

average electricity cost of ___ cents per kWh and natural gas cost of \$ ___ per therm.
ftc.gov/energy.

* * * * *

■ 3. In § 305.13, revise paragraph (a)(1)(xii), as added September 15, 2015, at 81 FR 63649, and effective September 17, 2018, to read as follows:

§ 305.13 Labeling for ceiling fans.

- (a) * * *
- (1) * * *

(xii) For fans from 19 or more inches and less than or equal to 84 inches in diameter, the label shall display a cost range of \$3 to \$34 along with the statement underneath the range “Cost Range of Similar Models (19”–84”).

* * * * *

■ 4. In § 305.16, effective July 28, 2017, revise paragraphs (a)(3) and (4) and (b)(3) and (4) to read as follows:

§ 305.16 Labeling and marking for plumbing products.

- (a) * * *

(3) The package for each showerhead and faucet shall disclose the manufacturer’s name and the model number.

(4) The package or any label attached to the package for each showerhead or faucet shall contain at least the following: The flow rate expressed in gallons per minute (gpm) or gallons per cycle (gpc), and the flow rate value shall be the actual flow rate or the maximum flow rate specified by the standards established in subsection (j) of section 325 of the Act, 42 U.S.C. 6295(j). Each flow rate disclosure shall also be given in liters per minute (L/min) or liters per cycle (L/cycle).

- (b) * * *

(3) The package, and any labeling attached to the package, for each water closet and urinal shall disclose the flow rate, expressed in gallons per flush (gpf), and the water use value shall be the actual water use or the maximum water use specified by the standards established in subsection (k) of section 325 of the Act, 42 U.S.C. 6295(k). Each flow rate disclosure shall also be given in liters per flush (Lpf).

(4) With respect to any gravity tank-type white 2-piece toilet offered for sale or sold before January 1, 1997, which has a water use greater than 1.6 gallons per flush (gpf), any printed matter distributed or displayed in connection

with such product (including packaging and point-of-sale material, catalog material, and print advertising) shall include, in a conspicuous manner, the words “For Commercial Use Only.”

* * * * *

■ 5. In § 305.20, revise paragraph (b)(1)(i)(F) to read as follows:

§ 305.20 Paper catalogs and Web sites.

* * * * *

- (b) * * *

- (1) * * *

- (i) * * *

(F) Televisions. The estimated annual operating cost determined in accordance with § 305.5 and a disclosure stating “Your energy cost depends on your utility rates and use. The estimated cost is based on 12 cents per kWh and 5 hours of use per day. For more information, visit *www.ftc.gov/energy*.”

* * * * *

■ 6. Revise appendix D5 to read as follows:

Appendix D5 to Part 305—Water Heaters—Instantaneous—Electric

RANGE INFORMATION

Capacity	Range of estimated annual energy costs (dollars/year)	
	Low	High
Capacity (maximum flow rate); gallons per minute (gpm):		
“Very Small”—less than 1.6	\$72	\$74
“Low”—1.7 to 2.7	*	*
“Medium”—2.8 to 3.9	*	*
“High”—over 4.0	*	*

By direction of the Commission.

Donald S. Clark,
Secretary.

[FR Doc. 2017–13469 Filed 6–27–17; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

29 CFR Part 2510

RIN 1210–AB76

Definition of Employee Pension Benefit Plan Under ERISA

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Final rule; CRA Revocation.

SUMMARY: Under the Congressional Review Act, Congress has passed, and the President has signed resolutions of disapproval of Savings Arrangements Established by States for Non-Governmental Employees and Savings Arrangements Established by Qualified State Political Subdivisions for Non-Governmental Employees, as codified in the Code of Federal Regulations. The Employee Benefits Security Administration (EBSA) published these final rules in 2016, effective October 31, 2016 and January 19, 2017, respectively. Because these resolutions invalidate these final rules, EBSA is hereby removing these final rules from the Code of Federal Regulations.

DATES: This action is effective June 28, 2017.

FOR FURTHER INFORMATION CONTACT: Jeffrey J. Turner, Office of Regulations and Interpretations, Employee Benefits

Security Administration, (202) 693–8500. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: On August 30, 2016, the Department issued a final rule entitled Savings Arrangements Established by States for Non-Governmental Employees (81 FR 59464, Aug. 30, 2016). The final rule, which became effective on October 31, 2016, amended an existing rule defining “employee pension benefit plans” for purposes of ERISA (29 CFR part 2510, § 2510.3–2) in order to add a safe harbor for certain state-established savings arrangements. Subsequently, on December 20, 2016, the Department issued another final rule entitled Savings Arrangements Established by Qualified State Political Subdivisions for Non-Governmental Employees (81 FR 92639, Dec. 20, 2016), which amended the August 30, 2016, final rule to expand the safe harbor to savings

arrangements established by qualified state political subdivisions. The December 20, 2016, final rule became effective on January 19, 2017. (81 FR 59464, Aug. 30, 2016).

On February 15, 2017, the United States House of Representatives, under authority of the Congressional Review Act (5 U.S.C. 801 *et seq.*), passed joint resolution H.J. Res. 66 disapproving the August 30, 2016, final rule published in 81 FR 59464. (Cong. Rec. p. H1206–1218.) The Senate passed H.J. Res. 66 on May 3, 2017. (Cong. Rec. p. S2692–2712.) President Trump signed the resolution into law on May 17, 2017, as Public Law 115–35. Also on February 15, 2017, the United States House of Representatives, under authority of the Congressional Review Act, passed joint resolution H.J. Res. 67 disapproving the December 20, 2016, final rule published in 81 FR 92639. (Cong. Rec. p. H1218.) The Senate passed H.J. Res. 67 on March 30, 2017 (Cong. Rec. p. S2121–2122.), and President Trump signed it into law on April 13, 2017, as Public Law 115–24. Accordingly, as required by Public Law 115–35 and Public Law 115–24, the Department is hereby revising the Code of Federal Regulations to reflect Congress's disapproval of both final rules.

List of Subjects in 29 CFR Part 2510

Accounting, Coverage, Employee benefit plans, Employee Retirement Income Security Act, Pensions, Reporting.

For the reasons stated above and under the authority of the Congressional Review Act (5 U.S.C. 801 *et seq.*), Public Law 115–35 (May 17, 2017), and Public Law 115–24 (April 13, 2017), the Department of Labor amends 29 CFR part 2510 as follows:

PART 2510—DEFINITIONS OF TERMS USED IN SUBCHAPTERS C, D, E, F, G, AND L OF THIS CHAPTER

- 1. The authority citation for part 2510 continues to read as follows:

Authority: 29 U.S.C. 1002(2), 1002(21), 1002(37), 1002(38), 1002(40), 1031, and 1135; Secretary of Labor's Order No. 1–2011, 77 FR 1088 (Jan. 9, 2012); Secs. 2510.3–21, 2510.3–101 and 2510.3–102 also issued under sec. 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. at 237 (2012), E.O. 12108, 44 FR 1065 (Jan. 3, 1979) and 29 U.S.C. 1135 note. Sec. 2510.3–38 is also issued under sec. 1, Pub. L. 105–72, 111 Stat. 1457 (1997).

- 2. Amend § 2510.3–2 by revising paragraph (a) and removing paragraph (h) to read as follows:

§ 2510.3–2 Employee pension benefit plan.

(a) *General.* This section clarifies the limits of the defined terms “employee

pension benefit plan” and “pension plan” for purposes of Title I of the Act and this chapter by identifying certain specific plans, funds and programs which do not constitute employee pension benefit plans for those purposes. To the extent that these plans, funds and programs constitute employee welfare benefit plans within the meaning of section 3(1) of the Act and § 2510.3–1, they will be covered under Title I; however, they will not be subject to parts 2 and 3 of Title I of the Act.

* * * * *

Signed at Washington, DC, this 22nd day of June, 2017.

Timothy D. Hauser,

Deputy Assistant Secretary for Program Operations, Employee Benefits Security Administration, Department of Labor.

[FR Doc. 2017–13459 Filed 6–27–17; 8:45 am]

BILLING CODE 4510–29–P

CENTRAL INTELLIGENCE AGENCY

32 CFR Part 1908

Mandatory Declassification Review

CFR Correction

In Title 32 of the Code of Federal Regulations, Part 800 to end, revised as of July 1, 2016, on page 474, revise § 1908.04 to read as follows:

§ 1908.04 Suggestions and complaints.

The Agency welcomes suggestions, comments, or complaints with regard to its administration of the mandatory declassification review program established under Executive Order 13526. Members of the public shall address such communications to the CIA Information and Privacy Coordinator. The Agency will respond as determined feasible and appropriate under the circumstances.

[FR Doc. 2017–13496 Filed 6–27–17; 8:45 am]

BILLING CODE 1300–00–D

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2017–0258]

Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for the City of Cleveland 4th of July, on Lake Erie and the Cleveland Harbor from 9:30 p.m. through 11 p.m. on Tuesday, July 4th, 2017. This action is necessary to provide for the safety of life and property on navigable waters during this event. Our regulation for Annual Fireworks Events in the Captain of the Port Buffalo Zone identifies the safety zone for this event. During the enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo.

DATES: The regulation in 33 CFR 165.939(a)(25) will be enforced from 9:30 p.m. through 11 p.m. on July 4, 2017.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice of enforcement, call or email LT Ryan Junod, Coast Guard; telephone 216–937–0124, email ryan.s.junod@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone listed in 33 CFR 165.939 for the following event:

City of Cleveland 4th of July, Cleveland, OH; The safety zone listed in 33 CFR 165.939(a)(25) will be enforced from 9:30 p.m. through 11 p.m. on July 4, 2017. The safety zone will encompass all navigable waters of Lake Erie and Cleveland Harbor within a 1,000 foot radius of land position 41°30'10" N., 081°42'36" W. (NAD 83) at Dock 20 in Cleveland, OH. This action is necessary to provide for the safety of life and property on navigable waters during this event. Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within these safety zones during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or his designated representative. Those seeking permission to enter one of these safety zones may request permission from the Captain of Port Buffalo via channel 16, VHF–FM. Vessels and persons granted permission to enter this safety zone shall obey the directions of the Captain of the Port Buffalo or his designated representative. While within the safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice of enforcement is issued under authority of 33 CFR 165.939 and 5 U.S.C. 552(a). In addition to this notification in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of these enforcement periods via Broadcast Notice to Mariners and Local Notice to Mariners. If the Captain of the Port