommended by the Adviser (or Advisers if there are more than one) to a Regulated Entity to be invested by the Regulated Entity in the Follow-On Investment, together with the amount proposed to be invested by the other Regulated Entities and the participating Affiliated Investors in the same transaction, exceeds the amount of the opportunity, then the amount invested by each such party will be allocated among them *pro rata* based on each participant's Available Capital for investment in the asset class being allocated, up to the amount proposed to be invested by each.

(d) The acquisition of Follow-On Investments as permitted by this condition will be considered a Co-Investment Transaction for all purposes and subject to the other conditions set forth in the application.

9. The Independent Directors of each Regulated Entity will be provided quarterly for review all information concerning Potential Co-Investment Transactions and Co-Investment Transactions, including investments made by other Regulated Entities or Affiliated Investors that the Regulated Entity considered but declined to participate in, so that the Independent Directors may determine whether all investments made during the preceding quarter, including those investments that the Regulated Entity considered but declined to participate in, comply with the conditions of the Order. In addition, the Independent Directors will consider at least annually (a) the continued appropriateness for the Regulated Entity of participating in new and existing Co-Investment Transactions, and (b) the continued appropriateness of any Board-Established Criteria.

10. Each Regulated Entity will maintain the records required by section 57(f)(3) of the Act as if each of the Regulated Entities were a BDC and each of the investments permitted under these conditions were approved by a Required Majority under section 57(f) of the Act.

11. No Independent Director of a Regulated Entity will also be a director, general partner, managing member or principal, or otherwise an ''affiliated person'' (as defined in the Act) of any Affiliated Investor.

12. The expenses, if any, associated with acquiring, holding or disposing of any securities acquired in a Co-Investment Transaction (including, without limitation, the expenses of the distribution of any such securities registered for sale under the 1933 Act) shall, to the extent not payable by the applicable Adviser(s) under their respective advisory agreements with the Regulated Entities and the Affiliated Investors, be shared by the Regulated Entities and the Affiliated Investors in proportion to the relative amounts of the securities held or to be acquired or disposed of, as the case may be.

13. Any transaction fee (including break-up or commitment fees but excluding broker's fees contemplated by section 17(e) or 57(k) of the Act, as applicable) [16] received in connection with a Co-Investment Transaction will be distributed to the participating Regulated Entities and Affiliated Investors on a *pro rata* basis based on the amount they invested or committed, as the case may be, in such Co-Investment Transaction. If any transaction fee is to be held by an Adviser pending consummation of the transaction, the fee will be deposited into an account maintained by the Adviser at a bank or banks having the qualifications prescribed in section 26(a)(1) of the Act, and the account will earn a competitive rate of interest that will also be divided *pro rata* among the participating Regulated Entities and Affiliated Investors based on the amount they invest in the Co-Investment Transaction. None of the other Regulated Entities, Affiliated Investors, the applicable Adviser(s), any KKR Primary Adviser nor any affiliated person of the Regulated Entities or the Affiliated Investors will receive additional compensation or remuneration of any kind as a result of or in connection with a Co-Investment Transaction (other than (a) in the case of the Regulated Entities and the Affiliated Investors, the *pro rata* transaction fees described above and fees or other compensation described in condition 2(c)(iii)(C), and (b) in the case of the Advisers and KKR Primary Advisers, investment advisory fees paid in accordance with the Regulated Entities' and the Affiliated Investors' investment advisory agreements).

14. The KKR Proprietary Accounts will not be permitted to invest in a Potential Co-Investment Transaction, except to the extent the demand from the Regulated Entities and the other Affiliated Investors is less than the total investment opportunity.

15. The Advisers to the Regulated Entities and Affiliated Investors will maintain written policies and procedures reasonably designed to ensure compliance with the foregoing conditions. These policies and procedures will require, among other things, that each of the Advisers to each Regulated Entity will be notified of all Potential Co-Investment Transactions that fall within such Regulated Entity's then-current Objectives and Strategies and Board-Established Criteria and will be given sufficient information to make its independent determination and recommendations under conditions 1, 2(a), 7 and 8.

16. If the Holders own in the aggregate more than 25 percent of the Shares of a Regulated Entity, then the Holders

[16] Applicants are not requesting and the Commission is not providing any relief for transaction fees received in connection with any Co-Investment Transaction.

will vote such Shares as directed by an independent third party when voting on (1) the election of directors; (2) the removal of one or more directors; or (3) all other matters under either the Act or applicable state law affecting the Board's composition, size or manner of election.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–10795 Filed 5–25–17; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is publishing this notice to comply with requirements of the Paperwork Reduction Act, which requires agencies to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission. This notice also allows an additional 30 days for public comments.

DATES: Submit comments on or before June 26, 2017.

ADDRESSES: Comments should refer to the information collection by name and/or OMB Control Number and should be sent to: *Agency Clearance Officer,* Curtis Rich, Small Business Administration, 409 3rd Street SW., 5th Floor, Washington, DC 20416; and *SBA Desk Officer,* Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Curtis Rich, Agency Clearance Officer, (202) 205–7030 *curtis.rich@sba.gov*.

Copies: A copy of the Form OMB 83–1, supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

SUPPLEMENTARY INFORMATION: Section 7(a) of the Small Business Act authorizes the Small Business Administration to guaranty loans in each of the 7(a) Programs. The regulations at 13 CFR part 120, which cover this loan program, require certain information from loan applicants and lenders that is used to determine program eligibility and compliance with the requirements. The forms identified below are used to collect the information outlined in the regulations.

SBA has made a few changes to the forms, in part to address feedback from the 7(a) lenders and others who routinely use the forms. These changes are intended to improve usability of the forms and generally include: Clarifying questions and instructions for responding, providing additional information, such as definitions of terms, removing certain questions entirely, or adding them to another form where they are more appropriate. Form 1919—Borrower Information Form—was of particular concern to users. SBA has reformatted it into two distinct sections. One section is to be completed by the small business loan applicant, and a separate section completed by each of the applicant's associates/principals. The current form's layout sometimes resulted in multiple associates or principals unnecessarily providing the same information pertaining to the applicant business. This change should resolve that confusion.

Solicitation of Public Comments

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

Summary of Information Collection

Title: Borrower Information Form, Lenders Application for Guaranty, and 7(a) Loan Post Approval Action Checklist.

Description of Respondents: 7(a) Program Participants.

Form Number: SBA Forms 1919, 1920, 1971, 2237, and 2449.

Total Estimated Annual Responses: 110,000.

Total Estimated Annual Hour Burden: 27,959.

Curtis B. Rich,

Management Analyst.

[FR Doc. 2017–10896 Filed 5–25–17; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice: 10006]

Determination and Certification Under Section 40A of the Arms Export Control Act

Pursuant to section 40A of the Arms Export Control Act (22 U.S.C. 2781), and Executive Order 13637, as amended, I hereby determine and certify to the Congress that the following countries are not cooperating fully with United States antiterrorism efforts:

Eritrea
Iran
Democratic People's Republic of Korea (DPRK, or North Korea)
Syria
Venezuela

This determination and certification shall be transmitted to the Congress and published in the **Federal Register**.

Dated: May 1, 2017.

Rex Tillerson,

Secretary of State.

[FR Doc. 2017–10948 Filed 5–25–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice: 10004]

U.S. National Commission for UNESCO Notice of Teleconference Meeting

The U.S. National Commission for UNESCO will hold a conference call on Friday, June 9, 2017 from 11:00 a.m. until 12:00 p.m. Eastern Daylight Time. This will be a single issue, technical teleconference meeting to consider the recommendations of the Commission's National Committee for the Intergovernmental Oceanographic Commission (IOC). There will be no other items on the agenda. The Commission will accept brief oral comments during a portion of this conference call. The public comment period will be limited to approximately 10 minutes in total, with two minutes allowed per speaker. For more information, or to arrange to participate in the conference call, individuals must make arrangements with the Executive Director of the National Commission by June 6, 2017.

The National Commission may be contacted via email at *DCUNESCO@state.gov* or Telephone (202) 663–2407.

Paul Mungai,

Acting Executive Director, U.S. National Commission for UNESCO, Department of State.

[FR Doc. 2017–10768 Filed 5–25–17; 8:45 am]

BILLING CODE 4710–19–P

DEPARTMENT OF STATE

[Public Notice: 10008]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition Determinations: ''Richard Gerstl'' Exhibition

Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257–1 of December 11, 2015), I hereby determine that certain objects to be included in the exhibition ''Richard Gerstl,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Neue Galerie New York, in New York, New York, from on or about June 29, 2017, until on or about September 25, 2017, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

For further information, including a list of the imported objects, contact the Office of Public Diplomacy and Public Affairs in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

Alyson Grunder,

Deputy Assistant Secretary for Policy, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2017–11050 Filed 5–25–17; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 10007]

E.O. 13224 Designation of Muhammad Ahmad 'Ali al-Isawi, aka Abu Osama al-Masri, aka Abu Usamah al-Masri as a Specially Designated Global Terrorist

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the person known as Muhammad Ahmad 'Ali al-Isawi, also known as Abu Osama al-Masri, also known as Abu Usamah al-Masri, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that ''prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously,'' I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: May 9, 2017.

Rex Tillerson,

Secretary of State.

[FR Doc. 2017–10939 Filed 5–25–17; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF STATE

[Public Notice: 10005]

E.O. 13224 Designation of Hashem Safieddine, aka Hashem Safi al-Din, aka Hashem Safi a-Din, aka Hashim Safi al Din, aka Hashim Safi Al-Din, aka Hashim Safieddine as a Specially Designated Global Terrorist

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the person known as Hashem Safieddine, also known as Hashem Safi al-Din, also known as Hashem Safi a-Din, also known as Hashim Safi al Din, also known as Hashim Safi Al-Din, also known as Hashim Safieddine, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: May 15, 2017.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2017–10943 Filed 5–25–17; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF STATE

[Public Notice: 10002]

30-Day Notice of Proposed Information Collection: Request for Advisory Opinion

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. We are requesting comments on this collection from all interested individuals and organizations in accordance with the Paperwork Reduction Act of 1995. The purpose of this Notice is to allow 30 days for public comment.

DATES: Submit comments directly to the Office of Management and Budget (OMB) up to June 26, 2017.

ADDRESSES: Send comments to the Department of State desk officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

- *Email: oira_submission@omb.eop.gov.* You must include the DS form number (DS–7786), information collection title (Request for Advisory Opinion), and the OMB control number (1405–0174) in the subject line of your message.
- *Fax:* 202–395–5806. Attention: Desk Officer for Department of State.

FOR FURTHER INFORMATION CONTACT: Please visit DDTC's Web site (*www.pmddtc.state.gov/FRN.html*) to view a copy of the proposed form and instructions. Contact Danielle Canfield at *CanfieldDP@state.gov* for further

information regarding this notice or if you are unable to access the proposed form and instructions on the DDTC internet site.

SUPPLEMENTARY INFORMATION:

- *Title of information collection:* Request for Advisory Opinion.
- *OMB control number:* 1405–0174.
- *Type of request:* Revision of a Currently Approved Collection.
- *Originating office:* T/PM/DDTC.
- *Form number:* DS–7786.
- *Respondents:* Individuals and companies engaged in the business of manufacturing, brokering, exporting or temporarily importing defense articles or defense services.
- *Estimated number of respondents:* 250.
- *Estimated number of responses:* 250.
- *Average time per response:* 2 hours.
- *Total estimated burden time:* 500 hours.
- *Frequency:* On occasion.
- *Obligation to respond:* Voluntary.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection

The Directorate of Defense Trade Controls (DDTC), located in the Political-Military Affairs Bureau of the Department of State, has the principal mission of licensing the export, temporary import, and brokering of defense articles or defense services as enumerated in the United States Munitions List (USML), and to ensure that the sale, transfer, or brokering of such items are in the interest of United States national security and foreign policy.

Sections 126.9 (Advisory opinions and related authorizations) and 129.9 (Guidance) of the International Traffic in Arms Regulations (ITAR, 22 CFR parts 120–130) may be used by entities and individuals involved in the manufacture, export, temporary import, and brokering, of defense articles and defense services to request an advisory opinion as to whether DDTC would be likely to grant a license or other approval for the export of a particular defense article or defense service to a particular country (126.9(a)); for an interpretation of regulatory requirements (126.9(c)); whether certain activity constitutes brokering under the ITAR (129.9(a)); or for other guidance pertaining to brokering (129.9(c)). DDTC has recently acquired an electronic case management system to update its business processes and how it receives and handles information from industry. This system, once deployed, will allow users to electronically submit requests for advisory opinions to DDTC; users will be able to retrieve responses using the same system. DDTC staff members have defined the data fields which are most relevant and necessary for requests for advisory opinions and developed the means to accept this information from the industry in a secure system. The revision of this information collection is meant to conform the current OMB-approved data collection to DDTC's new case management system. DDTC is, therefore, requesting industry comments on the new advisory opinion form, which will be mirrored in the case management system, once deployed. A copy of the draft form may be requested from DDTC using the contact information in the **FOR FURTHER INFORMATION CONTACT** section above. A copy of the draft form will also be placed for review on the DDTC Web site (*www.pmddtc.state.gov*).

Response to Public Comments

The Department published a notice in the **Federal Register** on September 16, 2016 (81 FR 63840) soliciting public comment on this information collection. Two responses were received.

One commenter expressed concern that the drop down lists in blocks one, two, and three did not include a comprehensive selection of countries. Similarly, both commenters identified that there were only a few countries listed in the nationality field in block three of the form. When creating form DS–7786, DDTC included only a representative sample of countries. This sample was meant to provide the form's ''look and feel.'' Form DS–7786, which has since been finalized, now displays an exhaustive list of countries and territories.

One commenter suggested that DDTC include ITAR § 126.9(c) in block three as an option for which advisory opinions may be requested. This comment came in response to a final rule published on August 17, 2016, (81 FR 54732) which added § 126.9(c). This new section allows respondents to request an interpretation of the ITAR in the form of an advisory opinion. DDTC agrees with this suggestion; the form has been updated accordingly.

It was also identified that the sub-category field in block three did not allow for respondents to enter or select information. This field is now functional; however, what is shown is not an accurate or a complete list of what will populate in the final product. This proposed form is a static form that is meant to illustrate what information will be collected in the new case management system. Once deployed in the case management system, the sub-category field of the DS–7786 will include a comprehensive list of sub-categories.

In block four of the form, one commenter suggested including an option for ''Letter of Explanation'' to give respondents a means of providing descriptive information concerning their request. While this change has not been incorporated, DDTC notes that there are two unlimited text fields, describing details and end-use, which allow respondents to describe their request in detail. Respondents are encouraged to utilize both fields, as appropriate, to submit detailed, factual discussions regarding their request. Respondents who submit requests without context risk requesting broad statements of agency policy, which may be outside the scope of this collection.

One commenter suggested amending the ''Disclosures'' portion of the Privacy Act Statement by adding the words ''or approval'' to the third sentence in order to be more consistent with ITAR § 120.1(c)(1). The proposed amendment would read: ''The requested information may be used to make advisory opinions from the Directorate of Defense Trade Controls as to whether a license or other approval for the export *or approval* of a particular defense article or defense service to a particular country would be granted.'' DDTC believes the current language is sufficient to satisfy the commenter's concern; thus, the disclosure statement was not changed.

Lastly, DDTC received questions from the commenters regarding use of the form by foreign persons and for matters of general correspondence. DDTC would like to clarify that foreign persons are able to use this form to request advisory opinions. This form, however, is limited

in scope and cannot be used for matters of general correspondence not covered under ITAR § 126.9(a), § 126.9(c), and § 129.9. DDTC noted this in the form's instructions, as requested.

Methodology

This information will be collected by electronic submission to the Directorate of Defense Trade Controls.

Dated: May 22, 2017.

Anthony M. Dearth,

Managing Director, Acting Directorate of Defense Trade Controls, Department of State.

[FR Doc. 2017–10949 Filed 5–25–17; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–1998–4334; FMCSA–1999–5578; FMCSA–1999–5748; FMCSA–1999–6156; FMCSA–2000–7363; FMCSA–2001–10578; FMCSA–2003–15268; FMCSA–2003–15892; FMCSA–2005–22194; FMCSA–2005–22727; FMCSA–2007–0017; FMCSA–2007–27897; FMCSA–2009–0154; FMCSA–2009–0206; FMCSA–2009–0303; FMCSA–2011–0092; FMCSA–2011–0142; FMCSA–2011–0190; FMCSA–2011–0298; FMCSA–2011–0325; FMCSA–2013–0029; FMCSA–2013–0165; FMCSA–2013–0166; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0170; FMCSA–2013–0174]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 66 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: Each group of renewed exemptions was effective on the dates stated in the discussions below and will expire on the dates stated in the discussions below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, 202–366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: *http://www.regulations.gov.*

Docket: For access to the docket to read background documents or comments, go to http//*www.regulations.gov* and/or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

II. Background

On March 22, 2016, FMCSA published a notice announcing its decision to renew exemptions for 64 individuals from the vision requirement in 49 CFR 391.41(b)(10) to operate a CMV in interstate commerce and requested comments from the public (81 FR 15401). The public comment period ended on April 21, 2016, and no comments were received.

As stated in the previous notice, FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to driver a CMV if that person:

> Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing red, green, and amber.

III. Discussion of Comments

FMCSA received no comments in this preceding.

IV. Conclusion

As of February 9, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 54 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (63 FR 66226; 64 FR 16517; 64 FR 27027; 64 FR 40404; 64 FR 51568; 64 FR 54948; 64 FR 66962; 65 FR 159; 65 FR 45817; 65 FR 77066; 66 FR 41656; 66 FR 48504; 66 FR 53826; 66 FR 66966; 66 FR 66969; 67 FR 71610; 68 FR 37917; 68 FR 44837; 68 FR 48989; 68 FR 52811; 68 FR 54775; 68 FR 61860; 68 FR 69432; 68 FR 69434; 70 FR 25878; 70 FR 41811; 70 FR 42615; 70 FR 53412; 70 FR 57353; 70 FR 61165; 70 FR 71884; 70 FR 72689; 70 FR 74102; 71 FR 644; 71 FR 4632; 71 FR 6825; 72 FR 39879; 72 FR 40360; 72 FR 52419; 72 FR 62896; 72 FR 62897; 72 FR 64273; 72 FR 67340; 72 FR 71993; 72 FR 71995; 72 FR 71998; 73 FR 1395; 73 FR 5259; 73 FR 6246; 74 FR 34632; 74 FR 37295; 74 FR 43217; 74 FR 43221; 74 FR 43222; 74 FR 48343; 74 FR 53581; 74 FR 57551; 74 FR 60021; 74 FR 60022; 74 FR 62632; 74 FR 65845; 74 FR 65847; 75 FR 1450; 75 FR 1451; 75 FR 4623; 76 FR 25766; 76 FR 37885; 76 FR 49528; 76 FR 53708; 76 FR 61143; 76 FR 62143; 76 FR 64171; 76 FR 66123; 76 FR 70210; 76 FR 70212; 76 FR 70215; 76 FR 75942; 76 FR 78728; 76 FR 78729; 76 FR 79760; 77 FR 543; 77 FR 545; 77 FR 3554; 78 FR 34143; 78 FR 47818; 78 FR 52602; 78 FR 62935; 78 FR 63302; 78 FR 63307; 78 FR 64271; 78 FR 64274; 78 FR 66099; 78 FR 67452; 78 FR 67454; 78 FR 67462; 78 FR 68137; 78 FR 76395; 78 FR 76704; 78 FR 76705; 78 FR 76707; 78 FR 77778; 78 FR 77780; 78 FR 77782; 78 FR 78475; 78 FR 78477; 79 FR 2247; 79 FR 2748; 79 FR 3919; 79 FR 4803):

Larry Adams, Jr. (FL)
Dennis S. Anderson (MN)
James S. Ayers (GA)
Garry A. Baker (OH)
Edgar G. Baxter (FL)
Morris R. Beebe, II (CO)
Craig J. Belles (NY)
John E. Bellosi, Jr. (MD)
William Bucaria, Jr. (FL)
Freddie A. Carrasquillo (TX)
Martina B. Classen (IA)
Jimmie L. Crenshaw (AL)
Robert L. Cross, Jr. (MO)
Herman R. Dahmer (MD)
Vincent DeMedici (PA)
Vernon J. Dohrn (MN)
Michael M. Edleston (MA)
Daniel W. Eynon (OH)
Russell W. Foster (OH)
Richard L. Gandee (OH)
Christopher L. Granby (MI)

James B. Grega (PA)
James Hawthorne (NM)
Britt D. Hazelwood (IL)
Leonard R. Jackson (IN)
Kevin Jacoby (NJ)
Wayne C. Knighton (NV)
Jeremy W. Knott (NC)
Michael R. Leftwich (GA)
Michael S. Maki (MN)
Leonard A. Martin (NV)
Dennis L. Maxcy (NY)
Cameron S. McMillen (NM)
Joseph W. Meacham (MS)
David L. Menken (NY)
Gilberto Miramontes (TX)
Rashawn L. Morris (VA)
Charles D. Oestreich (MN)
Dean B. Ponte (MA)
Jack E. Potts, Jr. (PA)
Andres Regalado (CA)
Riland O. Richardson (GA)
Thenon D. Ridley (TX)
Richard S. Robb (NM)
Harry Smith, Jr. (NC)
John R. Snyder (WA)
Scott C. Star (NJ)
Kirk A. Thelen (MI)
Clifford B. Thompson, Jr. (SC)
Roger L. Unser (OR)
Steven M. Veloz (CA)
Daniel G. Wilson (IL)
Jason M. Wolf (DE)
Walter M. Yohn, Jr. (AL)

The drivers were included in one of the following docket Nos: FMCSA–1998–4334; FMCSA–1999–5578; FMCSA–1999–5748; FMCSA–1999–6156; FMCSA–2000–7363; FMCSA–2001–10578; FMCSA–2003–15268; FMCSA–2003–15892; FMCSA–2005–22194; FMCSA–2005–22727; FMCSA–2007–0017; FMCSA–2007–27897; FMCSA–2009–0154; FMCSA–2009–0206; FMCSA–2009–0303; FMCSA–2011–0092; FMCSA–2011–0142; FMCSA–2013–0029; FMCSA–2013–0165; FMCSA–2013–0166; FMCSA–2013–0167; FMCSA–2013–0168; FMCSA–2013–0169; FMCSA–2013–0170. Their exemptions are effective as of February 9, 2016, and will expire on February 9, 2018.

As of February 11, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, Bobby R. Cox (TN), has satisfied the conditions for obtaining a renewed exemption from the vision requirements (79 FR 1908; 79 FR 14333):

The driver was included in docket No. FMCSA–2013–0174. His exemption is effective as of February 11, 2016, and will expire on February 11, 2018.

As of February 22, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 10 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (72 FR 67340; 73 FR 1395; 74 FR 65845; 76 FR 64169; 76 FR 70213; 76 FR 75943; 76 FR 78728; 77 FR 539; 77 FR 541; 77 FR 10608; 79 FR 6993):

Brian K. Cline (NC)
Richard D. Hackney (MO)
Mickey Lawson (NC)
Robbey Nelson (NC)
John E. Nichols (PA)
Thomas M. Nubert (OH)
Robert T. Reynolds (OH)
Glenn T. Riley (OH)
Gary S. Warren (IA)
Chadwick L. Wyatt (NC)

The drivers were included in one of the following docket Nos: FMCSA–2007–0017; FMCSA–2011–0190; FMCSA–2011–0298; FMCSA–2011–0325. Their exemptions are effective as of February 22, 2016, and will expire on February 22, 2018.

As of February 27, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, Danielle Wilkins (CA), has satisfied the conditions for obtaining a renewed exemption from the vision requirements (79 FR 1908; 79 FR 14333).

The driver was included in docket No. FMCSA–2013–0174. The exemption is effective as of February 27, 2016, and will expire on February 27, 2018.

In accordance with 49 U.S.C. 31315, each exemption will be valid for two years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

Issued on: May 18, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–10771 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–1998–3637; FMCSA–2000–7006; FMCSA–2000–7363; FMCSA–2004–18885; FMCSA–2005–21254; FMCSA–2006–24783; FMCSA–2008–0106; FMCSA–2008–0231; FMCSA–2008–0266; FMCSA–2008–0292; FMCSA–2009–0219; FMCSA–2010–0082; FMCSA–2010–0114; FMCSA–2010–0161; FMCSA–2010–0187; FMCSA–2010–0327; FMCSA–2011–0124; FMCSA–2011–0380; FMCSA–2012–0160; FMCSA–2012–0214; FMCSA–2012–0215; FMCSA–2012–0279; FMCSA–2012–0280; FMCSA–2014–0003; FMCSA–2014–0005; FMCSA–2014–0006; FMCSA–2014–0010; FMCSA–2014–0011; FMCSA–2014–0296; FMCSA–2014–0298]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to renew exemptions for 75 individuals from the vision requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) for interstate commercial motor vehicle (CMV) drivers. The exemptions enable these individuals to continue to operate CMVs in interstate commerce without meeting the vision requirement in one eye.

DATES: Each group of renewed exemptions was effective on the dates stated in the discussions below and will expire on the dates stated in the discussions below.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, 202–366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: *http://www.regulations.gov.*

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* and/or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue

SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

II. Background

On December 29, 2016, FMCSA published a notice announcing its decision to renew exemptions for 75 individuals from the vision requirement in 49 CFR 391.41(b)(10) to operate a CMV in interstate commerce and requested comments from the public (81 FR 96180). The public comment period ended on January 30, 2017, and no comments were received.

As stated in the previous notice, FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(10).

The physical qualification standard for drivers regarding vision found in 49 CFR 391.41(b)(10) states that a person is physically qualified to driver a CMV if that person:

> Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of a least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing red, green, and amber.

III. Discussion of Comments

FMCSA received no comments in this preceding.

IV. Conclusion

As of December 3, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 31 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (65 FR 20245; 65 FR 57230; 67 FR 57266; 69 FR 62741; 70 FR 30999; 70 FR 46567; 71 FR 32183; 71 FR 41310; 71 FR 62147; 72 FR 40359; 73 FR 36955; 73 FR 46973; 73 FR 51689; 73 FR 54888; 73 FR 63047; 73 FR 74565; 74 FR 65842; 75 FR 9478; 75 FR 19674; 75 FR 25918; 75 FR 34211; 75 FR 36779; 75 FR 39725; 75 FR 39729; 75 FR 47883; 75 FR 47888; 75 FR 52063; 75 FR 61833; 75 FR 63257; 75 FR 64396; 75 FR 66423; 76 FR 34136; 76 FR 55463; 77 FR 13689; 77 FR 17109; 77 FR 27845; 77 FR 29447; 77 FR 36338; 77 FR 38381; 77 FR 40945; 77 FR 46793; 77 FR 51846; 77 FR 52381; 77 FR 52388; 77 FR 56262; 77 FR 59245; 77 FR 60008; 77 FR 60010; 77 FR 64582; 77 FR 64841; 77 FR 68199; 77 FR 71671; 79 FR 14331; 79 FR 14571; 79 FR 23797; 79 FR 27681; 79 FR 28588; 79 FR 35212; 79 FR 35220; 79 FR 38649; 79 FR 38661; 79 FR 40945; 79 FR 41740; 79 FR 47175; 79 FR 51643; 79 FR 56097; 79 FR 56099; 79 FR 56104; 79 FR 58856; 79 FR 64001; 79 FR 65760; 79 FR 68199; 79 FR 70928; 79 FR 72754):

Kerry L. Baxter (UT)
Robert S. Bowen (GA)
Jerry W. Brinson (GA)
John M. Brown (KY)
Jonathan E. Carriaga (NM)
Irvin L. Eaddy (SC)
Terry J. Edwards (MO)
Christopher K. Foot (NV)
Billy R. Gibbs (MD)
Harlan L. Gunter (VA)
Hazel L. Hopkins, Jr. (MD)
Ivaylo V. Kanchev (FL)
Christopher M. Keen (KS)
Tom A. McCarty (NM)
Robert L. McClain (MI)
Mark Meacham (NC)
Timothy L. Miller (IA)
Johnny Montemayor (TX)
William L. Moore (FL)
Christopher S. Morgan (LA)
Ray E. Myers II (MD)
Billy R. Oguynn (AL)
Neville E. Owens (NC)
Ronald W. Patten (ME)
John J. Pribanic (TX)
Benito Saldana (TX)
James D. St. Peter (NC)
Sherman L. Taylor (FL)
Max A. Thurman (IL)
Drake M. Vendsel (ND)
David L. Von Hagen (IA)

The drivers were included in one of the following docket Nos: FMCSA–2000–7006; FMCSA–2005–21254; FMCSA–2006–24783; FMCSA–2008–0231; FMCSA–2008–0266; FMCSA–2009–0291; FMCSA–2010–0082; FMCSA–2010–0114; FMCSA–2010–0161; FMCSA–2010–0187; FMCSA–2011–0124; FMCSA–2011–0380; FMCSA–2012–0160; FMCSA–2012–0214; FMCSA–2012–0215; FMCSA–2012–0279; FMCSA–2014–0003; FMCSA–2014–0005; FMCSA–2014–0006; FMCSA–2014–0010; FMCSA–2014–0011; FMCSA–2014–0296. Their exemptions are effective as of December 3, 2016, and will expire on December 3, 2018.

As of December 8, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 13 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (63 FR 30285; 63 FR 54519; 65 FR 45817; 65 FR 77066; 65 FR 77069; 67 FR 71610; 69 FR 53493; 69 FR 62742; 69 FR 64810; 71 FR 62148; 71 FR 66217; 73 FR 35194; 73 FR 35199; 73 FR 48273; 73 FR 48275; 73 FR 61922; 73 FR 61925; 73 FR 74565; 75 FR 52062; 75 FR 72868; 75 FR 77949; 77 FR 52389; 77 FR 68202; 79 FR 65759):

Timothy S. Ballard (NC)
Stephen R. Daugherty (IN)
Ronald W. Garner (WA)
Nelson V. Jaramillo (MA)
Leslie A. Landschoot (NY)
Bruce T. Loughary (AR)
Kenny Y. Louie (CA)
Wayne R. Mantela (KY)
Carl M. McIntire (OH)
Bernice R. Parnell (NC)
Patrick W. Shea (MA)
Roy F. Varnado, Jr. (LA)
Michael J. Welle (MN)

The drivers were included in one of the following docket Nos: FMCSA–1998–3637; FMCSA–2000–7363; FMCSA–2004–18885; FMCSA–2008–0106; FMCSA–2008–0292. Their exemptions are effective as of December 8, 2016, and will expire on December 8, 2018.

As of December 17, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 7 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (73 FR 51689; 73 FR 61922; 73 FR 63047; 73 FR 74563; 75 FR 65057; 75 FR 77590; 75 FR 77949; 75 FR 79081; 77 FR 60008; 77 FR 68202; 77 FR 70537; 77 FR 71671):

Dale H. Dattler (NY)
Raymundo Flores (TX)
Benjamin P. Hall (NY)
John N. Lanning (CA)
Charles M. McDaris (GA)
Kevin L. Quastad (IA)
Frederick C. Schultz, Jr. (NY)

The drivers were included in one of the following docket Nos: FMCSA–2008–0266; FMCSA–2008–0292; FMCSA–2010–0327; FMCSA–2012–0279. Their exemptions are effective as of December 17, 2016, and will expire on December 17, 2018.

As of December 20, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 7 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (77 FR 64389; 77 FR 75494; 79 FR 73393):

Ronald J. Bergman (OH)
Noah E. Bowen (OH)
William J. Hall (WA)
Lawrence D. Malecha (MN)

Paul B. Overman (WA)
Jerry M. Puckett (OH)
Emin Toric (GA)

The drivers were included in docket No. FMCSA–2012–0280. Their exemptions are effective as of December 20, 2016, and will expire on December 20, 2018.

As of December 25, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 17 individuals have satisfied the conditions for obtaining a renewed exemption from the vision requirements (79 FR 69985; 80 FR 8927):

Peter H. Bailey (MI)
Dewey E. Ballard, Jr. (SC)
Thurman T. Clayton (LA)
Tig G. Cornell (ID)
Jon R. Davidson (CO)
Edwin T. Condaldson (PA)
William W.R. Dunn (PA)
Timothy J. Fisher (FL)
Perry D. Hamilton (TN)
Keith C. Lendt (MN)
Richard B. McMaster (AR)
Joseph McTear (TX)
Martin Montanez (IL)
Lee A. Mosier (IA)
John W. Randels (CO)
Carl W. Russell (OK)
Daniel R. Thompson (PA)

The drivers were included in docket No. FMCSA–2012–0298. Their exemptions are effective as of December 25, 2016, and will expire on December 25, 2018.

In accordance with 49 U.S.C. 31315, each exemption will be valid for two years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

Issued on: May 12, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–10772 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0018]

Qualification of Drivers; Exemption Applications; Vision

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

ACTION: Notice of applications for exemptions; request for comments.

SUMMARY: FMCSA announces receipt of applications from 10 individuals for exemption from the vision requirement in the Federal Motor Carrier Safety Regulations. They are unable to meet the vision requirement in one eye for various reasons. The exemptions will enable these individuals to operate commercial motor vehicles (CMVs) in interstate commerce without meeting the prescribed vision requirement in one eye. If granted, the exemptions would enable these individuals to qualify as drivers of commercial motor vehicles (CMVs) in interstate commerce.

DATES: Comments must be received on or before June 26, 2017. All comments will be investigated by FMCSA. The exemptions will be issued the day after the comment period closes.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2017–0018 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.
- *Fax:* 1–202–493–2251.

Instructions: Each submission must include the Agency name and the docket numbers for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. The FDMS is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–113, Washington, DC 20590–0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations for a 2-year period if it finds ''such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption.'' FMCSA can renew exemptions at the end of each 2-year period. The 10 individuals listed in this notice have each requested such an exemption from the vision requirement in 49 CFR 391.41(b)(10), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting an exemption will achieve the required level of safety mandated by statute.

II. Qualifications of Applicants

Blaine R. Dickman

Mr. Dickman, 61, has had a prosthetic right eye since childhood. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2017, his optometrist stated, ''In my medical opinion, Blaine has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Dickman reported that he has driven buses for 19 years, accumulating 76,000 miles. He holds a Class B CDL from Nevada. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Sean J. Dornin

Mr. Dornin, 44, has had a corneal transplant in his left eye since childhood due to a congenital cataract. The visual acuity in his right eye is 20/20, and in his left eye, hand motion. Following an examination in 2017, his optometrist stated, ''In my medical opinion, Sean Dornin has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Dornin reported that he has driven straight trucks for 20 years, accumulating 600,000 miles, and tractor-trailer combinations for 20 years, accumulating 900,000 miles. He holds a Class AM CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Wade J. Jandreau

Mr. Jandreau, 42, has optic neuropathy in his left eye due to a traumatic incident in 1990. The visual acuity in his right eye is 20/20, and in his left eye, 20/70. Following an examination in 2016, his optometrist stated, ''In my medical opinion, the patient has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Jandreau reported that he has driven straight trucks for 5 years, accumulating 100,000 miles, and tractor-trailer combinations for 8 years, accumulating 200,000 miles. He holds a Class A CDL from Maine. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Eric C. Johnson

Mr. Johnson, 63, has a prosthetic left eye due to a traumatic incident in childhood. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2017, his optometrist stated, ''I do certify that in my medical opinion, he is able to perform the driving tasks required to maintain a commercial driver's license.'' Mr. Johnson reported that he has driven straight trucks for 8 years, accumulating 4,000 miles. He holds an operator's license from Wisconsin. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Thomas M. Leonard

Mr. Leonard, 65, has a macular scar in his right eye due to a traumatic incident in 1970. The visual acuity in his right eye is counting fingers, and in his left eye, 20/20. Following an examination in 2017, his optometrist stated, ''In my medical opinion, Leonard, [*sic*] Thomas has sufficient vision to perform the driving tasks required to operate a commercial vehicle.'' Mr. Leonard reported that he has driven straight trucks for 20 years, accumulating 932,720 miles. He holds a Class AM CDL from Pennsylvania. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

James Q. Meeks, Jr.

Mr. Meeks, 51, has had amblyopia in his right eye since childhood. The visual acuity in his right eye is 20/70, and in his left eye, 20/20. Following an examination in 2017, his optometrist stated that, in his medical opinion, Mr. Meeks does have sufficient vision to operate a commercial motor vehicle. Mr. Meeks reported that he has driven straight trucks for 5 years, accumulating 26,000 miles, and tractor-trailer combinations for 5 years, accumulating 26,000 miles. He holds a Class A CDL from Georgia. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Al V. Nowviock

Mr. Nowviock, 56, has a prosthetic left eye due to a traumatic incident in 2007. The visual acuity in his right eye is 20/20, and in his left eye, no light perception. Following an examination in 2017, his optometrist stated, ''In my opinion, his vision is sufficient to continue to operate a commercial vehicle.'' Mr. Nowviock reported that he has driven tractor-trailer combinations for 20 years, accumulating 1.05 million miles. He holds a Class A CDL from Illinois. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Hubert O. Pollard

Mr. Pollard, 44, has a prosthetic left eye due to a traumatic incident in 2002. The visual acuity in his right eye is 20/15, and in his left eye, no light perception. Following an examination in 2017, his ophthalmologist stated, ''If you are willing to waive the restriction prohibiting a monocular patient from operating a commercial vehicle, in the case of Mr. Pollard I am happy to certify he has sufficient vision to operate a commercial vehicle.'' Mr. Pollard reported that he has driven straight trucks for 17 years, accumulating 1.275 million miles. He holds an operator's license from North Dakota. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Daniel L. Troop

Mr. Troop, 56, has complete loss of vision in his right eye due to a traumatic incident in 1978. The visual acuity in his right eye is no light perception, and in his left eye, 20/20. Following an examination in 2016, his optometrist stated, ''In my opinion, Danny has sufficient vision to perform the tasks required to operate a commercial vehicle.'' Mr. Troop reported that he has driven straight trucks for 35 years, accumulating 350,000 miles, and tractor-trailer combinations for 35 years, accumulating 1.4 million miles. He holds a Class CA CDL from Michigan. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

Jeffrey Waterbury

Mr. Waterbury, 53, has a macular scar in his left eye due to a traumatic incident in 1982. The visual acuity in his right eye is 20/60, and in his left eye, 20/20. Following an examination in 2016, his optometrist stated, ''Mr. Waterbury has demonstrated sufficient vision to operate a commercial vehicle.'' Mr. Waterbury reported that he has driven straight trucks for 32 years, accumulating 1.12 million miles, and tractor-trailer combinations for 2 years, accumulating 2,000 miles. He holds a Class A CDL from New York. His driving record for the last 3 years shows no crashes and no convictions for moving violations in a CMV.

III. Public Participation and Request for Comments

FMCSA encourages you to participate by submitting comments and related materials.

Submitting Comments

If you submit a comment, please include the docket number for this notice, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so the Agency can contact you if it has questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and put the docket number FMCSA–2017–0018 in the ''Keyword'' box, and click ''Search. When the new screen appears, click on ''Comment Now!'' button and type your comment into the text box in the following screen. Choose whether you

are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

FMCSA will consider all comments and material received during the comment period. FMCSA may issue a final determination at any time after the close of the comment period.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov* and insert the docket number FMCSA–2017–0018 in the ''Keyword'' box and click ''Search.'' Next, click ''Open Docket Folder'' button and choose the document listed to review. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Issued on: May 12, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–10773 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[FMCSA Docket No. FMCSA–2015–0323]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

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

ACTION: Notice of final disposition.

SUMMARY: FMCSA announces its decision to exempt 20 individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have ''no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV.'' The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to operate CMVs in interstate commerce.

DATES: The exemptions were effective on September 9, 2016. The exemptions expire on September 9, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Electronic Access

You may see all the comments online through the Federal Document Management System (FDMS) at: *http://www.regulations.gov.*

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* and/or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *http://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *http://www.dot.gov/privacy.*

II. Background

On August 4, 2016, FMCSA published a notice announcing receipt of applications from 21 individuals requesting an exemption from the epilepsy prohibition in 49 CFR 391.41(b)(8) and requested comments from the public (81 FR 51538). The public comment period ended on September 6, 2016, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that granting exemptions to 20 of these 21 individuals would achieve a level of safety equivalent to or greater than the level that would be achieved by complying with the current regulation 49 CFR 391.41(b)(8). FMCSA deemed that Sean Nesbitt (NY) does not operate in interstate commerce, and therefore does not meet the criteria to receive the exemption.

The physical qualification standard for drivers regarding epilepsy found in 49 CFR 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person:

> Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria [1] to assist medical examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. [49 CFR part 391, APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section *H. Epilepsy: § 391.41(b)(8),* paragraphs 3, 4, and 5.]

III. Discussion of Comments

FMCSA receive no comments in this proceeding

Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the epilepsy/seizure standard in 49 CFR 391.41(b)(8) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

In reaching the decision to grant these exemption requests, FMCSA considered the 2007 recommendations of the Agency's Medical Expert Panel (MEP). The January 15, 2013, **Federal Register** notice (78 FR 3069) provides the current MEP recommendations which is the criteria the Agency uses to grant seizure exemptions.

The Agency's decision regarding these exemption applications is based on an individualized assessment of each applicant's medical information, including the root cause of the respective seizure(s) and medical information about the applicant's seizure history, the length of time that has elapsed since the individual's last seizure, the stability of each individual's treatment regimen and the duration of time on or off of anti-seizure medication. In addition, the Agency reviewed the treating clinician's medical opinion related to the ability of

[1] See *http://www.ecfr.gov/cgi-bin/text-idx?SID=e47b48a9ea42dd67d999246e23d97970&mc=true&node=pt49.5.391&rgn=div5#ap49.5.391_171.a* and *https://www.gpo.gov/fdsys/pkg/CFR–2015-title49-vol5/pdf/CFR-2015-title49-vol5-part391-appA.pdf.*

the driver to safely operate a CMV with a history of seizure and each applicant's driving record found in the Commercial Driver's License Information System (CDLIS) for commercial driver's license (CDL) holders, and interstate and intrastate inspections recorded in the Motor Carrier Management Information System (MCMIS). For non-CDL holders, the Agency reviewed the driving records from the State Driver's Licensing Agency (SDLA).

These 20 applicants have been seizure-free over a range of 8 to 34 years while taking anti-seizure medication and maintained a stable medication treatment regimen for the last two years. In each case, the applicant's treating physician verified his or her seizure history and supports the ability to drive commercially.

A summary of each applicant's seizure history was discussed in the August 4, 2016 (81 FR 51538) **Federal Register** notice and will not be repeated in this notice.

The Agency acknowledges the potential consequences of a driver experiencing a seizure while operating a CMV. However, the Agency believes the drivers granted this exemption have demonstrated that they are unlikely to have a seizure and their medical condition does not pose a risk to public safety.

Consequently, FMCSA finds that in each case exempting these applicants from the epilepsy/seizure standard in 49 CFR 391.41(b)(8) is likely to achieve a level of safety equal to that existing without the exemption.

IV. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and includes the following: (1) Each driver must remain seizure-free and maintain a stable treatment during the two-year exemption period; (2) each driver must submit annual reports from their treating physicians attesting to the stability of treatment and that the driver has remained seizure-free; (3) each driver must undergo an annual medical examination by a certified Medical Examiner, as defined by 49 CFR 390.5; and (4) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy of his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

V. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

VI. Conclusion

Based upon its evaluation of the 21 exemption applications, FMCSA exempts the following 20 drivers from the epilepsy/seizure standard, 49 CFR 391.41(b)(8), subject to the requirements cited above:

Amoriello, Jason (WI)
Anderson, Mark (NC)
Bienstock, Jeffrey (AZ)
Bradford, Jeremy (AL)
Drion, Joseph (MD)
Elder, Kenneth (KY)
Farver, Steven (PA)
Foster, Richard (OK)
Green, Jeffrey (CA)
Harmon, Stephen (WV)
Horst, Donald (MD)
Hyster, Jordan (OH)
Koger, Christopher (PA)
Loney, Kyle (WA)
Mallory, Leigh (VT)
Rialson, Ashley (MN)
Sanabria, Gonzalin (FL)
Sica, David (CT)
Van DeMark, Raymond (NJ)
Youse, William (NC)

In accordance with 49 U.S.C. 31315(b)(1), each exemption is valid for two years unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) The individual fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136 and 31315.

Issued on: May 18, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–10770 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2016–0359]

Agency Information Collection Activities; Extension of a Currently-Approved Information Collection Request: Hazardous Materials Safety Permits

AGENCY: FMCSA, DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval. The FMCSA requests approval to revise and extend an existing ICR titled, ''Hazardous Materials Safety Permits.'' This ICR requires companies holding safety permits to develop communications plans that allow for the periodic tracking of the shipments. A record of the communications that includes the time of the call and location of the shipment may be kept by either the driver (*e.g.,* recorded in the log book) or the company. These records must be kept, either physically or electronically, for at least six months at the company's principal place of business or readily available to the employees at the company's principal place of business. FMCSA received no comments in response to the 60-day **Federal Register** Notice published on November 10, 2016.

DATES: Please send your comments by June 26, 2017. OMB must receive your comments by this date in order to act on the ICR.

ADDRESSES: All comments should reference Federal Docket Management System (FDMS) Docket Number FMCSA–2016–0359. Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the attention of the Desk Officer, Department of Transportation/Federal Motor Carrier Safety Administration, and sent via electronic mail to *oira_submission@omb.eop.gov,* or faxed to (202) 395–6974, or mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Mr. Vincent Babich or Mr. Tyrone Gibbs, Office of Enforcement and Compliance, Hazardous Materials Division, Department of Transportation, FMCSA, West Building 6th Floor, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone: 202–366–4871 or 202–366–1705; email *vincent.babich@dot.gov* or *tyrone.gibbs@dot.gov.* Office hours are from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

SUPPLEMENTARY INFORMATION:

Title: Hazardous Materials Safety Permits.

OMB Control Number: 2126–0030.

Type of Request: Extension of a currently-approved information collection.

Respondents: Motor carriers subject to the HM Safety Permit requirements in 49 CFR part 385, subpart E.

Estimated Number of Respondents: 1,304.

Estimated Time per Response: 5 minutes. The communication between motor carriers and their drivers must take place at least two times per day. It is estimated that it will take 5 minutes to maintain a daily communication record for each driver.

Expiration Date: N/A.

Frequency of Response: On occasion.

Estimated Total Annual Burden: 908,000 hours [10.9 million trips × 5 minutes per record ÷ 60 minutes per hour = 908,333.33 rounded to 908,000].

Background: The Secretary of Transportation (Secretary) is responsible for implementing regulations to issue safety permits for transporting certain hazardous materials (HM) in accordance with 49 U.S.C. 5101 *et seq.* The HM Safety Permit regulations (49 CFR part 385, subpart E) require carriers to develop and maintain route plans so that law enforcement officials can verify the correct location of the HM shipment. The FMCSA requires companies holding safety permits to develop a communications plan that allows for the periodic tracking of the shipment. This ICR covers the record of communications that includes the time of the call and location of the shipment. The records may be kept by either the driver (*e.g.,* recorded in the log book) or the company. These records must be kept, either physically or electronically, for at least six months at the company's principal place of business or be readily available to employees at the company's principal place of business. The currently-approved information collection is based on an estimated 1,382 respondents. The total number of companies now holding a safety permit is 1,304 therefore in this ICR the estimated number of respondents is being revised to reflect this number.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including: (1) Whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information.

Issued under the authority of 49 CFR 1.87 on: May 18, 2017.

Kelly Regal,

Associate Administrator for Office of Research and Information Technology.

[FR Doc. 2017–10762 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2009–0322; FMCSA–2010–0051; FMCSA–2012–0042; FMCSA–2012–0043; FMCSA–2014–0012; FMCSA–2014–0013; FMCSA–2014–0014; FMCSA–2014–0015]

Qualification of Drivers; Exemption Applications; Diabetes

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

ACTION: Notice of renewal of exemptions; request for comments.

SUMMARY: FMCSA announces its decision to renew the exemptions of 149 individuals from its rule prohibiting persons with insulin-treated diabetes mellitus (ITDM) from operating commercial motor vehicles (CMVs) in interstate commerce. FMCSA has statutory authority to exempt individuals from this rule if the exemptions granted will not compromise safety. The Agency has concluded that granting these exemption renewals will provide a level of safety that is equivalent to or greater than the level of safety maintained without the exemptions for these CMV drivers.

DATES: Each group of renewed exemptions are effective from the dates stated in the discussions below. Comments must be received on or before June 26, 2017.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) numbers: Docket No. FMCSA–2009–0322; FMCSA–2010–0051; FMCSA–2012–0042; FMCSA–2012–0043; FMCSA–2014–0012; FMCSA–2014–0013; FMCSA–2014–0014; FMCSA–2014–0015 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.
- *Fax:* 1–202–493–2251.

Instructions: Each submission must include the Agency name and the docket number for this notice. Note that DOT posts all comments received without change to *http://www.regulations.gov,* including any personal information included in a comment. Please see the Privacy Act heading below.

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's Privacy Act Statement for the Federal Docket Management System (FDMS) published in the **Federal Register** on January 17, 2008 (73 FR 3316).

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, 202–366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–224, Washington, DC 20590–0001. Office hours are from 8 a.m. to 5:30 p.m., e.t., Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may renew an exemption from the Federal Motor Carrier Safety Regulations 2-year period if it finds ''such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be

achieved absent such exemption.'' The statute also allows the Agency to renew exemptions at the end of the 2-year period. The 149 individuals listed in this notice have recently become eligible for a renewed exemption from the diabetes prohibition in 49 CFR 391.41(b)(3), which applies to drivers of CMVs in interstate commerce. The drivers remain in good standing with the Agency, have maintained their required medical monitoring and have not exhibited any medical issues that would compromise their ability to safely operate a CMV during the previous 2-year exemption period.

II. Exemption Decision

This notice addresses 149 individuals who have requested renewal of their exemptions in accordance with FMCSA procedures. These 149 drivers remain in good standing with the Agency, have maintained their required medical monitoring and have not exhibited any medical issues that would compromise their ability to safely operate a CMV during the previous 2-year exemption period. Therefore, FMCSA has decided to extend each exemption for a renewable two-year period. Each individual is identified according to the renewal date.

The exemptions are renewed subject to the following conditions: (1) That each individual submit a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports within 2 business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not it is related to an episode of hypoglycemia; (3) that each individual submit an annual ophthalmologist's or optometrist's report; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

III. Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than two years from its approval date and may be renewed upon application for additional two year periods. The following groups of drivers received renewed exemptions in the month of May and are discussed below.

As of May 8, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, David G. Stookey (WA) has satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (79 FR 10612; 79 FR 27685).

The driver was included in docket No. FMCSA–2014–0012. The exemption is effective as of May 8, 2016, and will expire on May 8, 2018.

As of May 11, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 10 individuals have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce. (77 FR 17111; 77 FR 27841):

John G. Hager, Jr. (NJ)
Charles C. Karver (MN)
Benjamin Kimbrough (KS)
Jeffery J. Lawrie (OH)
Raymond Pittman, Jr. (IL)
Daniel J. Russell (OH)
Donald L. Russell, Jr. (MD)
Robert J. Smith (PA)
Robert J. Socha (NE)
Thomas C. Torbett (MO)

The drivers were included in docket No. FMCSA–2012–0042. Their exemptions are effective as of May 11, 2016 and will expire on May 11, 2018.

As of May 14, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 26 individuals, have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (79 FR 2785; 79 FR 10612):

Aaron C. Bogle (OH)
Todd L. Brandt (IL)
Dean G. Brekhus (ND)
Angie M. Carrington (IL)
David A. Cavan (MA)
David A. Charles (OH)
James A. Davis (IL)
Samuel J. Desmond (RI)
Mark C. Durler (KS)
John F. Fedorchak, Jr. (PA)
Derek W. Frazier (IA)
Michael G. Haugen (WI)
Timothy S. Hinkhouse (NE)
Gregg W. Isherwood (ME)
James A. Lagunas (AZ)
Douglas R. Lane (NY)
Jonathan W. Luebke (WI)
Brion T. Maguire (PA)
Jacob R. Martin (MO)
John C. May (NE)
Daryl J. Millard (WA)
Slobodan Pavlovich (WA)
Darryl W. Peppers (IN)
Bradley S. Pletcher (PA)
Hank D. Rose, Jr. (NC)
Joshua R. Wiery (OH)

The drivers were included in docket No. FMCSA–2014–0012. Their exemptions are effective as of May 14, 2016, and will expire on May 14, 2018.

As of May 16, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 29 individuals, have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (79 FR 14579; 79 FR 28590):

Schylor M. Altenhofen (IA)
Don R. Anderson III (IN)
Thomas A. Barnes (MI)
Alvin L. Carpenter (MT)
Richard J. D'Ambrosia (NY)
Jefferey F. Deame (MA)
Keith M. Dickerson (WI)
Carl A. Federighi (CA)
Bradley J. Frazier (IL)
Carl R. Gentry (WA)
Robert M. Hutchison (NY)
Craig A. Keese, Jr. (NY)
Amos L. Lapp (PA)
Edward J. Lulay (IL)
Donald S. Middleton (MO)
Alva D. Moffatt (WA)
John M. Muske (MN)
Stephen R. Newlin (IL)
Antonio Pepiciello (NY)
David R. Petitt (WA)
James K. Popp (MN)
Dustin P. Russell (PA)
Sean L. Shidell (WI)
Randall L. Shultz (MO)
Kenneth R. Soult (OH)
Chad B. Spidell (PA)
Cameron M. Sprinkle (IN)
Douglas E. Stewart (MS)
Thomas L. Williams (MN)

The drivers were included in docket No. FMCSA–2014–0013. Their exemptions are effective as of May 16, 2016, and will expire on May 16, 2018.

As of May 17, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 30 individuals, have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (75 FR 13647; 75 FR 27616; 77 FR 18302; 77 FR 29446):

Mark S. Boettcher (MN)
Steven C. Boudreau (MA)
Roy L. Brokaw (WI)
Chris D. Chambers (LA)
Charles A. Cinert, Sr. (IL)
Dale J. Cleaver (PA)
James H. Collins (FL)
Bert R. Duncan II (UT)
Lance L. Fuller (MN)
Johnny Gardner, Jr. (SC)
Mark D. Golden (MI)
Nathaniel W. Gorham (IN)

DeVere E. Hansen (UT)
Grant C. Huftalin (IA)
Steven M. Janczak (WI)
Sheldon R. Koehn (KS)
Jason R. Kropp (OK)
James W. McClintock, III (AR)
Adolfo Moreno, Jr. (WA)
John W. Morrison (CA)
Bruce V. Oppegard (MN)
Steven G. Petersen (MN)
Damian J. Porter (NY)
David L. Rice (ME)
Wayne F. Richards (PA)
Gary G. Sironen (MT)
Rodney L. Stoltenberg (IA)
Wade D. Street (MT)
Charles M. Sweat (VA)
Stanley C. Tarvidas (IL)

The drivers were included in one of the following docket Nos: FMCSA–2009–0322; FMCSA–2012–0043. Their exemptions are effective as of May 17, 2016, and will expire on May 17, 2018.

As of May 21, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, the following 52 individuals, have satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (75 FR 14652; 75 FR 28684; 79 FR 18400; 79 FR 29262):

Douglas L. Atkins (GA)
Bradley E. Bradshaw (NC)
Phillip W. Bulen (ID)
Robert L. Buol (IA)
Carlos V. Candelaria (NM)
Suellen M. Civiello (ME)
Michael T. Clements (WI)
Daniel G. Conery (NJ)
John A. Conness (MO)
James R. Crawford (WA)
Alan Curtis (UT)
David P. Dengate (PA)
Alan D. Ekberg (NE)
Richard A. Flieth (ND)
Neil G. Ford (PA)
Alden J. Haskins, Sr. (MD)
James Herrada (NE)
Gary W. Hochstein (MN)
Harold D. Hoggard II (PA)
Terry L. Horn (NC)
Wayne L. Hurley (MD)
Gerald A. Johnson (WI)
Frank J. Katzbeck (IL)
Frank T. Katzele (WI)
Cory M. Kobernick (KY)
Thomas G. Lamberton (WA)
Lee H. Lewis (PA)
James K. Libke (IN)
Gordon E. Lindley (WY)
Edwin J. Ludwig (OH)
Edwin H. Maranville (OR)
Joseph R. Marcelewski (OH)
Douglas J. Murray (NY)
David R. Norton (OH)
Eugene P. OQuendo (MA)
Curtis J. Pitt (OR)
Larry J. Reese (PA)
William O. Ruiz III (AZ)
James P. Rushing, Jr. (VA)
Harold D. Russman (SD)
Hector M. Sanchez (NM)
Scott W. Shindledecker (IN)
Shirliann F. Skroch (NV)
Ross L. Smith, Sr. (NJ)
Thomas G. Sosnoski (FL)
Christopher Starghill (DC)
Richard L. Stark (OH)
Philip E. Stegeman (ID)
Kevin L. Upmann (IL)
Brandon L. Weaver (PA)
Matthew G. Williams (KY)
Michael B. Wilson (OH)

The drivers were included in one of the following docket Nos: FMCSA–2010–0051; FMCSA–2014–0014. Their exemptions are effective as of May 21, 2016, and will expire on May 21, 2018.

As of May 23, 2016, and in accordance with 49 U.S.C. 31136(e) and 31315, Derald E. Moenning (NE) has satisfied the renewal conditions for obtaining an exemption from the rule prohibiting drivers with ITDM from driving CMVs in interstate commerce (79 FR 22573; 79 FR 35855).

The driver was included in docket No. FMCSA–2014–0015. The exemption is effective as of May 23, 2016, and will expire on May 23, 2018.

Each of the 149 drivers in the aforementioned groups qualifies for a renewal of the exemption. They have maintained their required medical monitoring and have not exhibited any medical issues that would compromise their ability to safely operate a CMV during the previous 2-year exemption period.

These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, FMCSA concludes that extending the exemption for each of the 149 drivers for a period of two years is likely to achieve a level of safety equal to that existing without the exemption. The drivers were included in docket numbers FMCSA–2009–0322; FMCSA–2010–0051; FMCSA–2012–0042; FMCSA–2012–0043; FMCSA–2014–0012; FMCSA–2014–0013; FMCSA–2014–0014; FMCSA–2014–0015.

IV. Request for Comments

FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31136(e) and 31315. However, FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by June 26, 2017.

FMCSA believes that the requirements for a renewal of an exemption under 49 U.S.C. 31136(e) and 31315 can be satisfied by initially granting the renewal and then requesting and evaluating, if needed, subsequent comments submitted by interested parties. As indicated above, the Agency previously published notices of final disposition announcing its decision to exempt these 149 individuals from rule prohibiting persons with ITDM from operating CMVs in interstate commerce in 49 CFR 391.41(b)(3). The final decision to grant an exemption to each of these individuals was made on the merits of each case and made only after careful consideration of the comments received to its notices of applications. The notices of applications stated in detail the medical condition of each applicant for an exemption from rule prohibiting persons with ITDM from operating CMVs in interstate commerce. That information is available by consulting the above cited **Federal Register** publications.

Interested parties or organizations possessing information that would otherwise show that any, or all, of these drivers are not currently achieving the statutory level of safety should immediately notify FMCSA. The Agency will evaluate any adverse evidence submitted and, if safety is being compromised or if continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315, FMCSA will take immediate steps to revoke the exemption of a driver.

V. Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket numbers FMCSA–2009–0322; FMCSA–2010–0051; FMCSA–2012–0042; FMCSA–2012–0043; FMCSA–2014–0012; FMCSA–2014–0013; FMCSA–2014–0014; FMCSA–2014–0015 and click the search button. When the new screen appears, click on the blue ''Comment Now!'' button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and

provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and material received during the comment period. FMCSA may issue a final determination at any time after the close of the comment period.

VI. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2009–0322; FMCSA–2010–0051; FMCSA–2012–0042; FMCSA–2012–0043; FMCSA–2014–0012; FMCSA–2014–0013; FMCSA–2014–0014; FMCSA–2014–0015 and click ''Search.'' Next, click ''Open Docket Folder'' and you will find all documents and comments related to this notice.

Issued on: May 18, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–10766 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2006–26367]

Motor Carrier Safety Advisory Committee (MCSAC); Public Meeting

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

ACTION: Notice of advisory committee meeting.

SUMMARY: FMCSA announces that its MCSAC will meet on Monday and Tuesday, June 12–13, 2017, to provide recommendations to the Agency concerning: Highly automated commercial vehicles (HACVs), the development of the Agency's fiscal year (FY) 2018–2022 strategic plan, and the review of the Federal Motor Carrier Safety Regulations (FMCSRs) to identify potential opportunities to reduce regulatory burdens while ensuring that Federal safety programs continue to achieve safety outcomes. The meeting is open to the public for its entirety.

DATES: The meeting will be held Monday–Tuesday, June 12–13, 2017, from 9:15 a.m. to 4:30 p.m., Eastern Daylight Time (EDT), at the U.S. Department of Transportation Headquarters, 1200 New Jersey Avenue SE., Washington, DC 20590. Members of the public planning to attend should email FMCSA at the contact information listed below by June 7, 2017. Members of the MCSAC and the public should arrive at 8:45 a.m. to facilitate clearance through DOT security. Copies of the MCSAC Task Statement and an agenda for the entire meeting will be made available in advance of the meeting at *https://www.fmcsa.dot.gov/mcsac.*

FOR FURTHER INFORMATION CONTACT: Ms. Shannon L. Watson, Senior Advisor to the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 385–2395, *mcsac@dot.gov.*

Services for Individuals with Disabilities: For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Mr. Eran Segev at (617) 494–3174 or *eran.segev@dot.gov,* by Wednesday, June 7, 2017.

SUPPLEMENTARY INFORMATION:

I. Background

MCSAC

MCSAC was established to provide FMCSA with advice and recommendations on motor carrier safety programs and motor carrier safety regulations. MCSAC is composed of 20 voting representatives from safety advocacy, safety enforcement, labor, and industry stakeholders of motor carrier safety. The diversity of the Committee ensures the requisite range of views and expertise necessary to discharge its responsibilities. The Committee operates as a discretionary committee under the authority of the U.S. Department of Transportation (DOT), established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. See FMCSA's MCSAC Web site for additional information about the committee's activities at *http://fmcsa.dot.gov/mcsac.*

Task 17–1: Highly Automated Commercial Vehicles

Highly automated commercial vehicles (HACVs) are those in which the vehicle can take full control of the driving tasks in at least some circumstances. HACVs hold enormous potential benefits for safety, mobility, and sustainability.

In January 2014, SAE International (SAE) published Standard J3016, ''Taxonomy and Definitions for Terms Related to On-Road Motor Vehicle Automated Driving Systems'' to simplify communication and facilitate collaboration within the technical and policy communities for automated driving. The Standard defines more than a dozen key terms and provides full descriptions and examples for each of six levels of driving automation. The SAE definitions divide vehicles into levels based on ''who does what, when.'' Generally:

- At SAE Level 0, the human driver does everything.
- At SAE Level 1, an automated system on the vehicle can *sometimes assist* the human driver conduct *some parts* of the driving task.
- At SAE Level 2, an automated system on the vehicle can *actually conduct* some parts of the driving task, while the human continues to monitor the driving environment and performs the rest of the driving task.
- At SAE Level 3, an automated system can both actually conduct some parts of the driving task and monitor the driving environment *in some instances,* but the human driver must be ready to take back control when the automated system requests.
- At SAE Level 4, an automated system can conduct the driving task and monitor the driving environment, and the human need not take back control, but the automated system can operate only in certain environments and under certain conditions.
- At SAE Level 5, the automated system can perform all driving tasks, under all conditions that a human driver could perform them.

Using the SAE levels described above, there is a distinction between Levels 0–2 and 3–5 based on whether the human operator or the automated system is primarily responsible for monitoring the driving environment. The term ''highly automated vehicle'' represents SAE Levels 3–5 vehicles with automated systems that are responsible for monitoring the driving environment.

Public discussions regarding HACVs have become much more prominent in recent months as developers continue efforts to demonstrate and test the viability of advanced driver assistance systems on large commercial vehicles. FMCSA encourages the development of these advanced safety technologies for use on commercial vehicles and, at the same time, recognizes the need to ensure that testing and operation of these advanced safety systems is conducted in a manner that ensures the highest level of safety for everyone involved—and most importantly, for the motoring public.

Sections 390.17 and 393.3 of the Federal Motor Carrier Safety Regulations (49 CFR parts 350–399) permit the use of additional equipment and accessories on CMVs beyond those which are minimally required by the regulations, provided that such equipment and accessories do not decrease the safety of operation of the CMVs on which they are used. While advanced driver assistance systems such as automatic emergency braking, lane departure warning, forward collision warning, and others are not currently required to be used on CMVs, the use of such systems is permitted provided they do not impair the effectiveness of the required safety systems.

In anticipation of the continued development of HACVs, FMCSA requests that the MCSAC provide recommendations concerning the issues FMCSA should consider to ensure that the Federal safety regulations provide appropriate standards for the safe operation of HACVs from design and development, through testing and deployment. Specifically, the MCSAC would consider the application of the following regulatory provisions in title 49 CFR to HACV operations: Part 383 (Commercial Driver's Licenses); part 391 (Qualifications of Drivers); sections 392.80 and 392.82 (use of electronic devices); part 395 (Hours of Service of Drivers); and part 396 (Inspection, Repair, and Maintenance).

Because the FMCSRs include certain requirements that could be considered an obstacle to the on-road testing of HACVs, the operation of some HACVs on a public roadway without a person in the driver seat may occur only after some form of regulatory relief has been granted by FMCSA.

A *pilot program* is a formal project established by FMCSA in accordance with 49 CFR part 381 to test the effectiveness of certain safety strategies or technologies, using a group of carriers and/or drivers. A pilot program includes relief from specified regulations during the life of the pilot program, up to 3 years, to allow testing of alternatives. The safety measures in the pilot program must be designed to achieve a level of safety that is equivalent to or greater than the level of safety that would be obtained by complying with the regulations. Part 381 includes formal requirements for a pilot program.

An *exemption* is temporary relief from one or more provisions of the FMCSRs granted to a person or class of persons subject to the regulations, or who intend to engage in an activity that would make them subject to the regulations. An exemption may be granted for up to 5 years, and may be renewed. The exemption application must explain how the entity would achieve a level of safety that is equivalent to or greater than the level of safety that would be obtained by complying with the regulation. The formal requirements for a temporary exemption can also be found in part 381 of the FMCSRs.

FMCSA tasks the MCSAC with providing recommendations regarding prospective requirements for manufacturers or other entities requesting a pilot program and/or a temporary exemption to operate an HACV without a person in the driver's seat on a public roadway.

Task 17–2: 2018–2022 Strategic Plan

FMCSA is preparing to draft a new strategic plan to be released in 2018. The new strategic plan will provide a high-level overview of our mission, vision, strategic goals and outlook for FY2018–2022 based on Department's goals for the next several years. The MCSAC will be tasked with providing feedback on the current FMCSA strategic goals and objectives, and providing recommendations for additional goals, objectives, programs, and initiatives that the members believe should be highlighted in the next strategic plan.

Task 17–3: Regulatory Review

FMCSA has tasked the MCSAC with providing recommendations to the Agency concerning implementation of Executive Order 13777, ''Enforcing the Regulatory Reform Agenda.'' (82 FR 12285, March 1, 2017). The Agency requests that the MCSAC identify regulations that it believes to be (1) outdated, unnecessary, or ineffective or (2) impose costs that exceed benefits. The MCSAC's recommendations would be based on the members' understanding of the regulatory requirements, how the rules have been implemented by the industry and enforcement officials, and crash, injury, and fatality data. FMCSA will provide technical assistance to the MCSAC members, as needed.

II. Meeting Participation

Oral comments from the public will be heard throughout the meeting, at the discretion of the MCSAC chairman. Members of the public may submit written comments on the topics to be considered during the meeting by Wednesday, June 7, 2016, to Federal Docket Management System (FDMC) Docket Number FMCSA–2006–26367 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building, Room W12–140, Washington, DC, between 9 a.m. and 5 p.m., E.T. Monday through Friday, except Federal holidays.

Issued on: May 22, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–10761 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2017–0036]

Qualification of Drivers; Exemption Applications; Diabetes Mellitus

AGENCY: Federal Motor Carrier Safety Administration (FMCSA).

ACTION: Notice of applications for exemptions; request for comments.

SUMMARY: FMCSA announces receipt of applications from 49 individuals for exemption from the prohibition against persons with insulin-treated diabetes mellitus (ITDM) operating commercial motor vehicles (CMVs) in interstate commerce. If granted, the exemptions would enable these individuals with ITDM to operate CMVs in interstate commerce.

DATES: Comments must be received on or before June 26, 2017.

ADDRESSES: You may submit comments bearing the Federal Docket Management System (FDMS) Docket No. FMCSA–2017–0036 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.
- *Fax:* 1–202–493–2251.

Instructions: Each submission must include the Agency name and the

docket numbers for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below for further information.

Docket: For access to the docket to read background documents or comments, go to *http://www.regulations.gov* at any time or Room W12–140 on the ground level of the West Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. The Federal Docket Management System (FDMS) is available 24 hours each day, 365 days each year. If you want acknowledgment that we received your comments, please include a self-addressed, stamped envelope or postcard or print the acknowledgement page that appears after submitting comments on-line.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, *fmcsamedical@dot.gov,* FMCSA, Department of Transportation, 1200 New Jersey Avenue SE., Room W64–113, Washington, DC 20590–0001. Office hours are 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Background

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the Federal Motor Carrier Safety Regulations for a 2-year period if it finds ''such exemption would likely achieve a level of safety that is equivalent to or greater than the level that would be achieved absent such exemption.'' The statute also allows the Agency to renew exemptions at the end of the 2-year period. The 49 individuals listed in this notice have recently requested such an exemption from the diabetes prohibition in 49 CFR 391.41(b)(3), which applies to drivers of CMVs in interstate commerce. Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

II. Qualifications of Applicants

Craig L. Ambrose

Mr. Ambrose, 52, has had ITDM since 2006. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Ambrose understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ambrose meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from Georgia.

Manuel R. Arciniega

Mr. Arciniega, 47, has had ITDM since 2012. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Arciniega understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Arciniega meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable proliferative diabetic retinopathy. He holds a Class A CDL from New Mexico.

Timothy D. Beardain

Mr. Beardain, 29, has had ITDM since 2014. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Beardain understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Beardain meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Mississippi.

Tyler A. Benjamin

Mr. Benjamin, 33, has had ITDM since 2009. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Benjamin understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Benjamin meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Alabama.

George Bonilla, Jr.

Mr. Bonilla, 34, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Bonilla understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Bonilla meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from New York.

Stevenson Y. Brooks

Mr. Brooks, 64, has had ITDM since 2012. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Brooks understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV

safely. Mr. Brooks meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds an operator's license from Georgia.

Kevin J. Brown

Mr. Brown, 40, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Brown understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Brown meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Wisconsin.

Todd C. Burk

Mr. Burk, 52, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Burk understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Burk meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Alaska.

Roy L. Clark, Jr.

Mr. Clark, 42, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Clark understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Clark meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from New Jersey.

Scott A. Conwell

Mr. Conwell, 48, has had ITDM since 2016. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Conwell understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Conwell meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Indiana.

Charles T. Dwyer

Mr. Dwyer, 66, has had ITDM since 2000. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Dwyer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Dwyer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class A CDL from Michigan.

James C. Engle, Jr.

Mr. Engle, 59, has had ITDM since 2006. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Engle understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Engle meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Georgia.

Adam T. Fitzgerald

Mr. Fitzgerald, 24, has had ITDM since 2011. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Fitzgerald understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Fitzgerald meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Louisiana.

Kevin R. Fowler

Mr. Fowler, 33, has had ITDM since 2008. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Fowler understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Fowler meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Washington.

Michael L. Frutiger

Mr. Frutiger, 62, has had ITDM since 1985. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or

more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Frutiger understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Frutiger meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Oregon.

Charles E. Hill

Mr. Hill, 44, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hill understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hill meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Tennessee.

Galen L. Hoodenpyl

Mr. Hoodenpyl, 56, has had ITDM since 2010. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hoodenpyl understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hoodenpyl meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Oregon.

Robert J. Hughes

Mr. Hughes, 37, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hughes understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hughes meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Pennsylvania.

Michael A. Hunt

Mr. Hunt, 68, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Hunt understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Hunt meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class B CDL from Iowa.

Travis P. James

Mr. James, 35, has had ITDM since 1995. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. James understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. James meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Kentucky.

Vincent K. Johnson

Mr. Johnson, 45, has had ITDM since 2013. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Johnson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Johnson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from the District of Columbia.

Christopher A. King

Mr. King, 31, has had ITDM since 2014. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. King understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. King meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from New York.

Norman L. King

Mr. King, 39, has had ITDM since 2011. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. King understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. King meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from California.

Harlan E. Kizer

Mr. Kizer, 57, has had ITDM since 2015. His endocrinologist examined him

in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Kizer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Kizer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Oklahoma.

Peter J. Klepp

Mr. Klepp, 24, has had ITDM since 2003. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Klepp understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Klepp meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Idaho.

Walter Kube, Jr.

Mr. Kube, 57, has had ITDM since 2017. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Kube understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Kube meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New Jersey.

Brian J. Lascko

Mr. Lascko, 60, has had ITDM since 2011. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Lascko understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Lascko meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Connecticut.

Samuel B. Layton

Mr. Layton, 74, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Layton understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Layton meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds a Class C CDL from Delaware.

Lance J. Magnuson

Mr. Magnuson, 44, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Magnuson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Magnuson meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Nebraska.

Nicholas A. Marmolejo

Mr. Marmolejo, 25, has had ITDM since 1998. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Marmolejo understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Marmolejo meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from New Jersey.

Lawrence F. McCarthy

Mr. McCarthy, 57, has had ITDM since 2014. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. McCarthy understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. McCarthy meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from Massachusetts.

Richard E. McGlashan

Mr. McGlashan, 49, has had ITDM since 2014. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. McGlashan understands diabetes management and monitoring,

has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. McGlashan meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Florida.

Bryan J. Meyer

Mr. Meyer, 57, has had ITDM since 2014. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Meyer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Meyer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Wisconsin.

Craig S. Meyer

Mr. Meyer, 55, has had ITDM since 2010. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Meyer understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Meyer meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative and stable proliferative diabetic retinopathy. He holds an operator's license from Missouri.

Michael J. Miller

Mr. Miller, 46, has had ITDM since 1997. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Miller understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Miller meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Illinois.

Elwin D. Ness

Mr. Ness, 58, has had ITDM since 2009. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Ness understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ness meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable proliferative diabetic retinopathy. He holds a Class A CDL from Minnesota.

Perry L. Ofstad

Mr. Ofstad, 50, has had ITDM since 1984. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Ofstad understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ofstad meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from Wisconsin.

Eddie L. Parsons

Mr. Parsons, 74, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Parsons understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Parsons meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from North Carolina.

Joseph B. Patsch

Mr. Patsch, 25, has had ITDM since 2010. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Patsch understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Patsch meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from California.

Guillermo Ponce

Mr. Ponce, 46, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Ponce understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Ponce meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Indiana.

David G. Reppert

Mr. Reppert, 57, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the

assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Reppert understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Reppert meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds an operator's license from Pennsylvania.

Timothy L. Salter

Mr. Salter, 52, has had ITDM since 2012. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Salter understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Salter meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from Alabama.

David B. Sanders

Mr. Sanders, 63, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Sanders understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Sanders meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Missouri.

Brandon J. Smith

Mr. Smith, 30, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Smith understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Smith meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from New York.

Cody J. Swift

Mr. Swift, 26, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Swift understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Swift meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds an operator's license from New Jersey.

Geoffrey K. Tarr

Mr. Tarr, 55, has had ITDM since 1993. His endocrinologist examined him in 2016 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Tarr understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Tarr meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds an operator's license from Tennessee.

Jonathan L. Trieloff

Mr. Trieloff, 28, has had ITDM since 2015. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Trieloff understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Trieloff meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2016 and certified that he does not have diabetic retinopathy. He holds an operator's license from Wisconsin.

Mark A. Williams

Mr. Williams, 58, has had ITDM since 2016. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Williams understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Williams meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2017 and certified that he has stable nonproliferative diabetic retinopathy. He holds an operator's license from Louisiana.

William E. Yoder

Mr. Yoder, 60, has had ITDM since 2013. His endocrinologist examined him in 2017 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Yoder understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Yoder meets the requirements of the vision standard at 49 CFR 391.41(b)(10). His optometrist examined him in 2017 and certified that he does not have diabetic retinopathy. He holds a Class A CDL from Pennsylvania.

III. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated in the date section of the notice.

FMCSA notes that section 4129 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users requires the Secretary to revise its diabetes exemption program established on September 3, 2003 (68 FR 52441).[1] The revision must provide for individual assessment of drivers with diabetes mellitus, and be consistent with the criteria described in section 4018 of the Transportation Equity Act for the 21st Century (49 U.S.C. 31305).

Section 4129 requires: (1) Elimination of the requirement for 3 years of experience operating CMVs while being treated with insulin; and (2) establishment of a specified minimum period of insulin use to demonstrate stable control of diabetes before being allowed to operate a CMV.

In response to section 4129, FMCSA made immediate revisions to the diabetes exemption program established by the September 3, 2003 notice. FMCSA discontinued use of the 3-year driving experience and fulfilled the requirements of section 4129 while continuing to ensure that operation of CMVs by drivers with ITDM will achieve the requisite level of safety required of all exemptions granted under 49 U.S.C. 31136 (e).

Section 4129(d) also directed FMCSA to ensure that drivers of CMVs with ITDM are not held to a higher standard than other drivers, with the exception of limited operating, monitoring and medical requirements that are deemed medically necessary.

The FMCSA concluded that all of the operating, monitoring and medical requirements set out in the September 3, 2003 notice, except as modified, were in compliance with section 4129(d). Therefore, all of the requirements set out in the September 3, 2003 notice, except as modified by the notice in the **Federal Register** on November 8, 2005 (70 FR 67777), remain in effect.

IV. Submitting Comments

You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2017–0036 and click the search button. When the new screen appears, click on the blue ''Comment Now!'' button on the right hand side of the page. On the new page, enter information required including the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

We will consider all comments and material received during the comment period. FMCSA may issue a final determination at any time after the close of the comment period.

V. Viewing Comments and Documents

To view comments, as well as any documents mentioned in this preamble, go to *http://www.regulations.gov* and in the search box insert the docket number FMCSA–2017–0036 and click ''Search.'' Next, click ''Open Docket Folder'' and you will find all documents and comments related to this notice.

Issued on: May 18, 2017.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2017–10764 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–EX–P

[1] Section 4129(a) refers to the 2003 notice as a ''final rule.'' However, the 2003 notice did not issue a ''final rule'' but did establish the procedures and standards for issuing exemptions for drivers with ITDM.

DEPARTMENT OF TRANSPORTATION

Office of the Assistant Secretary for Research and Technology; University Transportation Centers (UTC) Program, Competition for Regions 1, 2, and 3

AGENCY: Office of the Assistant Secretary for Research and Technology (OST–R), DOT.

ACTION: Notice of Funding Availability.

SUMMARY: The United States Department of Transportation (the Department) is publishing this notice to give eligible nonprofit institutions of higher learning in Standard Federal Regions 1, 2, and 3 advance notice that they will have an opportunity to submit, through a re-competition, grant applications as a Regional Center, for Standard Federal Regions 1, 2 and 3, in the University Transportation Centers (UTCs) program (Catalog of Federal Domestic Assistance number 20.701).

Funds for this grant program were authorized beginning on October 1, 2015. In the near future, the Department, via the Office of the Assistant Secretary for Research and Technology (OST–R), will release a grant solicitation through *Grants.gov*, and the UTC Program's Web site, *http://utc.dot.gov,* describing the competition and deadlines for applications. Proposals will be evaluated through a competitive process on the basis of demonstrated ability, research, technology transfer and education resources, leadership, multimodal research capability, commitment to transportation workforce development programs, dissemination of results, and the use of peer review, cost effectiveness and partnerships to advance diversity.

FOR FURTHER INFORMATION CONTACT: Dr. Kevin Womack, Director, Office of Research, Development and Technology, mail code RDT–10, OST–R, 1200 New Jersey Avenue SE., Washington, DC 20590. Telephone Number (405) 954–7312 or Email: *Kevin.Womack@dot.gov.*

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Background
II. Eligibility
III. Matching Requirements
IV. Application Process
V. Program Funding and Award
VI. Use of Grant Funds

I. Background

The Fixing America's Surface Transportation Act (FAST Act; Pub. L. 114–94, Sec. 6002(a)(5); December 4, 2015) authorizes $72.5 million for Federal fiscal year (FY) 2016, $75 million for FY 2017 and FY 2018, and $77.5 million for FY 2019 and FY 2020 for up to 35 competitive grants for UTCs. The FY 2016 through FY 2020 funds are subject to appropriations and to an annual obligation limitation. The amount of budget authority available in a given year may be less than the amount authorized for that fiscal year.

The FAST Act authorizes the Secretary of Transportation to make grants to eligible nonprofit institutions of higher education to establish and operate UTCs. Nonprofit institutions of higher education may include qualifying two-year institutions (20 U.S.C. 1001(a)). OST–R will manage the UTC Program for the Department. The

Department will solicit competitive grant applications for three Regional University Transportation Centers, one each in Standard Federal Regions 1, 2, and 3. Previously, the Department solicited competitive grant applications for these three regions; however, the Department did not select any of the submitted applications. UTCs will be selected by the Secretary, in consultation as appropriate with the Assistant Secretary for Research and Technology, and the Administrator of the Federal Highway Administration and other modal administrators as appropriate. (49 U.S.C. 5505(b)(4)(B) as amended by Pub. L. 114–94, Sec. 6016).

The Department plans to competitively select three Regional UTCs, one in each Standard Federal Regions 1, 2, and 3, with an initial annual award ofup to $2,570,600 each.

The role of each UTC is to advance transportation expertise and technology in the varied disciplines that comprise the field of transportation through education, research, and technology transfer activities; to provide for a critical transportation knowledge base outside of the Department of Transportation; and to address critical workforce needs and educate the next generation of transportation leaders.

II. Eligibility

A UTC must be located in the United States or territories. A change in the UTC Program from prior authorizations is that each UTC must be a consortium of two or more nonprofit institutions of higher learning (49 U.S.C. 5505(b)(1) as amended by Public Law 114–94, § 6016). A Regional UTC must be located in the region for which the grant is sought. (49 U.S.C. 5505(c)(3)(B)(ii) as amended by Pub. L. 114–94, § 6016). All members of a Regional UTC consortium must be located in the region for which the grant is sought.

For Region 1, the eligible states are: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. For Region 2, the eligible states/territories are: New Jersey, New York, Puerto Rico, and the U.S. Virgin Islands. For Region 3, the eligible states are: Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia and West Virginia.

Institutions may collaborate with state and local departments of transportation, Metropolitan Planning Organizations, the private sector and non-governmental organizations; however, these organizations or others that are not U.S. nonprofit institutions of higher learning may not be considered members of a consortium. A change from previous UTC Program competitions is that two-year institutions may be members of a consortium if they meet the definition of ''institution of higher learning'' in 20 U.S.C. 1001(a). The grantee institution (lead institution of a consortium of institutions) will be the direct and primary recipient of UTC program funds. The grantee institution must perform a substantive role in carrying out UTC activities, and not serve merely as a conduit for awards to other parties.

Applicants are reminded of the following restriction (49 U.S.C. 5505(b)(2)(A) as amended by Public Law 114–94, § 6016):

A lead institution of a consortium of nonprofit institutions of higher education may only receive one grant per fiscal year for each type of Center. Thus, a lead institution may receive grants as a National Center, a Regional Center, and a Tier 1 Center, but not more than one grant in each category.

Ill. Matching Requirements

Each UTC is required to obtain matching funds from non-federal sources. The amount of matching funds required for a Regional UTC is 100 percent of the Federal award. The matching amounts may include the amounts made available to a grant recipient under 23 U.S.C. 504(b) or 505.

IV. Application Process

Full and Open Competition. The Department will conduct the UTC program selection based on principles of full and open competition. Three Regional Centers will be selected from the pool of applicants.

Subject Matter Focus. A change to the UTC Program in this competition is that applicants must address the following selected research priorities taken from section 6503, Subtitle III of title 49 as amended by Public Law 114–94, § 6016:

A. Improving mobility of people and goods; B. Reducing congestion;

C. Promoting safety;

D. Improving the durability and extending the life of transportation infrastructure; and

E. Preserving the existing transportation system.

The Secretary has selected nonexclusive candidate topic areas that will fall within these priority areas. Each UTC will be awarded a grant based on its ability to address one of the priorities and the topic areas that fall within the priority area selected.

Regional UTCs: One UTC will be selected in each of Standard Federal Regions 1, 2, and 3. Regional UTCs are required to focus on transportation research and education (49 U.S.C. 5505(c)(3)(B) as amended by Pub. L. 114–94, § 6016). Regional UTCs must be able to conduct research in an area of focus from among nonexclusive candidate topic areas established by the Secretary that address the research priorities identified in section 6503, Subtitle III of title 49 as amended by Public Law 114–94, § 6016. An applicant for a Regional UTC must designate the region in which it is applying.

Selection criteria. The Department will evaluate and select UTC applicants based on the nine selection criteria outlined in the FAST Act:

''(i) the demonstrated ability of the recipient to address each specific topic area described in the research and strategic plans of the recipient;

''(ii) the demonstrated research, technology transfer, and education resources available to the recipient to carry out this section;

''(iii) the ability of the recipient to provide leadership in solving immediate and long-range national and regional transportation problems;

''(iv) the ability of the recipient to carry out research, education, and technology transfer activities that are multimodal and multidisciplinary in scope;

''(v) the demonstrated commitment of the recipient to carry out transportation worliforce development programs through-

''(!) degree-granting programs or programs that provide other industry-recognized credentials; and

''(II) outreach activities to attract new entrants into the transportation field including women and underrepresented populations;

''(vi) the demonstrated ability of the recipient to disseminate results and spur the implementation of transportation research and education programs through national or statewide continuing education programs;

''(vii) the demonstrated commitment ofthe recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects;

''(viii) the strategic plan submitted by the recipient describing the proposed research to be carried out by the recipient and the performance metrics to be used in assessing the performance of the recipient in meeting the stated research, technology transfer, education, and outreach goals; and

''(ix) the ability of the recipient to implement the proposed program in a cost-efficient manner, such as through cost sharing and overall reduced overhead, facilities, and administrative costs. ''

(49 U.S.C. 5505(b)(4)(B) as amended by Pub. L. 114–94, § 6016).

The following additional selection criteria also apply to Regional UTCs:

Regional UTCs. The lead institution in a Regional consortium must have a well-established, nationally recognized program in research and education, as shown by:

(i) recent expenditures by the institution in highway or public transportation research;

(ii) a historical track record of awarding graduate degrees in professional fields closely related to highways and public transportation; and

(iii) an experienced faculty who specialize in professional fields closely related to highways and public transportation.

(49 U.S.C. 5505(c)(3)(B) (iii) as amended by Pub. L. 114–94, § 6016).

Past Performance. The Department is required by 2 CFR part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,* Section 205, to review risk posed by applicants. This may be done through such publicly available information collections as the System for Award Management (*SAM.gov*) and/or through specifically collected information about the applicant's record in managing Federal awards.

External Stakeholders. The Department will consult with external stakeholders (including the Transportation Research Board ofthe National Academy of Sciences, among others), to the maximum extent practicable, to evaluate and review all proposals. (49 U.S.C. 5505(b)(6) as amended by Pub. L. 114–94, § 6016).

V. Program Funding and Award

UTCs will be selected by the Secretary, in consultation as appropriate with the Assistant Secretary for Research and Technology, the Administrator of the Federal Highway Administration and other modal administrators as appropriate. Awards will be made no later than December 4, 2017, with Federal FY 2016 funds awarded at that time. Subsequent Federal FY 2017–FY 2020 funding will be awarded approximately annually after that date, subject to availability of funds and grantee compliance with grant terms and conditions.

VI. Use of Grant Funds

Grantees will have until September 30, 2023 to expend all funds, assuming availability of annual appropriations.

Issued in Washington, DC, on May 23, 2017.

Elaine L. Chao,

Secretary.

[FR Doc. 2017–10927 Filed 5–25–17; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Forms 1065, 1065–B, 1066, 1120, 1120–C, 1120–F, 1120–FSC, 1120–H, 1120–L, 1120–ND, 1120–PC, 1120–POL, 1120–S, 1120–SF, 1120–REIT, 1120–RIC, and Related Attachments

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and continuing information collections, as required by the Paperwork Reduction Act of 1995 (PRA). This notice requests comments on all forms used by business entity taxpayers:

Forms 1065, 1065–B, 1066, 1120, 1120–C, 1120–F, 1120–FSC, 1120–H, 1120–L, 1120–ND, 1120–PC, 1120–POL, 1120–S, 1120–SF, 1120–REIT, 1120–RIC; and all attachments to these forms (see the Appendix to this notice). With this notice, the IRS is also announcing significant changes to (1) the manner in which tax forms used by business taxpayers will be approved under the PRA and (2) its method of estimating the paperwork burden imposed on all business taxpayers.

DATES: Written comments should be received on or before July 25, 2017 to be assured of consideration.

ADDRESSES: Direct all written comments to Laurie Brimmer, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW., Washington, DC 20224.

Requests for additional information or copies of the form and instructions should be directed to Sara Covington, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet, at *Sara.L.Covington@irs.gov.*

SUPPLEMENTARY INFORMATION:

Change in PRA Approval of Forms Used by Business Taxpayers

Under the PRA, OMB assigns a control number to each ''collection of information'' that it reviews and approves for use by an agency. A single information collection may consist of one or more forms, recordkeeping requirements, and/or third-party disclosure requirements. Under the PRA and OMB regulations, agencies have the discretion to seek separate OMB approvals for business forms, recordkeeping requirements, and third-party reporting requirements or to combine any number of forms, recordkeeping requirements, and/or third-party disclosure requirements (usually related in subject matter) under one OMB Control Number. Agency decisions on whether to group individual requirements under a single OMB Control Number or to disaggregate them and request separate OMB Control Numbers are based largely on considerations of administrative practicality.

The PRA also requires agencies to estimate the burden for each collection of information. Accordingly, each OMB Control Number has an associated burden estimate. The burden estimates for each control number are displayed in (1) the PRA notices that accompany collections of information, (2) **Federal Register** notices such as this one, and (3) in OMB's database of approved information collections. If more than one form, recordkeeping requirement, and/or third-party disclosure requirement is approved under a single control number, then the burden estimate for that control number reflects the burden associated with all of the approved forms, recordkeeping requirements, and/or third-party disclosure requirements.

As described below under the heading ''New Burden Model,'' the IRS's new Business Taxpayer Burden Model (BTBM) estimates of taxpayer burden are based on taxpayer characteristics and activities, taking into account, among other things, the forms and schedules generally used by those groups of business taxpayers and the recordkeeping and other activities needed to complete those forms. The BTBM represents the second phase of a long-term effort to improve the ability of IRS to measure the burden imposed on various groups of taxpayers by the federal tax system. While the new methodology provides a more accurate and comprehensive description of business taxpayer burden, it will not provide burden estimates on a form-by-form basis, as has been done under the previous methodology. When the prior model was developed in the mid-1980s, almost all tax returns were prepared manually, either by the taxpayer or a paid provider. In this context, it was determined that estimating burden on a form-by-form basis was an appropriate methodology. Today, over 90 percent of all business entity tax returns are prepared using software or with preparer assistance. In this environment, in which many taxpayers' activities are no longer as directly

associated with particular forms, estimating burden on a form-by-form basis is not an appropriate measurement of taxpayer burden. The new model, which takes into account broader and more comprehensive taxpayer characteristics and activities, provides a much more accurate and useful estimate of taxpayer burden.

Currently, there are 231 forms used by business taxpayers. These include Forms *1065, 1065–B, 1066, 1120, 1120–C, 1120–F, 1120–H, 1120–ND, 1120–S, 1120–SF, 1120–FSC, 1120–L, 1120–PC, 1120–REIT, 1120–RIC, 1120–POL,* and their schedules and all the forms business entity taxpayers attach to their tax returns (see the Appendix to this notice). For most of these forms, IRS has in the past obtained separate OMB approvals under unique OMB Control Numbers and separate burden estimates.

The BTBM estimates the aggregate burden imposed on business taxpayers, based upon their tax-related characteristics and activities. IRS therefore will seek OMB approval of all 231 business-related tax forms as a single ''collection of information.'' The aggregate burden of these tax forms will be accounted for under OMB Control Number 1545–0123, which is currently assigned to Form 1120 and its schedules. OMB Control Number 1545–0123 will be displayed on all business tax forms and other information collections. As a result of this change, burden estimates for business taxpayers will now be displayed differently in PRA Notices on tax forms and other information collections, and in **Federal Register** notices. This new way of displaying burden is presented below under the heading ''Proposed PRA Submission to OMB.'' Because some of the forms used by business taxpayers are also used by tax-exempt organizations, trusts and estates and other kinds of taxpayers, there will be a transition period during which IRS will report different burden estimates for individual taxpayers (OMB Control Number 1545–0074), business taxpayers (OMB Control Number 1545–0123), and another OMB Control Number for other taxpayers using the same forms. For those forms covered under OMB Control Numbers 1545–0074 and/or 1545–0123 and also used by other taxpayers, IRS will display the OMB Control Number related to the other filers on the form and provide the burden estimate for those taxpayers in the form instructions. The form instructions will refer readers to the burden estimates for individual and/or business taxpayers, as applicable. The burden estimates for business taxpayers will be reported and accounted for as described in this notice. The burden estimates for individual taxpayers will continue to be reported and accounted for under OMB Control Number 1545–0074 using a method similar to the method described in this notice. The burden estimates for other users of these forms will be determined under prior methodology based on form length and complexity.

New Burden Model

Data from the new BTBM revise the estimates of the levels of burden experienced by business taxpayers when complying with the federal tax laws. It replaces the earlier burden measurement developed in the mid-1980s. Since that time, improved technology and modeling sophistication have enabled the IRS to improve the burden estimates. The new model provides taxpayers and the IRS with a more comprehensive understanding of the current levels of taxpayer burden. It reflects major changes over the past two decades in the way taxpayers prepare and file their returns. The new BTBM also represents a substantial step forward in the IRS's ability to assess likely impacts of administrative and legislative changes on business taxpayers.

The BTBM's approach to measuring burden focuses on the characteristics and activities of business taxpayers rather than the forms they use. Key determinants of taxpayer burden in the model are the type of entity, total assets, total receipts, and activities reported on the tax return (income, deductions, credits, etc.). In contrast, the previous estimates primarily focused on the length and complexity of each tax form. The changes between the old and new burden estimates are due to the improved ability of the new methodology to measure burden and the expanded scope of what is measured. These changes create a one-time shift in the estimate of burden levels that reflects the better measurement of the new model. The differences in estimates between the models do not reflect any change in the actual burden experienced by taxpayers. Comparisons should not be made between these and the earlier published estimates, because the models measure burden in different ways.

Methodology

Burden is defined as the time and out-of-pocket costs incurred by taxpayers to comply with the federal tax system. As has been done for individual taxpayer burden since 2005, both the time expended and the out-of-pocket costs for business taxpayers are estimated. The burden estimation methodology relies on surveys that measure time and out-of-pocket costs that taxpayers spend on pre-filing and filing activities. The methodology establishes econometric relationships between tax return characteristics and reported compliance costs. The methodology controls for the substitution of time and money by monetizing time and reporting total compliance costs in dollars. This methodology better reflects taxpayer compliance burden, because in a world of electronic tax preparation, time and out-of-pocket costs are governed by the information required rather than the form on which it is ultimately reported. Importantly, even where various businesses complete the same tax form lines, the new methodology differentiates the cost incurred to complete those forms based on characteristics of those businesses. Key business characteristics that serve as coefficients in the BTBM are:

- Entity type
- Total assets
- Total receipts
- Return complexity

The new model uses the following classifications of business taxpayers:

- Partnerships (Forms 1065, 1065–B, 1066)
- Taxable corporations (Forms 1120, 1120–C, 1120–F, 1120–H, 1120–ND, 1120–SF, 1120–FSC, 1120–L, 1120–PC, 1120–POL)
- Pass-through corporations (Forms 1120–REIT, 1120–RIC, 1120–S)

Each classification is further refined to separate large and small businesses, where a large business is generally defined as one having end of year assets totaling more than $10 million.

Taxpayer Burden Estimates

Tables 1, 2, and 3 below show the burden model estimates for each of the three classifications of business taxpayers. The data shown are the best estimates for 2017 business entity income tax returns available as of January 2017. The estimates are subject to change as new forms and data become available.

Proposed PRA Submission to OMB

Title: U.S. Business Income Tax Return.

OMB Number: 1545–0123.

Form Numbers: Forms 1065, 1065–B, 1066, 1120, 1120–C, 1120–F, 1120–H, 1120–ND, 1120–S, 1120–SF, 1120–FSC, 1120–L, 1120–PC, 1120–REIT, 1120–RIC, 1120–POL and all attachments to these forms (see the Appendix to this notice).

Abstract: These forms are used by businesses to report their income tax liability. The data is used to verify that

the items reported on the forms are correct, and also for general statistics use.

Current Actions: Changes are being made to the forms and the method of burden computation.

Type of Review: Revision of currently approved collections.

Affected Public: Businesses.

Estimated Number of Respondents: 11,000,000.

Total Estimated Time: 3.040 billion hours.

Estimated Time per Respondent: 276 hours.

Total Estimated Out-of-Pocket Costs: $53.64 billion.

Estimated Out-of-Pocket Cost per FY2017. Respondent: $4,876.

Note: Amounts below are for FY2017. Reported time and cost burdens are national averages and do not necessarily reflect a ''typical'' case. Most taxpayers experience lower than average burden, with taxpayer burden varying considerably by taxpayer type. Detail may not add due to rounding.

TABLE 1

Primary form filed or type of taxpayer	Number of returns (millions)	Burden	
		Average time	Average cost
All Partnerships	3.9	290	5,700
Small	3.7	270	4,400
Large*	0.2	610	29,000

Forms 1065, 1065–B, 1066 and all attachments.

TABLE 2

Primary form filed or type of taxpayer	Number of returns (millions)	Burden	
		Average time	Average cost
All Taxable Corporations	2.1	315	6,300
Small	2	280	4,000
Large*	0.1	1,250	68,900

Forms 1120, 1120–C, 1120–F, 1120–H, 1120–ND, 1120–SF, 1120–FSC, 1120–L, 1120–PC, 1120–POL and all attachments.

TABLE 3

Primary form filed or type of taxpayer	Number of returns (millions)	Burden	
		Average time	Average cost
All Pass-Through Corporations	4.9	245	3,500
Small	4.8	240	3,100
Large**	0.1	610	30,800

Forms 1120–REIT, 1120–RIC, 1120–S and all attachments

*A large business is defined as one having end of year assets greater than $10 million.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB Control Number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: May 18, 2017.

Laurie Brimmer,

Senior Tax Analyst.

APPENDIX

Product	Title
Form 1000	Ownership Certificate.
Form 1042	Annual Withholding Tax Return for U.S. Source Income of Foreign Persons.
Form 1065	U.S. Return of Partnership Income.
Form 1065 (SCH B–1)	Information for Partners Owning 50% or More of the Partnership.
Form 1065 (SCH C)	Additional Information for Schedule M–3 Filers.
Form 1065 (SCH D)	Capital Gains and Losses.
Form 1065 (SCH K–1)	Partner's Share of Income, Deductions, Credits, etc.

APPENDIX—Continued

Product	Title
Form 1065 (SCH M–3)	Net Income (Loss) Reconciliation for Certain Partnerships.
Form 1065B	U.S. Return of Income for Electing Large Partnerships.
Form 1065B (SCH K–1)	Partner's Share of Income (Loss) From an Electing Large Partnership.
Form 1065X	Amended Return or Administrative Adjustment Request (AAR).
Form 1066	U.S. Real Estate Mortgage Investment Conduit (REMIC) Income Tax Return.
Form 1066 (SCH Q)	Quarterly Notice to Residual Interest Holder of REMIC Taxable Income or Net Loss Allocation.
Form 1118	Foreign Tax Credit-Corporations.
Form 1118 (SCH I)	Reduction of Foreign Oil and Gas Taxes.
Form 1118 (SCH J)	Adjustments to Separate Limitation Income (Loss) Categories for Determining Numerators of Limitation Fractions, Year-End Recharacterization Balances, and Overall Foreign and Domestic Loss Account Balances.
Form 1118 (SCH K)	Foreign Tax Carryover Reconciliation Schedule.
Form 1120	U.S. Corporation Income Tax Return.
Form 1120 (SCH B)	Additional Information for Schedule M–3 Filers.
Form 1120 (SCH D)	Capital Gains and Losses.
Form 1120 (SCH G)	Information on Certain Persons Owning the Corporation's Voting Stock.
Form 1120 (SCH H)	Section 280H Limitations for a Personal Service Corporation (PSC).
Form 1120 (SCH M–3)	Net Income (Loss) Reconciliation for Corporations With Total Assets of $10 Million of More.
Form 1120 (SCH N)	Foreign Operations of U.S. Corporations.
Form 1120 (SCH O)	Consent Plan and Apportionment Schedule for a Controlled Group.
Form 1120 (SCH PH)	U.S. Personal Holding Company (PHC) Tax.
Form 1120 (SCH UTP)	Uncertain Tax Position Statement.
Form 1120–C	U.S. Income Tax Return for Cooperative Associations.
Form 1120F	U.S. Income Tax Return of a Foreign Corporation.
Form 1120–F (SCH H)	Deductions Allocated to Effectively Connected Income Under Regulations Section 1.861–8.
Form 1120–F (SCH I)	Interest Expense Allocation Under Regulations Section 1.882–5.
Form 1120–F (SCH M1 & M2)	Reconciliation of Income (Loss) and Analysis of Unappropriated Retained Earnings per Books.
Form 1120–F (SCH M–3)	Net Income (Loss) Reconciliation for Foreign Corporations With Reportable Assets of $10 Million or More.
Form 1120–F (SCH P)	List of Foreign Partner Interests in Partnerships.
Form 1120F(SCH S)	Exclusion of Income From the International Operation of Ships or Aircraft Under Section 883.
Form 1120F(SCH V)	List of Vessels or Aircraft, Operators, and Owners.
Form 1120FSC	U.S. Income Tax Return of a Foreign Sales Corporation.
Form 1120FSC (SCH P)	Transfer Price or Commission.
Form 1120H	U.S. Income Tax Return for Homeowners Associations.
Form 1120ICD (SCH K)	Shareholder's Statement of IC–DISC Distributions.
Form 1120ICD (SCH P)	Intercompany Transfer Price or Commission.
Form 1120IC–DISC	Interest Charge Domestic International Sales Corporation Return.
Form 1120–IC–DISC (SCH Q)	Borrower's Certificate of Compliance With the Rules for Producer's Loans.
Form 1120L	U.S. Life Insurance Company Income Tax Return.
Form 1120–L (SCH M–3)	Net Income (Loss) Reconciliation for U.S. Life Insurance Companies With Total Assets of $10 Million or More.
Form 1120ND	Return for Nuclear Decommissioning Funds and Certain Related Persons.
Form 1120PC	U.S. Property and Casualty Insurance Company Income Tax Return.
Form 1120–PC (SCH M–3)	Net Income (Loss) Reconciliation for U.S. Property and Casualty Insurance Companies With Total Assets of $10 Million or More.
Form 1120POL	U.S. Income Tax Return for Certain Political Organizations.
Form 1120REIT	U.S. Income Tax Return for Real Estate Investment Trusts.
Form 1120RIC	U.S. Income Tax Return for Regulated Investment Companies.
Form 1120S	U.S. Income Tax Return for an S Corporation.
Form 1120S (SCH B–1)	Information on Certain Shareholders of an S Corporation.
Form 1120S (SCH D)	Capital Gains and Losses and Built-In Gains.
Form 1120S (SCH K–1)	Shareholder's Share of Income, Deductions, Credits, etc.
Form 1120S (SCH M–3)	Net Income (Loss) Reconciliation for S Corporations With Total Assets of $10 Million or More.
Form 1120SF	U.S. Income Tax Return for Settlement Funds (Under Section 468B).
Form 1120W	Estimated Tax for Corporations.
Form 1120X	Amended U.S. Corporation Income Tax Return.
Form 1122	Authorization and Consent of Subsidiary Corporation to be Included in a Consolidated Income Tax Return.
Form 1125–A	Cost of Goods Sold.
Form 1125–E	Compensation of Officers.
Form 1127	Application for Extension of Time for Payment of Tax.
Form 1128	Application to Adopt, Change, or Retain a Tax Year.
Form 1138	Extension of Time For Payment of Taxes By a Corporation Expecting a Net Operating Loss Carryback.
Form 1139	Corporation Application for Tentative Refund.
Form 2220	Underpayment of Estimated Tax By Corporations.
Form 2438	Undistributed Capital Gains Tax Return.
Form 2553	Election by a Small Business Corporation.
Form 2848	Power of Attorney and Declaration of Representative.
Form 3115	Application for Change in Accounting Method.

APPENDIX—Continued

Product	Title
Form 3468	Investment Credit.
Form 3520	Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts.
Form 3800	General Business Credit.
Form 4136	Credit For Federal Tax Paid On Fuels.
Form 4255	Recapture of Investment Credit.
Form 4466	Corporation Application for Quick Refund of Overpayment of Estimated Tax.
Form 4562	Depreciation and Amortization (Including Information on Listed Property).
Form 4626	Alternative Minimum Tax—Corporations.
Form 4684	Casualties and Thefts.
Form 4797	Sales of Business Property.
Form 4810	Request for Prompt Assessment Under Internal Revenue Code Section 6501(d).
Form 4876A	Election to Be Treated as an Interest Charge DISC.
Form 5452	Corporate Report of Nondividend Distributions.
Form 5471	Information Return of U.S. Persons With Respect To Certain Foreign Corporations.
Form 5471 (SCH J)	Accumulated Earnings and Profits (E&P) of Controlled Foreign Corporation.
Form 5471 (SCH M)	Transactions Between Controlled Foreign Corporation and Shareholders or Other Related Persons.
Form 5471 (SCH O)	Organization or Reorganization of Foreign Corporation, and Acquisitions and Dispositions of its Stock.
Form 5472	Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business.
Form 56	Notice Concerning Fiduciary Relationship.
Form 56A	Notice Concerning Fiduciary Relationship—Illinois Type Land Trust.
Form 56F	Notice Concerning Fiduciary Relationship of Financial Institution.
Form 5713	International Boycott Report.
Form 5713 (SCH A)	International Boycott Factor (Section 999(c)(1)).
Form 5713 (SCH B)	Specifically Attributable Taxes and Income (Section 999(c)(2)).
Form 5713 (SCH C)	Tax Effect of the International Boycott Provisions.
Form 5735	American Samoa Economic Development Credit.
Form 5884	Work Opportunity Credit.
Form 5884–B	New Hire Retention Credit.
Form 6198	At-Risk Limitations.
Form 6478	Alcohol and Cellulosic Biofuel Fuels Credit.
Form 6627	Environmental Taxes.
Form 6765	Credit for Increasing Research Activities.
Form 6781	Gains and Losses From Section 1256 Contracts and Straddles.
Form 7004	Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns.
Form 8023	Elections Under Section 338 for Corporations Making Qualified Stock Purchases.
Form 8050	Direct Deposit Corporate Tax Refund.
Form 8082	Notice of Inconsistent Treatment or Administrative Adjustment Request (AAR).
Form 8275	Disclosure Statement.
Form 8275R	Regulation Disclosure Statement.
Form 8283	Noncash Charitable Contributions.
Form 8288	U.S. Withholding Tax Return for Dispositions by Foreign Persons of U.S. Real Property Interests.
Form 8288B	Application for Withholding Certificate for Dispositions by Foreign Persons of U.S. Real Property Interests.
Form 8300	Report of Cash Payments Over $10,000 Received In a Trade or Business.
Form 8302	Electronic Deposit of Tax Refund of $1 Million or More.
Form 8308	Report of a Sale or Exchange of Certain Partnership Interests.
Form 8329	Lender's Information Return for Mortgage Credit Certificates (MCCs).
Form 8404	Interest Charge on DISC-Related Deferred Tax Liability.
Form 8453–B	U.S. Electing Large Partnership Declaration for an IRS e-file Return.
Form 8453C	U.S. Corporation Income Tax Declaration for an IRS e-file Return.
Form 8453–I	Foreign Corporation Income Tax Declaration for an IRS e-file Return.
Form 8453–PE	U.S. Partnership Declaration for an IRS e-file Return.
Form 8453S	U.S. S Corporation Income Tax Declaration for an IRS e-file Return.
Form 8453X	Political Organization Declaration for Electronic Filing of Notice of Section 527 Status.
Form 851	Affiliations Schedule.
Form 8586	Low-Income Housing Credit.
Form 8594	Asset Acquisition Statement Under Section 1060.
Form 8609	Low-Income Housing Credit Allocation and Certification.
Form 8609–A	Annual Statement for Low-Income Housing Credit.
Form 8611	Recapture of Low-Income Housing Credit.
Form 8621	Return By Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund.
Form 8621–A	Return by a Shareholder Making Certain Late Elections to End Treatment as a Passive Foreign Investment Company.
Form 8655	Reporting Agent Authorization.
Form 8693	Low-Income Housing Credit Disposition Bond.
Form 8697	Interest Computation Under the Look-Back Method for Completed Long-Term Contracts.

APPENDIX—Continued

Product	Title
Form 8703	Annual Certification of a Residential Rental Project.
Form 8716	Election To Have a Tax Year Other Than a Required Tax Year.
Form 8752	Required Payment or Refund Under Section 7519.
Form 8804	Annual Return for Partnership Withholding Tax (Section 1446).
Form 8804 (SCH A)	Penalty for Underpayment of Estimated Section 1446 Tax for Partnerships.
Form 8804–W	Installment Payments of Section 1446 Tax for Partnerships.
Form 8805	Foreign Partner's Information Statement of Section 1446 Withholding tax.
Form 8806	Information Return for Acquisition of Control or Substantial Change in Capital Structure.
Form 8810	Corporate Passive Activity Loss and Credit Limitations.
Form 8813	Partnership Withholding Tax Payment Voucher (Section 1446).
Form 8816	Special Loss Discount Account and Special Estimated Tax Payments for Insurance Companies.
Form 8819	Dollar Election Under Section 985.
Form 8820	Orphan Drug Credit.
Form 8822B	Change of Address—Business.
Form 8824	Like-Kind Exchanges.
Form 8825	Rental Real Estate Income and Expenses of a Partnership or an S Corporation.
Form 8826	Disabled Access Credit.
Form 8827	Credit for Prior Year Minimum Tax-Corporations.
Form 8830	Enhanced Oil Recovery Credit.
Form 8832	Entity Classification Election.
Form 8833	Treaty-Based Return Position Disclosure Under Section 6114 or 7701(b).
Form 8834	Qualified electric Vehicle Credit.
Form 8835	Renewable Electricity, Refined Coal, and Indian Coal Production Credit.
Form 8838	Consent to Extend the Time To Assess Tax Under Section 367-Gain Recognition Agreement.
Form 8842	Election to Use Different Annualization Periods for Corporate Estimated Tax.
Form 8844	Empowerment Zone and Renewal Community Employment Credit.
Form 8845	Indian Employment Credit.
Form 8848	Consent to Extend the Time to Assess the Branch Profits Tax Under Regulations Sections 1.884–2(a) and (c).
Form 8846	Credit for Employer Social Security and Medicare Taxes Paid on Certain Employee Tips.
Form 8858	Transactions Between Foreign Disregarded Entity of a Foreign Tax Owner and the Filer or Other Related Entities.
Form 8858 (SCH M)	Transactions Between Foreign Disregarded Entity of a Foreign Tax Owner and the Filer or Other Related Entities.
Form 8864	Biodiesel and Renewable Diesel Fuels Credit.
Form 8865	Return of U.S. Persons With Respect to Certain Foreign Partnerships.
Form 8865 (SCH K–1)	Partner's Share of Income, Credits, Deductions, etc.
Form 8865 (SCH O)	Transfer of Property to a Foreign Partnership.
Form 8865 (SCH P)	Acquisitions, Dispositions, and Changes of Interests in a Foreign Partnership.
Form 8866	Interest Computation Under the Look-Back Method for Property Depreciated Under the Income Forecast Method.
Form 8869	Qualified Subchapter S Subsidiary Election.
Form 8871	Political Organization Notice of Section 527 Status.
Form 8872	Political Organization Report of Contributions and Expenditures.
Form 8873	Extraterritorial Income Exclusion.
Form 8874	New Markets Credit.
Form 8875	Taxable REIT Subsidiary Election.
Form 8878–A	IRS e-file Electronic Funds Withdrawal Authorization for Form 7004.
Form 8879–B	IRS e-file Signature Authorization for Form 1065–B.
Form 8879C	IRS e-file Signature Authorization for Form 1120.
Form 8879–I	IRS e-file Signature Authorization for Form 1120–F.
Form 8879–PE	IRS e-file Signature Authorization for Form 1065.
Form 8879S	IRS e-file Signature Authorization for Form 1120S.
Form 8881	Credit for Small Employer Pension Plan Startup Costs.
Form 8882	Credit for Employer-Provided Childcare Facilities and Services.
Form 8883	Asset Allocation Statement Under Section 338.
Form 8886	Reportable Transaction Disclosure Statement.
Form 8893	Election of Partnership Level Tax Treatment.
Form 8894	Request to Revoke Partnership Level Tax Treatment Election.
Form 8896	Low Sulfur Diesel Fuel Production Credit.
Form 8900	Qualified Railroad Track Maintenance Credit.
Form 8902	Alternative Tax on Qualified Shipping Activities.
Form 8903	Domestic Production Activities Deduction.
Form 8906	Distilled Spirits Credit.
Form 8907	Nonconventional Source Fuel Credit.
Form 8908	Energy Efficient Home Credit.
Form 8909	Energy Efficient Appliance Credit.
Form 8910	Alternative Motor Vehicle Credit.
Form 8911	Alternative Fuel Vehicle Refueling Property Credit.
Form 8912	Credit to Holders of Tax Credit Bonds.

APPENDIX—Continued

Product	Title
Form 8916	Reconciliation of Schedule M–3 Taxable Income with Tax Return Taxable Income for Mixed Groups.
Form 8916–A	Supplemental Attachment to Schedule M–3.
Form 8918	Material Advisor Disclosure Statement.
Form 8923	Mining Rescue Team Training Credit.
Form 8925	Report of Employer-Owned Life Insurance Contracts.
Form 8926	Disqualified Corporate Interest Expense Disallowed Under Section 163(j) and Related Information.
Form 8927	Determination Under Section 860(e)(4) by a Qualified Investment Entity.
Form 8931	Agricultural Chemicals Security Credit.
Form 8932	Credit for Employer Differential Wage Payments.
Form 8933	Carbon Dioxide Sequestration Credit.
Form 8936	Qualified Plug-In Electric Drive Motor Vehicle Credit.
Form 8937	Report of Organizational Actions Affecting Basis.
Form 8938	Statement of Foreign Financial Assets.
Form 8941	Credit for Small Employer Health Insurance Premiums.
Form 8942	Application for Certification of Qualified Investments Eligible for Credits and Grants Under the Qualifying Therapeutic Discovery Project.
Form 8947	Report of Branded Prescription Drug Information.
Form 8949	Sales and Other Dispositions of Capital Assets.
Form 926	Return by a U.S. Transferor of Property to a Foreign Corporation.
Form 966	Corporate Dissolution or Liquidation.
Form 970	Application to Use LIFO Inventory Method.
Form 972	Consent of Shareholder to Include Specific Amount in Gross Income.
Form 973	Corporation Claim for Deduction for Consent Dividends.
Form 976	Claim for Deficiency Dividends Deductions by a Personal Holding Company, Regulated Investment Company, or Real Estate Investment Trust.
Form 982	Reduction of Tax Attributes Due to Discharge of Indebtedness (and Section 1082 Basis Adjustment).
Form SS–4	Application for Employer Identification Number.
Form T (TIMBER)	Forest Activities Schedule.
Form W–8BEN	Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding.
Form W–8BEN(E)	Certificate of Entities Status of Beneficial Owner for United States Tax Withholding (Entities).
Form W–8ECI	Certificate of Foreign Person's Claim That Income is Effectively Connected With the Conduct of a Trade or Business in the United States.
Form W–8IMY	Certificate of Foreign Intermediary, Foreign Flow-Through Entity, or Certain U.S. Branches for United States Tax Withholding.

[FR Doc. 2017–10789 Filed 5–25–17; 8:45 am]
BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple Tax and Trade Bureau Information Collection Requests

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury will submit the following information collection request(s) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on the collection(s) listed below.

DATES: Comments should be received on or before June 26, 2017 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at *OIRA_Submission@OMB.EOP.gov* and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8142, Washington, DC 20220, or email at *PRA@treasury.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained by emailing *PRA@treasury.gov,* calling (202) 622–0489, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Alcohol and Tobacco Tax and Trade Bureau (TTB)

1. Title: Tax Information Authorization.

OMB Control Number: 1513–0001.

Type of Review: Extension without change of a currently approved collection.

Abstract: In general, the Internal Revenue Code at 26 U.S.C. 6103 protects the privacy of taxpayer information by, among other things, prohibiting the disclosure of tax returns and taxpayer information to unauthorized persons, but under 26 U.S.C. 6103(c), a taxpayer may authorize a representative to receive otherwise confidential tax information. TTB requires a taxpayer to file TTB F 5000.19 when the taxpayer wishes to authorize a representative who does not have a power of attorney to obtain otherwise confidential information regarding the taxpayer. TTB uses the information provided on this form to properly identify the taxpayer's representative and the scope of his/her authority to obtain confidential information.

Form: TTB Form 5000.19.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 50.

2. Title: Referral of Information.

OMB Control Number: 1513–0003.

Type of Review: Extension without change of a currently approved collection.

Abstract: During the course of their duties, TTB personnel sometimes discover apparent violations of statutes and regulations under the jurisdiction of State and local government agencies. Using form TTB F 5000.21, TTB personnel refer information regarding such violations to the appropriate external agencies, if such disclosures are authorized under 26 U.S.C. 6103 or other Federal laws. The referral form includes a section for the external agency to respond to TTB regarding their action on the referral. This form provides a consistent means of conveying the relevant information to external agencies, and it facilitates information-sharing between TTB and external agencies to support enforcement efforts. The response that TTB requests from these State and local government agencies also provides information as to the utility of the referrals and potential enforcement actions that these external agencies take against the same entities that TTB regulates.

Form: TTB Form 5000.21.

Affected Public: State, Local and Tribal Governments.

Estimated Total Annual Burden Hours: 100.

3. Title: Application for an Alcohol Fuel Producer Permit Under 26 U.S.C. 5181

OMB Control Number: 1513–0051.

Type of Review: Extension without change of a currently approved collection.

Abstract: Under the authority of the Internal Revenue Code at 26 U.S.C. 5181(a)(1), persons wishing to establish a distilled spirits plant for the sole purpose of producing and receiving distilled spirits for fuel use must provide an application and bond as the Secretary of the Treasury may prescribe by regulation. Under this authority, TTB has issued regulations concerning the establishment of such alcohol fuel plants. These regulations require, among other things, that a person wishing to establish such a plant must submit an application for an alcohol fuel producer permit using form TTB F 5110.74. This application form and its required supporting documentation describe, among other things, the person(s) applying for the permit, the proposed plant's location, stills, types of materials to be distilled, and size category of the operation (small, medium, or large) based on the annual amount of alcohol fuel to be produced or received. Existing permit holders also use the application form to make certain amendments to their permit information. This information is necessary to protect the revenue.

Form: TTB Form 5110.74.

Affected Public: Businesses or other for-profits.

Estimated Total Annual Burden Hours: 377.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: May 23, 2017.

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2017–10945 Filed 5–25–17; 8:45 am]

BILLING CODE 4810–31–P

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

Notice of Open Public Hearing

AGENCY: U.S.-China Economic and Security Review Commission.

ACTION: Notice of open public hearing.

SUMMARY: Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission.

The Commission is mandated by Congress to investigate, assess, and report to Congress annually on ''the national security implications of the economic relationship between the United States and the People's Republic of China.'' Pursuant to this mandate, the Commission will hold a public hearing in Washington, DC on June 8, 2017 on ''China's Relations with Northeast Asia and Continental Southeast Asia''.

DATES: The meeting is scheduled for Thursday, June 8, 2017, from 10:00 a.m. to 2:40 p.m.

ADDRESSES: Russell Senate Office Building, Room 485, Washington, DC. A detailed agenda for the hearing will be posted on the Commission's Web site at *www.uscc.gov.* Also, please check the Commission's Web site for possible changes to the hearing schedule. *Reservations are not required to attend the hearing.*

FOR FURTHER INFORMATION CONTACT: Any member of the public seeking further information concerning the hearing should contact Leslie Tisdale, 444 North Capitol Street NW., Suite 602, Washington, DC 20001; telephone: 202–624–1496, or via email at *ltisdale@uscc.gov. Reservations are not required to attend the hearing.*

SUPPLEMENTARY INFORMATION:

Background: This is the sixth public hearing the Commission will hold during its 2017 report cycle. This hearing will investigate China's relations with Northeast Asia (North Korea, South Korea, and Japan) and Continental Southeast Asia (Burma, Thailand, Laos, and Cambodia). Its investigation of issues in Northeast Asia will focus on the effect of tensions on the Korean Peninsula on China's bilateral relationships and approach to the region as a whole. Its investigation of issues in Continental Southeast Asia will focus on China's economic engagement with the region; regional countries' response to China's economic engagement; and China's role in the security dynamics of the region.

The hearing will be co-chaired by Commissioner Jonathan Stivers and Commissioner Robin Cleveland. Any interested party may file a written statement by June 8, 2017, by mailing to the contact information above. A portion of each panel will include a question and answer period between the Commissioners and the witnesses.

Authority: Congress created the U.S.-China Economic and Security Review Commission in 2000 in the National Defense Authorization Act (Public Law 106–398), as amended by Division P of the Consolidated Appropriations Resolution, 2003 (Pub. L. 108–7), as amended by Public Law 109–108 (November 22, 2005), as amended by Public Law 113–291 (December 19, 2014).

Dated: May 22, 2017.

Michael Danis,

Executive Director, U.S.-China Economic and Security Review Commission.

[FR Doc. 2017–10800 Filed 5–25–17; 8:45 am]

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Federal Register

Vol. 82, No. 101

Friday, May 26, 2017

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Presidential Documents	
Executive orders and proclamations	**741–6000**
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Other Services	
Electronic and on-line services (voice)	**741–6020**
Privacy Act Compilation	**741–6050**
Public Laws Update Service (numbers, dates, etc.)	**741–6043**

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FEDERAL REGISTER PAGES AND DATE, MAY

20241–20432 1
20433–20540 2
20541–20818 3
20819–21106 4
21107–21302 5
21303–21460 8
21461–21676 9
21677–21912 10
21913–22064 11
22065–22278 12
22279–22388 15
22389–22608 16
22609–22734 17
22735–22878 18
22879–23138 19
23139–23490 22
23491–23722 23
23723–23998 24
23999–24208 25
24209–24454 26

CFR PARTS AFFECTED DURING MAY

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

2 CFR

200 22609

3 CFR

Proclamations:
9452 (Superseded by Proc. 9615) 23995
9595 20795
9596 20797
9597 20799
9598 20801
9599 20803
9600 20805
9601 20807
9602 20809
9603 21103
9604 21105
9605 21673
9606 21901
9607 21903
9608 22729
9609 22731
9610 22733
9611 22875
9612 23989
9613 23991
9614 23993
9615 23995
9616 23997

Executive Orders:
13754 (Revoked by EO 13795) 20815
13791 20427
13792 20429
13793 20539
13794 20811
13795 20815
13796 20819
13797 20821
13798 21675
13799 22389
13800 22391

Administrative Orders:
Notices:
Notice of May 8, 2017 21905
Notice of May 9, 2017 21909
Notice of May 9, 2017 21911
Notice of May 16, 2017 22877
Order:
Order of May 23, 2017 24209

5 CFR

1651 21107
2634 22735
2635 22735

Proposed Rules:
532 22298
5601 23758

6 CFR

Proposed Rules:
5 20844

7 CFR

205 21677
301 23999
800 20541
810 20541
944 23999
980 23999
985 24001
999 23999
3430 21107
3434 21677

Proposed Rules:
205 21742
930 24080
984 24255
996 24082

9 CFR

300 22609
441 22609
530 22609
531 22609
532 22609
533 22609
534 22609
537 22609
539 22609
540 22609
541 22609
544 22609
548 22609
550 22609
552 22609
555 22609
557 22609
559 22609
560 22609
561 22609

10 CFR

430 .....23723, 24211, 24214
431 24218

Proposed Rules:
26 21481
50 21481
52 21481
73 21481
140 21481

12 CFR

Proposed Rules:
Ch. VI 22762
1024 21952

13 CFR

107 20433

14 CFR

5 24009
25 ....20241, 20244, 20247, 20250, 20253, 21110, 21303, 21306, 21461, 21464, 21769, 21781, 22065, 22066, 22399, 22402, 22405, 22408, 22411, 23491, 23492, 24222, 24225, 24228, 24231, 24233
39 ....20823, 21111, 21407, 21409, 21683, 21913, 22904, 22907, 22910, 22913, 22915, 22918, 23494, 23497, 23500, 23504, 23507, 23509, 23512, 23723, 24010, 24013, 24015, 24017, 24020, 24022, 24025, 24027, 24030, 24033, 24035, 24039, 24043, 24045, 24236, 24239
71 ....20256, 22069, 22071, 22922, 22924, 24241
91 21471
95 24048
97 ....21114, 21116, 22736, 22739

Proposed Rules:

39 ....20288, 20450, 20453, 21142, 21144, 21146, 21328, 21482, 21484, 21956, 22443, 22445, 22619, 22763, 22766, 23153, 23156, 23158, 23160, 23163, 23166, 24257, 24260, 24262
71 ....20290, 20554, 22090, 22091, 22093, 24265, 24266, 24268, 24269, 24271, 24273

15 CFR

744 24242

16 CFR

4 21685

Proposed Rules:

1112 22925
1237 22925
1245 22190

17 CFR

279 21472

Proposed Rules:

Ch. I 21494, 23765
3 21330
275 21487

20 CFR

421 22741
620 21916

21 CFR

11 20825
101 20825
177 20829
201 22741
510 21688
520 21688
522 ....21688, 21694
524 21688
558 21688
801 22741
1100 22741
1308 20544

Proposed Rules:

170 20847
177 20847
189 20847

22 CFR

706 20434

23 CFR

490 22879

24 CFR

15 21694

29 CFR

1904 20548
4022 22279

30 CFR

56 23139
57 23139

33 CFR

100 ....21117, 22414, 23140, 23731
110 23731
117 ....20257, 20442, 21118, 21309, 21916, 22280, 22281, 22611, 22612, 23143, 24054, 24248, 24249
165 ....20442, 21695, 21696, 21917, 22072, 22074, 22417, 22613, 22880, 22882, 23140, 23144, 23147, 23514, 23731, 24054, 24056

Proposed Rules:

100 ....21495, 22934
110 ....20859, 22448
147 21337
165 ....21153, 21339, 21495, 21742, 21745, 21958, 22299, 22301, 22448
209 22452

34 CFR

Ch. II 22419
612 21475
686 21475

36 CFR

Proposed Rules:

242 22621

37 CFR

1 24249
201 ....21696, 22884, 22886
202 21696

Proposed Rules:

201 22771

38 CFR

17 ....21118, 21119

Proposed Rules:

17 21747

39 CFR

Proposed Rules:

3000 23766

40 CFR

35 21697
52 ....20257, 20260, 20262, 20267, 20270, 20274, 21123, 21309, 21312, 21697, 21703, 21706, 21708, 21711, 21919, 22076, 22079, 22081, 22083, 22086, 22281, 22290, 22291, 23148, 24057
60 21927
61 21927
62 20276
63 21927
81 ....21711, 22888
171 ....22294, 23148
180 ....20279, 21717, 21941, 21946, 24062, 24067, 24071
704 22088
770 23735

Proposed Rules:

52 ....20292, 20293, 20294, 20295, 20297, 21343, 21346, 21348, 21351, 21748, 21749, 21751, 21960, 21966, 22095, 22096, 22303, 22936, 24085
60 21971
61 21971
62 20310
63 21971
81 20297
147 22949
704 22452
751 20310
770 23769

42 CFR

10 22893
510 22895
512 22895

Proposed Rules:

409 ....20980, 21014
411 21014
412 ....20690, 22304
413 21014
418 20750
424 21014
488 ....20980, 21014

44 CFR

64 ....20832, 22899, 24076

45 CFR

1609 20444

Proposed Rules:

1629 20555

46 CFR

Proposed Rules:

401 21155
403 21155
404 21155

47 CFR

1 ....20833, 22296, 22742
20 22742
32 20833
54 22901
65 20833
73 ....21124, 21127, 21718, 22427

Proposed Rules:

1 ....21761, 21780, 21788, 22453
15 21780
17 21761
20 ....21780, 22780
51 22453
54 ....20558, 21780, 21788
63 22453
64 22625
73 20861

48 CFR

Proposed Rules:

801 22635
802 22635
803 22635
812 22635
814 22635
822 22635
852 22635

49 CFR

7 21136
243 20549
270 23150
380 23516
383 23516
384 23516
571 23150
585 23150

Proposed Rules:

350 20311

50 CFR

17 ....20284, 23739
223 21722
224 21722
622 ....21140, 21314, 21316, 21475, 22615, 23151
635 ....20447, 22616
648 ....20285, 21477, 22761, 24078
660 ....21317, 21948, 22428
679 ....20287, 22441, 23517, 24253

Proposed Rules:

17 ....20861, 23518
100 22621
216 22797
218 21156
648 ....21498, 23770, 24086
665 24092

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List May 19, 2017

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