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The Code of Federal Regulations is sold by the Superintendent of Documents.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Parts 1264 and 1271

RIN 2700-AE30

[Document Number NASA-17-039: Docket Number—NASA-2017-0002]

Implementation of the Federal Civil Penalties Inflation Adjustment Act; Correction

AGENCY: National Aeronautics and Space Administration.

ACTION: Interim final rule with request for public comment; correction.

SUMMARY: The National Aeronautics and Space Administration is correcting an interim final rule that appeared in the **Federal Register** and became effective on June 26, 2017. The document issued an adjustment to the civil monetary penalties within the Agency's jurisdiction for inflation, as required by the Federal Civil Penalties Inflation Adjustment Act of 1990 (the Inflation Adjustment Act or the Act), as amended by the Debt Collection Improvement Act of 1996 and further amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act). The document inadvertently failed to provide a date and address by which to submit comments.

DATES: Effective July 12, 2017.

FOR FURTHER INFORMATION CONTACT: Nanette J. Smith, 202-358-0819.

Correction

In interim final rule FR Doc. 2017-13209, beginning on page 28760 in the issue of June 26, 2017, make the following corrections:

1. In the **DATES** section on page 28760 in the 3rd column, add at the end of the first paragraph the following:

“*Comment date:* Comments must be received by July 26, 2017.”

2. On page 28760, following the **DATES** section, add an **ADDRESSES** section to read as follows:

“**ADDRESSES:** Comments must be identified with RINs 2700-AE03 and may be sent to NASA via the *Federal E-Rulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Please note that NASA will post all comments on the Internet with changes, including any personal information provided.”

Nanette J. Smith,

NASA Federal Register Liaison Officer.

[FR Doc. 2017-14579 Filed 7-11-17; 8:45 am]

BILLING CODE 7510-13-P

FEDERAL TRADE COMMISSION

16 CFR Part 803

Premerger Notification; Reporting and Waiting Period Requirements

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Commission, with the concurrence of the Assistant Attorney General, Antitrust Division, Department of Justice, announces ministerial changes to the Antitrust Improvements Act Notification and Report Form (“HSR Form”) to make it conform to recently published amendments to the associated Instructions and to reflect changes to the noncompliance penalty and the Premerger Notification Office address.

DATES: Effective July 12, 2017.

FOR FURTHER INFORMATION CONTACT:

Robert Jones, Federal Trade Commission, Bureau of Competition, Premerger Notification Office, 400 7th Street SW., Room #5301, Washington, DC 20024, Phone (202) 326-3100.

SUPPLEMENTARY INFORMATION:

Introduction

Section 7A of the Clayton Act (the “Act”) requires the parties to certain mergers and acquisitions to file notifications with the Federal Trade Commission (“the Commission”) and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice (“the Assistant Attorney General”) (collectively “the Agencies”) and to wait a specified period of time before consummating such transactions. The reporting

requirement and the waiting period that it triggers are intended to enable the Agencies to determine whether a proposed merger or acquisition may violate the antitrust laws if consummated and, when appropriate, to seek a preliminary injunction in federal court to prevent consummation, pursuant to Section 7 of the Act.

Section 7A(d)(1) of the Act, 15 U.S.C. 18a(d)(1), directs the Commission, with the concurrence of the Assistant Attorney General, in accordance with the Administrative Procedure Act, 5 U.S.C. 553, to require that premerger notification be in such form and contain such information and documentary material as may be necessary and appropriate to determine whether the proposed transaction may, if consummated, violate the antitrust laws. Section 7A(d)(2) of the Act, 15 U.S.C. 18a(d)(2), grants the Commission, with the concurrence of the Assistant Attorney General, in accordance with 5 U.S.C. 553, the authority to define the terms used in the Act and prescribe such other rules as may be necessary and appropriate to carry out the purposes of § 7A. Pursuant to that authority, the Commission, with the concurrence of the Assistant Attorney General, developed the Rules, codified in 16 CFR parts 801, 802 and 803, and the HSR Form and its associated Instructions, codified at Part 803—Appendix. The Rules, codified in 16 CFR parts 801, 802 and 803, and associated Forms and Instructions, codified at Part 803—Appendix, to govern the form of premerger notifications to be provided by merging parties. The HSR Form is designed to provide the Commission and the Assistant Attorney General with the information and documentary material necessary for an initial evaluation of the potential anticompetitive impact of significant mergers, acquisitions and certain similar transactions.

Changes to the HSR Form

The Commission is amending the HSR Form so that it will conform to the recently published amendments to the associated Instructions and reflect changes in the noncompliance penalty and the Premerger Notification Office address.¹ The changes are as follows:

1. *Fee Information*—The Commission has deleted the following language

¹ 81 FR 60257 (September 1, 2016).

(along with an attachment box) from page one of the HSR Form: “In cases where your filing fee would be higher if based on acquisition price or where the acquisition price is undetermined to the extent that it may straddle a filing fee threshold, attach an explanation of how you determined the appropriate fee.” The Commission eliminated this requirement in its amended Instructions. Thus, the language and the box have been deleted from the HSR Form.

2. *Form Revised Date*—The HSR Form’s “Revised Date” on the bottom of each page has been updated from “(rev. 08/18/11)” to “(rev. 01/02/2017)” to reflect the ministerial revisions described in this notice.

3. *Penalty*—The HSR Form, on page 10, refers to a noncompliance penalty of \$16,000 per day. By statute,² the Commission is required to adjust its civil penalty amounts for inflation every January. The HSR Form has been amended to omit the specific dollar amount and instead cross-reference 16 CFR 1.98(a), which lists the inflation-adjusted civil penalty.

4. *PNO Address*—The address of the Premerger Notification Office (“PNO”) on page 10 of the HSR Form has been updated to reflect the PNO’s current address in Constitution Center.

5. *Electronic Form Version*—The Electronic Form Version has been updated from “1.0.1, 01/13/2012” to “1.0.2, 01/02/2017” to reflect the ministerial changes described in this notice.

² Federal Civil Penalties Inflation Adjustment Act of 1990, Public Law 101-410, 104 Stat. 890, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Public Law 114-74, sec. 701, 129 Stat. 599.

Administrative Procedure Act

The Commission finds good cause to adopt these changes without prior public comment. Under the APA, notice and comment are not required “when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 553(b)(3)(B).

The Commission is updating the HSR Form so that it will conform to the recently published amendments to the associated Instructions. This does not involve any substantive changes in the Rules’ requirements for entities subject to the Rules. Accordingly, the Commission finds that public comment is unnecessary.

In addition, under the APA, a substantive final rule is required to take effect at least 30 days after publication in the **Federal Register** unless an agency finds good cause that the rule should become effective sooner. 5 U.S.C. 553(d). However, these are purely ministerial changes and do not constitute a substantive rule change. Therefore, the Commission finds good cause to dispense with a delayed effective date.

For these reasons, the Commission finds that there is good cause for adopting this final rule as effective on July 12, 2017, without prior public comment.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (“RFA”), 5 U.S.C. 601–612, an agency must prepare a regulatory flexibility analysis for all proposed and final rules

that describes the impact of the rule on small entities, unless the head of the agency certifies that the rule will not have a “significant economic impact on a substantial number of small entities.” 5 U.S.C. 605(b). However, the RFA applies only to rules for which an agency publishes a general notice of proposed rulemaking. 5 U.S.C. 603(a), 604(a). As discussed above, the Commission has determined for good cause that the APA does not require notice and public comment on this rule. Accordingly, the RFA does not apply to this final rule.

Paperwork Reduction Act

These changes do not contain any record maintenance, reporting or disclosure requirements that would constitute agency “collections of information” that would have to be submitted for clearance and approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3518.

List of Subjects in 16 CFR Part 803

Antitrust.

For the reasons stated above, the Federal Trade Commission amends 16 CFR part 803 as set forth below:

■ 1. The authority citation for part 803 continues to read as follows:

Authority: 15 U.S.C. 18a(d).

■ 2. Revise the appendix to part 803 to read as follows:

Appendix to Part 803—Notification and Report Form for Certain Mergers and Acquisitions

BILLING CODE 6750-01-P



NOTIFICATION AND REPORT FORM FOR CERTAIN MERGERS AND ACQUISITIONS

TRANSACTION NUMBER ASSIGNED

FEE INFORMATION (For Payer Only)

TAXPAYER IDENTIFICATION NUMBER _____

OR SOCIAL SECURITY NUMBER FOR NATURAL PERSONS _____

AMOUNT PAID \$ _____

NAME OF PAYER (if different from PERSON FILING) _____

WIRE TRANSFER ☐ or CERTIFIED CHECK / MONEY ORDER ATTACHED ☐

WIRE TRANSFER CONFIRMATION NO. _____

FROM (NAME OF INSTITUTION) _____

IS THIS A CORRECTIVE FILING? ☐ YES ☐ NOCASH TENDER OFFER? ☐ YES ☐ NOBANKRUPTCY? ☐ YES ☐ NODO YOU REQUEST EARLY TERMINATION OF THE WAITING PERIOD? ☐ YES ☐ NO

(Grants of early termination are published in the Federal Register and on the FTC web site, www.ftc.gov)

(voluntary) IS THIS ACQUISITION SUBJECT TO NON-US FILING REQUIREMENTS? ☐ YES ☐ NO

IF YES, list jurisdictions: _____

ITEM 1

NAME
HEADQUARTERS ADDRESS
ADDRESS LINE 2
1(a) PERSON FILING CITY, STATE, COUNTRY
ZIP CODE
WEB SITE

1(b) PERSON FILING NOTIFICATION IS ☐ an acquiring person ☐ an acquired person ☐ both

1(c) PUT AN "X" IN THE APPROPRIATE BOX TO DESCRIBE THE PERSON FILING NOTIFICATION

☐ Corporation ☐ Unincorporated Entity ☐ Natural Person ☐ Other (Specify) _____

1(d) DATA FURNISHED BY

☐ calendar year ☐ fiscal year (specify period): _____ (month/year) to _____ (month/year)

1(e) PUT AN "X" IN THE APPROPRIATE BOX BELOW AND GIVE THE NAME AND ADDRESS OF THE ENTITY FILING NOTIFICATION, IF DIFFERENT THAN THE ULTIMATE PARENT ENTITY

☐ Not Applicable ☐ This report is being filed on behalf of a foreign person pursuant to § 803.4. ☐ This report is being filed on behalf of the ultimate parent entity by another entity within the same person authorized by it to file pursuant to § 803.2(a).

NAME
ADDRESS
CITY, STATE, COUNTRY
ZIP CODE

1(f) NAME AND ADDRESS OF ENTITY MAKING ACQUISITION OR WHOSE ASSETS, VOTING SECURITIES OR NON-CORPORATE INTERESTS ARE BEING ACQUIRED, IF DIFFERENT FROM THE ULTIMATE PARENT ENTITY IDENTIFIED IN ITEM 1(a)

NAME
ADDRESS
CITY, STATE, COUNTRY
ZIP CODE

☐ Not Applicable

PERCENT OF VOTING SECURITIES OR NON-CORPORATE INTERESTS THAT THE UPE HOLDS DIRECTLY OR INDIRECTLY IN THE ACQUIRING OR ACQUIRED ENTITY IDENTIFIED IN ITEM 1(f)

%

1(g) IDENTIFICATION OF PERSONS TO CONTACT REGARDING THIS REPORT

CONTACT PERSON 1
FIRM NAME
BUSINESS ADDRESS
CITY, STATE, COUNTRY
ZIP CODE
TELEPHONE NUMBER
FAX NUMBER
E-MAIL ADDRESS

CONTACT PERSON 2
FIRM NAME
BUSINESS ADDRESS
CITY, STATE, COUNTRY
ZIP CODE
TELEPHONE NUMBER
FAX NUMBER
E-MAIL ADDRESS

1(h) IDENTIFICATION OF AN INDIVIDUAL LOCATED IN THE UNITED STATES DESIGNATED FOR THE LIMITED PURPOSE OF RECEIVING NOTICE OF ISSUANCE OF A REQUEST FOR ADDITIONAL INFORMATION OR DOCUMENTS (See § 803.20(b)(2)(iii))

NAME
FIRM NAME
BUSINESS ADDRESS
CITY, STATE, COUNTRY
ZIP CODE
TELEPHONE NUMBER
FAX NUMBER
E-MAIL ADDRESS

ITEM 2

2(a) LIST NAMES OF ULTIMATE PARENT ENTITIES OF ALL
ACQUIRING PERSONS

NAME	NON-REPORTABLE
	<input type="checkbox"/>

LIST NAMES OF ULTIMATE PARENT ENTITIES OF ALL
ACQUIRED PERSONS

NAME	NON-REPORTABLE
	<input type="checkbox"/>

2(b) THIS ACQUISITION IS (put an "X" in all the boxes that apply)

- | | |
|--|--|
| <input type="checkbox"/> an acquisition of assets | <input type="checkbox"/> a consolidation (see § 801.2) |
| <input type="checkbox"/> a merger (see § 801.2) | <input type="checkbox"/> an acquisition of voting securities |
| <input type="checkbox"/> an acquisition subject to § 801.2 (e) | <input type="checkbox"/> a secondary acquisition |
| <input type="checkbox"/> a formation of a joint venture or other corporation or unincorporated entity (see § 801.40 or § 801.50) | <input type="checkbox"/> an acquisition subject to § 801.31 |
| <input type="checkbox"/> an acquisition subject to § 801.30 (specify type) | <input type="checkbox"/> an acquisition of non-corporate interests |
| | <input type="checkbox"/> other (specify) |

2(c) INDICATE THE HIGHEST NOTIFICATION THRESHOLD IN § 801.1(h) FOR WHICH THIS FORM IS BEING FILED
(acquiring person only in an acquisition of voting securities)

- ☐ \$50 million (as adjusted)
 ☐ \$100 million (as adjusted)
 ☐ \$500 million (as adjusted)
 ☐ 25% (see Instructions) (as adjusted)
 ☐ 50%
 ☐ N/A

2(d)(i) VALUE OF VOTING SECURITIES ALREADY HELD (\$MM)	(v) VALUE OF NON-CORPORATE INTERESTS ALREADY HELD (\$MM)	
\$	\$	
(ii) PERCENTAGE OF VOTING SECURITIES ALREADY HELD	(vi) PERCENTAGE OF NON-CORPORATE INTERESTS ALREADY HELD	
%	%	
(iii) TOTAL VALUE OF VOTING SECURITIES TO BE HELD AS A RESULT OF THE ACQUISITION (\$MM)	(vii) TOTAL VALUE OF NON-CORPORATE INTERESTS TO BE HELD AS A RESULT OF THE ACQUISITION (\$MM)	(ix) VALUE OF ASSETS TO BE HELD AS A RESULT OF THE ACQUISITION (\$MM)
\$	\$	\$
(iv) TOTAL PERCENTAGE OF VOTING SECURITIES TO BE HELD AS A RESULT OF THE ACQUISITION	(viii) TOTAL PERCENTAGE OF NON-CORPORATE INTERESTS TO BE HELD AS A RESULT OF THE ACQUISITION	(x) AGGREGATE TOTAL VALUE (\$MM)
%	%	\$

ITEM 3**3(a) DESCRIPTION OF ACQUISITION**

ACQUIRING UPE(S)	ACQUIRED UPE(S)
NAME	NAME
ADDRESS	ADDRESS
ADDRESS LINE 2	ADDRESS LINE 2
CITY, STATE	CITY, STATE
ZIP CODE, COUNTRY	ZIP CODE, COUNTRY

ACQUIRING ENTITY(S)	ACQUIRED ENTITY(S)
NAME	NAME
ADDRESS	ADDRESS
ADDRESS LINE 2	ADDRESS LINE 2
CITY, STATE	CITY, STATE
ZIP CODE, COUNTRY	ZIP CODE, COUNTRY

TRANSACTION DESCRIPTION

3(b) SUBMIT A COPY OF THE MOST RECENT VERSION OF THE CONTRACT OR AGREEMENT *(or letter of intent to merge or acquire)**(IF SUBMITTING PAPER, DO NOT ATTACH THE DOCUMENT TO THIS PAGE)*

ATTACHMENT NUMBER

ITEM 4

PERSONS FILING NOTIFICATION MAY PROVIDE BELOW AN OPTIONAL INDEX OF DOCUMENTS REQUIRED TO BE SUBMITTED BY ITEM 4 (See Item by Item instructions). THESE DOCUMENTS SHOULD NOT BE ATTACHED TO THIS PAGE.

4(a) ENTITIES WITHIN THE PERSON FILING NOTIFICATION THAT FILE ANNUAL REPORTS WITH THE SECURITIES AND EXCHANGE COMMISSION	<input type="checkbox"/> None	CENTRAL INDEX KEY NUMBER


4(b) ANNUAL REPORTS AND ANNUAL AUDIT REPORTS	<input type="checkbox"/> None	ATTACHMENT OR REFERENCE NUMBER

4(c) STUDIES, SURVEYS, ANALYSES, AND REPORTS	<input type="checkbox"/> None	ATTACHMENT OR REFERENCE NUMBER

4(d) ADDITIONAL DOCUMENTS	<input type="checkbox"/> None	ATTACHMENT OR REFERENCE NUMBER

ITEM 5**5(a)** DOLLAR REVENUES BY NON-MANUFACTURING INDUSTRY CODE AND BY MANUFACTURED PRODUCT CODE

Check None at the bottom of the page and provide explanation if you are not reporting revenue

6-DIGIT INDUSTRY CODE AND/OR 10-DIGIT PRODUCT CODE	DESCRIPTION	YEAR  TOTAL DOLLAR REVENUES (\$MM)
Attachment:		
		<input type="checkbox"/> Overlap

NONE ☐ (PROVIDE EXPLANATION)

5(b) COMPLETE ONLY IF ACQUISITION IS IN THE FORMATION OF A JOINT VENTURE CORPORATION OR UNINCORPORATED ENTITY	<input type="checkbox"/> Not Applicable
---	---

5(b)(i) CONTRIBUTIONS THAT EACH PERSON FORMING THE JOINT VENTURE CORPORATION OR UNINCORPORATED ENTITY HAS AGREED TO MAKE

Attachment:

5(b)(ii) DESCRIPTION OF CONSIDERATION THAT EACH PERSON FORMING THE JOINT VENTURE CORPORATION OR UNINCORPORATED ENTITY WILL RECEIVE

Attachment:

5(b)(iii) DESCRIPTION OF THE BUSINESS IN WHICH THE JOINT VENTURE CORPORATION OR UNINCORPORATED ENTITY WILL ENGAGE

Attachment:

5(b)(iv) SOURCE OF DOLLAR REVENUES BY 6-DIGIT INDUSTRY CODE (non-manufacturing) AND BY 10-DIGIT PRODUCT CODE (manufactured)

Attachment:

CODE	DESCRIPTION

ITEM 6**6(a) ENTITIES WITHIN PERSON FILING NOTIFICATION**

Attachment:

NAME	CITY	STATE	COUNTRY

6(b) HOLDERS OF PERSON FILING NOTIFICATION

Attachment:

ISSUER/ UNINCORPORATED ENTITY	SHAREHOLDER/ INTEREST HOLDER	HQ ADDRESS	% HELD

6(c)(i) HOLDINGS OF PERSON FILING NOTIFICATION

Attachment:

UPE OF FILING PERSON	ISSUER/ UNINCORPORATED ENTITY	% HELD

6(c)(ii) HOLDINGS OF ASSOCIATES (ACQUIRING PERSON ONLY)

Attachment:

TOP LEVEL ASSOCIATE	ISSUER/ UNINCORPORATED ENTITY	% HELD

ITEM 7

OVERLAP DOLLAR REVENUES

7(a) 6-DIGIT NAICS INDUSTRY CODE AND DESCRIPTION

☐ None

CODE	DESCRIPTION	PERSON / ASSOCIATE / BOTH

7(b)(i) LIST THE NAME OF EACH PERSON THAT ALSO DERIVED DOLLAR REVENUES

UPE OF OTHER FILING PERSON	ENTITY THAT OVERLAPS (IF DIFFERENT)

7(b)(ii) LIST THE NAME OF EACH ASSOCIATE OF THE ACQUIRING PERSON THAT ALSO DERIVED DOLLAR REVENUES
(ACQUIRING PERSON ONLY)

TOP LEVEL ASSOCIATE	ENTITY THAT OVERLAPS (IF DIFFERENT)

7(c) GEOGRAPHIC MARKET INFORMATION FOR EACH PERSON THAT ALSO DERIVED DOLLAR REVENUES

CODE	GEOGRAPHIC MARKET INFORMATION

7(d) GEOGRAPHIC MARKET INFORMATION FOR ASSOCIATES OF THE ACQUIRING PERSON
(ACQUIRING PERSON ONLY)

CODE	GEOGRAPHIC MARKET INFORMATION

ITEM 8

PRIOR ACQUISITIONS (ACQUIRING PERSON ONLY)

NAICS Code				
Acquired Entity				
Former HQ Address				
Acquisition Type	<input type="checkbox"/> Securities	<input type="checkbox"/> Assets	<input type="checkbox"/> Non Corporate Interests	
Notes				

CERTIFICATION

This **NOTIFICATION AND REPORT FORM**, together with any and all appendices and attachments thereto, was prepared and assembled under my supervision in accordance with instructions issued by the Federal Trade Commission. Subject to the recognition that, where so indicated, reasonable estimates have been made because books and records do not provide the required data, the information is, to the best of my knowledge, true, correct, and complete in accordance with the statute and rules.

NAME (Please print or type)	TITLE
SIGNATURE	DATE

Subscribed and sworn to before me at the

City of _____, State of _____

this _____ day of _____, the year _____

Signature _____

My Commission expires _____

[SEAL]

16 C.F.R. Part 803 - Appendix
NOTIFICATION AND REPORT FORM FOR CERTAIN MERGERS AND ACQUISITIONSApproved by OMB
3084-0005**Attach the Affidavit required by § 803.5 to the Form.****THE INFORMATION REQUIRED TO BE SUPPLIED ON THESE ANSWER SHEETS IS SPECIFIED IN THE INSTRUCTIONS**

THIS FORM IS REQUIRED BY LAW and must be filed separately by each person which, by reason of a merger, consolidation or acquisition, is subject to §7A of the Clayton Act, 15 U.S.C. §18a, as added by Section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, Pub. L. No. 94-435, 90 Stat. 1390, and rules promulgated thereunder (hereinafter referred to as "the rules" or by section number). The statute and rules are set forth in the *Federal Register* at 43 FR 33450; the rules may also be found at 16 CFR Parts 801-03. Failure to file this **Notification and Report Form**, and to observe the required waiting period before consummating the acquisition in accordance with the applicable provisions of 15 U.S.C. §18a and the rules, subjects any "person," as defined in the rules, or any individuals responsible for noncompliance, to liability for a penalty for each day during which such person is in violation of 15 U.S.C. §18a. The maximum daily civil penalty amount is listed in 16 C.F.R. §1.98(a).

Pursuant to the Hart-Scott-Rodino Act, information and documentary material filed in or with this Form is confidential. It is exempt from disclosure under the Freedom of Information Act, and may be made public only in an administrative or judicial proceeding, or disclosed to Congress or to a duly authorized committee or subcommittee of Congress.

DISCLOSURE NOTICE - Public reporting burden for this report is estimated to vary from 8 to 160 hours per response, with an average of 37 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this report, including suggestions for reducing this burden to:

Premarmer Notification Office, Federal Trade Commission, 400 7th St. SW, Room # 5301, Washington, DC 20024
and
Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503

Under the **Paperwork Reduction Act**, as amended, 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. That number is 3084-0005, which also appears above.

Privacy Act Statement--Section 18a(a) of Title 15 of the U.S. Code authorizes the collection of this information. Our authority to collect Social Security numbers is 31 U.S.C. 7701. The primary use of information submitted on this Form is to determine whether the reported merger or acquisition may violate the antitrust laws. Taxpayer information is collected, used, and may be shared with other agencies and contractors for payment processing, debt collection and reporting purposes. Furnishing the information on the Form is voluntary. Consummation of an acquisition required to be reported by the statute cited above without having provided this information may, however, render a person liable to civil penalties up to the amount listed in 16 C.F.R. §1.98(a) per day. We also may be unable to process the Form unless you provide all of the requested information.

This page may be omitted when submitting the Form.

By direction of the Commission.

Donald S. Clark,
Secretary.

[FR Doc. 2017-14550 Filed 7-11-17; 8:45 am]

BILLING CODE 6750-01-C

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 100****[Docket No. USCG–2017–0454]****Special Local Regulation; Marine Events; Annual Bayview Mackinac Race****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulation for the annual Bayview Mackinac Race, from 10 a.m. to noon on July 22, 2017. This special local regulation is necessary to safely control vessel movements in the vicinity of the race and provide for the safety of the general boating public and commercial shipping. During this period, no person or vessel may enter the regulated area without the permission of the Coast Guard Patrol Commander (PATCOM).

DATES: The regulation in 33 CFR 100.902 will be enforced from 10 a.m. until noon on July 22, 2017.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email Lieutenant Matthew Stroebel, Waterway Management Branch, Ninth Coast Guard District, 1240 East 9th Street, Cleveland, OH at (216) 902–6060.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulation for the Annual Bayview Mackinac Race found in 33 CFR 100.902 from 10 a.m. until noon on July 22, 2017. This Notice of Enforcement applies to all U.S. navigable waters of the Black River, St. Clair River, and lower Lake Huron, bound by a line starting at latitude 042°58'47" N., longitude 082°26'0" W.; then easterly to latitude 042°58'24" N., longitude 082°24'47" W.; then northward along the International Boundary to latitude 043°02'48" N., longitude 082°23'47" W.; then westerly to the shoreline at approximate location latitude 043°02'48" N., longitude 082°26'48" W.; then southward along the U.S. shoreline to latitude 042°58'54" N., longitude 082°26'01" W.; then back to the beginning [DATUM: NAD 83].

In order to ensure the safety of spectators and participating vessels, the Coast Guard will patrol the race area under the direction of a designated Coast Guard Patrol Commander (PATCOM). Vessels desiring to transit the regulated area may do so only with

prior approval of the PATCOM and when so directed by that officer. The PATCOM may be contacted on Channel 16 (156.8 MHz) by the call sign "Coast Guard Patrol Commander." Vessels, permitted to transit the regulated area, will operate at no wake speed and in a manner which will not endanger participants in the event or any other craft. The rules contained above shall not apply to participants in the event or vessels of the patrol operating in the performance of their assigned duties.

This document is issued under the authority of 33 CFR 100.902 and 5 U.S.C. 552(a). If the District Commander, Captain of the Port or PATCOM determines that the regulated area need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: June 15, 2017.

N.A. Bartolotta,*Captain, U.S. Coast Guard, Commander, Ninth Coast Guard District, Acting.*

[FR Doc. 2017–14605 Filed 7–11–17; 8:45 am]

BILLING CODE 9110–04–P**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165****[Docket Number USCG–2017–0614]****RIN 1625–AA00****Safety Zone; Main Branch of the Chicago River, Chicago, IL****AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the Main Branch of the Chicago River, Chicago, IL. This action is necessary and intended to ensure safety of life on the navigable waters of the United States immediately prior to, during, and after a bridge based pyrotechnics display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Lake Michigan.

DATES: This rule is effective from 8:15 p.m. on July 11, 2017 through 8:45 p.m. on September 12, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–2017–0614 in the "SEARCH" box and click "SEARCH." Click on Open Docket

Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email LT John Ramos, Marine Safety Unit Chicago, U.S. Coast Guard; telephone (630) 986–2155, email D09-DG-MSUChicago-Waterways@uscg.mil.

SUPPLEMENTARY INFORMATION:**I. Table of Abbreviations**

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable. The Coast Guard did not receive the final details for this event until there was insufficient time remaining before the event to publish a NPRM. Thus, delaying the effective date of this rule to wait for a comment period to run would be impracticable because it would inhibit the Coast Guard's ability to protect the public and vessels from the hazards associated with bridge based fireworks displays on July 11, 2017, August 8, 2017, and September 12, 2017.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this temporary rule effective less than 30 days after publication in the **Federal Register**. For the same reasons discussed in the preceding paragraph, waiting for a 30 day notice period to run would be impracticable.

III. Legal Authority and Need for Rule

The legal basis for the rule is the Coast Guard's authority to establish safety zones: 33 U.S.C. 1231; 33 CFR 1.05–1, 160.5; Department of Homeland Security Delegation No. 0170.1.

On July 11, 2017, August 8, 2017, and September 12, 2017, a bridge based pyrotechnics display will take place on

the Main Branch of the Chicago River between the Wells Street Bridge and the Dearborn Street Bridge in Chicago, IL. The Captain of the Port Lake Michigan has determined that the pyrotechnics display will pose a significant risk to public safety and property. Such hazards include premature and accidental detonations, falling and burning debris, and collisions among spectator vessels.

IV. Discussion of the Rule

With the aforementioned hazards in mind, the Captain of the Port Lake Michigan has determined that this temporary safety zone is necessary to ensure the safety of the public during the bridge based pyrotechnics displays on the Main Branch of the Chicago River. This safety zone will be enforced on each day from 8:15 p.m. through 8:45 p.m. on July 11, 2017, August 8, 2017, and September 12, 2017. This zone will encompass all waters of the Main Branch of the Chicago River between the Wells Street Bridge and the Dearborn Street Bridge in Chicago, IL.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan, or a designated on-scene representative. The Captain of the Port or a designated on-scene representative may be contacted via VHF Channel 16 or contact Sector Lake Michigan at (414) 747-7182.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 13771 ("Reducing Regulation and Controlling Regulatory Costs"), directs agencies to reduce regulation and control regulatory costs and provides that "for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process." This rule has not been designated a "significant

regulatory action," under Executive order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

As this rule is not a significant regulatory action, this rule is exempt from the requirements of 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).

We conclude that this rule is not a significant regulatory action because we anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced on each day from 8:15 p.m. through 8:45 p.m. on July 11, 2017, August 8, 2017, and September 12, 2017. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered the impact of this temporary rule on small entities. This rule will affect the following entities, some of which might be small entities: The owners or operators of vessels intending to transit on a portion of the Main Branch of the Chicago River from 8:15 p.m. through 8:45 p.m. on July 11, 2017, August 8, 2017, and September 12, 2017.

This safety zone will not have a significant economic impact on a substantial number of small entities for the reasons cited in the *Regulatory Planning and Review* section above. Additionally, before the enforcement of the zone, we will issue local Broadcast Notice to Mariners and Local Notice to Mariners so vessel owners and operators can plan accordingly.

Under section 213(a) of the Small Business Regulatory Enforcement

Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive order 13132, Federalism, if it has 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. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive order 13132.

Also, this rule does not have tribal implications under Executive order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of a safety zone for a bridge based pyrotechnics display on the Main Branch of the Chicago River in Chicago, IL. It is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A Record of Environmental Consideration (REC) supporting this determination is available in the docket where indicated in the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09–0614 to read as follows:

§ 165.T09–0614 Safety Zone; Main Branch of the Chicago River, Chicago, IL.

(a) *Location.* All U.S. navigable waters of the Main Branch of the Chicago River, between the Wells Street Bridge and Dearborn Street Bridge in Chicago, IL.

(b) *Enforcement period.* This rule will be enforced on each day from 8:15 p.m. through 8:45 p.m. on July 11, 2017, August 8, 2017, and September 12, 2017.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan or a designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Lake Michigan or a designated on-scene representative.

(3) The “on-scene representative” of the Captain of the Port Lake Michigan is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Lake Michigan to act on his or her behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Lake Michigan or an on-scene representative to obtain permission to do so. The Captain of the Port Lake Michigan or an on-scene representative may be contacted via VHF Channel 16 or contact Sector Lake Michigan at (414) 747–7182. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Lake Michigan, or an on-scene representative.

Dated: July 6, 2017.

A.B. Cocanour,

Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.

[FR Doc. 2017–14531 Filed 7–11–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS**38 CFR Part 74**

RIN 2900–AP93

VA Veteran-Owned Small Business Verification Guidelines

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document implements a portion of the Veterans Benefits, Health Care, and Information Technology Act of 2006, which requires the Department of Veterans Affairs (VA) to verify ownership and control of veteran-owned small businesses (VOSBs), including service-disabled veteran-owned small businesses (SDVOSBs) in order for these firms to participate in VA acquisitions set-aside for SDVOSB/VOSBs. This rule contains a minor revision to require re-verification of SDVOSB/VOSB status once every three years rather than biennially. The purpose of this change is to reduce the administrative burden on SDVOSB/VOSBs regarding participation in VA acquisitions set asides for these types of firms.

DATES: *Effective Date:* July 12, 2017.

FOR FURTHER INFORMATION CONTACT: Thomas McGrath, Director, Center for Verification and Evaluation (00VE), Department of Veterans Affairs, 810 Vermont Ave. NW., Washington, DC 20420, phone (202) 461–4300.

SUPPLEMENTARY INFORMATION: On February 21, 2017, VA published in the **Federal Register** (82 FR 11154) an interim final rule to revise VA’s rules regarding the length of the eligibility period for inclusion in the Vendor Information Pages database. Interested persons were invited to submit written comments on or before April 24, 2017. VA received numerous comments from members of the public.

In a final rule published in the **Federal Register** on February 8, 2010, (75 FR 6098), VA established 38 Code of Federal Regulations (CFR) part 74, which set forth a mechanism for verifying ownership and control of VOSBs and SDVOSBs. At that time, VA anticipated that annual examinations were necessary to ensure the integrity of the Verification Program and was deemed consistent with the annual Federal size and status recertification requirement in the Central Contractor Registry. In June of 2012, the eligibility period was extended to two years.

VA has determined that a biennial examination is not necessary to adequately maintain the integrity of the

program and proposed a three year eligibility period. This change is appropriate because VA conducts a robust examination of personal and company documentation to verify ownership and control by Veterans of applicant businesses. In addition to verifying individual owners' service-disabled veteran status or veteran status, VA reviews the following documents in accordance with 38 CFR 74.12: An applicant's financial statements; Federal personal and business tax returns; personal history statements; articles of incorporation/organization; corporate by-laws or operating agreements; organizational, annual, and board/member meeting records; stock ledgers and certificates; state-issued certificates of good standing; contract, lease, and loan agreements; payroll records; bank account signature cards; and licenses. Given the depth of this review, biennial re-verification examinations have become an unnecessary administrative burden on both participants and VA.

Moreover, VA is confident that the integrity of the verification program will not be compromised by establishing a three year eligibility period. This is evidenced by fiscal year 2016 data from VA's Center for Verification and Evaluation (CVE), which administers the verification program, which shows that from a total of 1,109 re-verification applications, only 11 were denied. Therefore, only 0.9 percent of firms submitting re-verification applications were found to be ineligible after two years. Furthermore, other aspects of the verification program ensure that establishing a three year eligibility period will not undermine the integrity of the verification program. For example, 38 CFR 74.15(a) mandates that the participant, once verified, must maintain its eligibility during its tenure. Moreover, if ownership or control changes occur, the participant must inform VA's CVE of any changes that would adversely affect its eligibility. Additionally, in accordance with 38 CFR 74.20(a), VA has the right to conduct random, unannounced site examinations of participants or conduct a further examination upon receipt of specific and credible information that a participant is no longer eligible. Lastly, status protests provide VA contracting officers and SDVOSB/VOSBs alike an opportunity, where appropriate, to challenge the SDVOSB/VOSB status of a verified firm in connection with SDVOSB/VOSB set-aside acquisitions.

Additionally, establishment of a longer, three year eligibility period is consistent with other Federal set-aside programs. With respect to the Historically Underutilized Business

Zone (HUBZone) small business certification program, U.S. Small Business Administration (SBA) regulations at 13 CFR 126.500 require that any qualified HUBZone small business concern seeking to remain on the HUBZone approved list must recertify every three years with SBA. With regard to SBA's Section 8(a) Business Development program, SBA authorizes a program term of up to nine years in 13 CFR 124.2.

Furthermore, VA's determination that an eligibility period of three years is reasonable given the mandatory nature of VA's SDVOSB/VOSB set-aside authority. In accordance with 38 United States Code (U.S.C.) 8127 and VA Acquisition Regulation, 48 CFR part 819, VA is required to set aside any open market procurement for SDVOSBs and VOSBs, if two or more such concerns are reasonably anticipated to submit offers at fair and reasonable pricing. Given the large volume of appropriated funds subject to these set-aside requirements, a three year eligibility period prior to re-examination is appropriate to balance the burden on SDVOSB/VOSBs and to protect the integrity of the program.

VA received comments requesting clarification as to whether currently verified SDVOSBs/VOSBs would be automatically extended. All firms that were verified and in the VIP database automatically had their eligibility term extended by one year.

Numerous commenters expressed support for the extension of the eligibility period, asserting that it allows veterans more time to focus on the success of their businesses, and reduces their administrative burden of gathering and submitting the required documentation. One such commenter supported the extension, but suggested that firms should be required to submit a certified statement stating that the firm's ownership stake has not changed, and based on the original certifying criteria that they are still eligible for their status at the two year mark. The comment continues to suggest that any firm unable to provide the statement would be required to re-verify at that time. However, VA's risk analysis on the extension has shown that risk of extending the period from two to three years is very low, and that requiring firms to submit a statement at the two year mark is an unnecessary administrative burden on both the firm and the government. Therefore, we will not make any changes to the rule based on this comment.

Another commenter asserted that VA should have issued this change as a proposed rule rather than an interim

final rule because the determination of good cause that exempts this rule from the notice and comment procedures is incorrect; the notice and comment is not impracticable, unnecessary, or contrary to public interest. VA has determined that relieving the administrative burden on both program participants and verifying officials, and eliminating delays in verification caused by repetitive biennial reviews, is in the best interest of the public. Therefore, we will not make any changes to the rule based on this comment.

VA appreciates the comments submitted in response to the interim final rule. This final rule adopts the interim final rule as a final rule without change.

Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601–612, applies to this final rule. This final rule is generally neutral in its effect on small businesses because it relates only to small businesses applying for verified status in VA's SDVOSB/VOSB verified database. The overall impact of the rule benefits small businesses owned by veterans or service-disabled veterans because it reduces the administrative burden associated with maintaining verified status by extending the period for re-verification from two years to three years. VA has estimated the cost to an individual business to be insignificant. Increasing the verification period will decrease the frequency of any costs associated with document submission. On this basis, the Secretary certifies that the adoption of this final rule would not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. Therefore, under 5 U.S.C. 605(b), this regulation is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 12866 (Regulatory Planning and

Review) defines a “significant regulatory action,” which requires review by the Office of Management and Budget, as “any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this Executive Order.”

The economic, interagency, budgetary, legal, and policy implications of this regulatory action have been examined and it has been determined not to be a significant regulatory action under Executive Order 12866.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule that may result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any given year. This final rule has no such effect on state, local, and tribal governments, or on the private sector.

Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Catalog of Federal Domestic Assistance

This final rule affects the verification guidelines of veteran-owned small businesses, for which there is no Catalog of Federal Domestic Assistance program number.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Gina S. Farrisee, Deputy Chief of Staff, Department of Veterans Affairs,

approved this document on July 5, 2017, for publication.

List of Subjects in 38 CFR Part 74

Administrative practice and procedures, Privacy, Reporting and recordkeeping requirements, Small business, Veteran, Veteran-owned small business, Verification.

Dated: July 7, 2017.

Michael Shores,

Director, Regulation Policy & Management,
Office of the Secretary, Department of
Veterans Affairs.

PART 74—VETERANS SMALL BUSINESS REGULATIONS

Accordingly, the interim rule amending 38 CFR part 74 which was published at 82 FR 11154 on February 21, 2017, is adopted as final without change.

[FR Doc. 2017–14600 Filed 7–11–17; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 578

[Docket No. NHTSA–2016–0136]

RIN 2127–AL82

Civil Penalties

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final rule; delay of effective date.

SUMMARY: NHTSA is delaying the effective date of the final rule entitled “Civil Penalties,” published in the **Federal Register** on December 28, 2016, because NHTSA is reconsidering the appropriate level for CAFE civil penalties.

DATES: As of July 7, 2017, the effective date of the final rule published in the **Federal Register** on December 28, 2016, at 81 FR 95489, is delayed indefinitely pending reconsideration.

FOR FURTHER INFORMATION CONTACT: Rebecca Schade, Office of Chief Counsel, at (202) 366–2992.

SUPPLEMENTARY INFORMATION: On July 5, 2016, NHTSA published an interim final rule updating the maximum civil penalty amounts for violations of statutes and regulations administered by NHTSA, pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Inflation Adjustment Act). The penalty for

exceeding an applicable Corporate Average Fuel Economy (CAFE) standard was among the penalties adjusted for inflation in the interim final rule. In accordance with the Inflation Adjustment Act and guidance on calculating the inflationary adjustment mandated by the Act issued by the Office of Management and Budget, NHTSA increased the civil penalty for failing to meet an applicable CAFE standard from \$5.50 per tenth of a mile per gallon (mpg) to \$14 per tenth of an mpg.

The Auto Alliance and Global Automakers jointly petitioned NHTSA for reconsideration of the interim final rule regarding the inflationary adjustment of CAFE non-compliance penalties (hereafter, the Alliance and Global petition will be referred to as the “Industry Petition”)¹ on August 1, 2016. The Industry Petition argued that NHTSA used the wrong base year to calculate the inflationary adjustment to the CAFE civil penalty and raised concerns about applying the adjusted civil penalty retroactively. The Industry Petition also argued that in the event that NHTSA chose not to adopt the base year suggested in the petition, NHTSA should seek comment on whether NHTSA should adopt a lower penalty level than the one in the interim final rule based on “negative economic impacts,” as permitted by the Inflation Adjustment Act.

On December 28, 2016, NHTSA published a final rule in response to the Industry Petition.² To address concerns raised in the Industry Petition about applying the adjusted penalty retroactively, NHTSA delayed application of the \$14 per tenth of an mpg penalty until the 2019 model year, which begins in October 2018 for most manufacturers. The final rule did not address the other points raised in the Industry Petition.

The December 28, 2016 final rule is not yet effective and would currently become effective on July 10, 2017.³

NHTSA is now reconsidering the final rule because the final rule did not give adequate consideration to all of the relevant issues, including the potential economic consequences of increasing CAFE penalties by potentially \$1 billion per year, as estimated in the Industry Petition. Thus, in a separate document

¹ Jaguar Land Rover North America, LLC also filed a petition for reconsideration in response to the July 5, 2016 interim final rule raising the same concerns as those raised in the Industry Petition. Both petitions can be found in Docket No. NHTSA–2016–0075, accessible via www.regulations.gov.

² 81 FR 95489.

³ 82 FR 8694 (Jan. 30, 2017); 82 FR 15302 (Mar. 28, 2017); 82 FR 29009 (June 27, 2017).

published in this **Federal Register**, NHTSA is seeking comment on whether \$14 per tenth of an mpg is the appropriate penalty level for civil penalties for violations of CAFE standards given the requirements of the Inflation Adjustment Act and the Energy Policy and Conservation Act (EPCA) of 1975, which authorizes civil penalties for violations of CAFE standards.⁴ Because NHTSA is reconsidering the final rule, NHTSA is delaying the effective date pending reconsideration.

There is good cause to implement this delay without notice and comment under 5 U.S.C. 553(b)(B) and 553(d)(3) because those procedures are impracticable, unnecessary, and contrary to the public interest in these circumstances, where the effective date of the rule is imminent. Moreover, the agency is, through a separate document, already seeking out public comments on the underlying issues, which may be extensive, and additional time will be required to thoughtfully consider and address those comments before deciding on the appropriate course of regulatory action. A delay in the effective date is therefore consistent with NHTSA's statutory authority to administer the CAFE standards program and its inherent authority to do so efficiently and in the public interest. In addition, no party will be harmed by the delay in the effective date of the rule. On the contrary, the rule does not increase CAFE penalties before Model Year 2019, and therefore, the delay will not affect the civil penalty amounts assessed against any manufacturer for violating a CAFE standard prior to the 2019 model year at the earliest, *i.e.*, until sometime in 2020. Therefore, the increased penalty rate set forth in the rule would not be applied for current violations, so there is no immediate, concrete impact from the delay.

Authority: Pub. L. 101–410, Pub. L. 104–134, Pub. L. 109–59, Pub. L. 114–74, Pub. L. 114–94, 49 U.S.C. 32902 and 32912; delegation of authority at 49 CFR 1.81, 1.95.

Jack Danielson,

Acting Deputy Administrator.

[FR Doc. 2017–14526 Filed 7–7–17; 11:15 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 578

[Docket No. NHTSA–2017–0059]

Civil Penalties

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Reconsideration of final rule; request for comments.

SUMMARY: NHTSA seeks comment on whether and how to amend the civil penalty rate for violations of Corporate Average Fuel Economy (CAFE) standards. NHTSA initially raised the civil penalty rate for CAFE standard violations for inflation in 2016, but upon further consideration, NHTSA believes that obtaining additional public input on how to proceed with CAFE civil penalties in the future will be helpful. Therefore, NHTSA is issuing this document to seek public comment as it *sua sponte* reconsiders its final rule regarding the appropriate inflationary adjustment for CAFE civil penalties.

DATES: *Comments:* Comments must be received by October 10, 2017. See the **SUPPLEMENTARY INFORMATION** section below for more information on submitting comments.

ADDRESSES: You may submit comments to the docket number identified in the heading of this document by any of the following methods:

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

Regardless of how you submit your comments, you must include the docket number identified in the heading of this document. Note that all comments received, including any personal information provided, will be posted without change to <http://www.regulations.gov>. Please see the “Privacy Act” heading below.

You may call the Docket Management Facility at 202–366–9324.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or the street address listed above. NHTSA will continue to file relevant information in the Docket as it becomes available.

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 <https://www.transportation.gov/privacy>. Anyone is able to search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.).

FOR FURTHER INFORMATION CONTACT:

Thomas Healy, Office of the Chief Counsel, NHTSA, telephone (202) 366–2992, facsimile (202) 366–3820, 1200 New Jersey Avenue SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

I. Statutory and Regulatory Background

NHTSA sets ¹ and enforces ² CAFE standards for the United States, and in doing so, assesses civil penalties against vehicle manufacturers who fall short of their compliance obligations and are unable to make up the shortfall with credits.³ The amount of the civil penalty was originally set by statute in 1975, and for most of the duration of the CAFE program, has been \$5.50 per each tenth of a mile per gallon that a manufacturer's fleet average CAFE level falls short of its compliance obligation, multiplied by the number of vehicles in the fleet ⁴ that has the shortfall. The basic equation for calculating a manufacturer's civil penalty amount is as follows:

¹ 49 U.S.C. 32902.

² 49 U.S.C. 32911, 32912.

³ Credits may be either *earned* (for over-compliance by a given manufacturer's fleet, in a given model year) or *purchased* (in which case, another manufacturer earned the credits by over-complying and chose to sell that surplus). 49 U.S.C. 32903; 49 CFR part 538.

⁴ A manufacturer may have up to three fleets of vehicles, for CAFE compliance purposes, in any given model year—a domestic passenger car fleet, an imported passenger car fleet, and a light truck fleet. Each fleet belonging to each manufacturer has its own compliance obligation, with the potential for either over-compliance or under-compliance. There is no overarching CAFE requirement for a manufacturer's total production.

⁴ NHTSA incorporates the discussions in the document seeking comment on the appropriate CAFE civil penalties level by reference.

(penalty rate, in \$) \times (amount of shortfall, in tenths of an mpg) \times (# of vehicles in manufacturer's non-compliant fleet) = \$ due as penalty for non-compliant fleet.

To date, automakers have paid more than \$890 million in penalties relating to the CAFE standards.⁵ Additionally, since the introduction of credit trading and transfers in MY 2011, some manufacturers have turned to acquiring credits from competitors rather than paying civil penalties for non-compliance, and it is likely that this involves significant expenditures. In light of the fact that CAFE standards are set to rise at a significant rate over the next several years, and since NHTSA's *Projected Fuel Economy Performance Report*⁶ indicates that many manufacturers are falling behind the standards for model year 2016 and increasingly so for model year 2017, it is likely that many manufacturers will face the possibility of paying larger CAFE penalties over the next several years than at present.

NHTSA has long had authority under the Energy Policy and Conservation Act (EPCA) of 1975, Public Law 94–163, section 508, 89 Stat. 912 (1975), to raise the amount of the penalty for CAFE shortfalls if it can make certain findings,⁷ as well as the authority to compromise and remit such penalties under certain circumstances.⁸ If NHTSA were to raise penalties for CAFE shortfalls, the higher amount would apply to *any* manufacturer who owed them; the authority to compromise and remit penalties, however, is limited and on a case-by-case basis.

For both raising penalties and compromising them under EPCA, NHTSA's burden is considerable. If NHTSA seeks to raise CAFE penalties under EPCA, NHTSA may only do so if it concludes through rulemaking that the increase in the penalty both (1) will result in, or substantially further, substantial energy conservation for automobiles in model years in which the increased penalty may be imposed, *and* (2) will not have a substantial deleterious impact on the economy of the United States, a State, or a region of the State. A finding of “no substantial

deleterious impact” may only be made if NHTSA determines that it is likely that the increase in the penalty (A) will not cause a significant increase in unemployment in a State or a region of a State, (B) adversely affect competition, or (C) cause a significant increase in automobile imports. Nowhere does EPCA define “substantial” or “significant” in the context of this provision. The rulemaking process to raise penalties includes specifically soliciting comments from the Federal Trade Commission, among others, and requires a public hearing following a comment period of at least 45 days. NHTSA has never adjusted the CAFE civil penalty using this EPCA provision.

If NHTSA seeks to compromise or remit penalties for a given manufacturer, a rulemaking is not necessary, but the amount of a penalty may be compromised or remitted only to the extent (1) necessary to prevent a manufacturer's insolvency or bankruptcy, (2) the manufacturer shows that the violation was caused by an act of God, a strike, or a fire, or (3) the Federal Trade Commission certifies that a reduction in the penalty is necessary to prevent a substantial lessening of competition. As with raising penalties, NHTSA has never previously attempted to undertake this process.

The Center for Biological Diversity petitioned NHTSA on October 1, 2015, to conduct rulemaking to raise the amount of the penalty to \$10, the maximum possible under EPCA at that time.⁹ A month later, while NHTSA was considering that petition, Congress enacted the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Inflation Adjustment Act),¹⁰ which applied to all civil penalties administered by federal agencies, as discussed in the prior **Federal Register** documents cited above. OMB guidance directed NHTSA and other federal agencies to follow a specific formula to adjust its civil penalties, pursuant to the Act's requirements, including the penalty for CAFE shortfalls, pursuant to the Inflation Adjustment Act.¹¹

On July 5, 2016, NHTSA published an interim final rule, adopting inflation adjustments for penalties under its administration, following the formula in the Act. One of these adjustments included raising the penalty rate for CAFE non-compliance from \$5.50 to

\$14.¹² NHTSA also indicated in that document that the new maximum penalty rate that the Secretary is permitted to establish for such violations is \$25.

In response to the changes to the CAFE provisions promulgated in the interim final rule, the Auto Alliance and Global Automakers jointly petitioned NHTSA for reconsideration (the Industry Petition).¹³ The Industry Petition raised concerns with retroactivity (applying the penalty increase associated with model years that have already been completed or for which a company's compliance plan had already been “set”); which “base year” NHTSA should use for calculating the adjusted penalty rate; and whether an immediate increase in the penalty rate to \$14 would cause a “negative economic impact.”

In response to the Industry Petition, NHTSA issued a final rule published on December 28, 2016.¹⁴ NHTSA agreed that raising the penalty rate for model years already fully complete would be inappropriate, given how courts generally disfavor the retroactive application of statutes. NHTSA also agreed that raising the rate for model years for which product changes were infeasible due to lack of lead time, did not seem consistent with Congress' intent that the CAFE program be responsive to consumer demand. NHTSA therefore stated that it would not apply the inflation-adjusted penalty rate of \$14 until model year 2019, as that seemed to be the first year in which product changes could be made in response to the higher penalty rate. NHTSA further stated that its December final rule responded to the CBD petition for rulemaking. The December 28, 2016 final rule is not yet effective, and, in a separate document published in this **Federal Register**, NHTSA is delaying the effective date of the rule pending reconsideration to allow for public comment on this issue.¹⁵

¹² 81 FR 43524 (July 5, 2016). This interim final rule also updated the maximum civil penalty amounts for violations of all statutes and regulations administered by NHTSA, and was not limited solely to penalties administered for CAFE violations.

¹³ Jaguar Land Rover North America, LLC also filed a petition for reconsideration in response to the July 5, 2016 interim final rule raising the same concerns as those raised in the Industry Petition. Both petitions can be found in docket listed on this document accessible via www.regulations.gov.

¹⁴ 81 FR 95489 (Dec. 28, 2016).

¹⁵ 82 FR 8694 (Jan. 30, 2017); 82 FR 15302 (Mar. 28, 2017); 82 FR 29009 (June 27, 2017).

⁵ The highest CAFE penalty paid to date for a shortfall in a single fleet was \$30,257,920, paid by DaimlerChrysler for its imported passenger car fleet in MY 2006. Since MY 2012, only Jaguar Land Rover and Volvo have paid civil penalties. See https://one.nhtsa.gov/cafe_pic/CAFE_PIC_Fines_LIVE.html.

⁶ Available at https://one.nhtsa.gov/CAFE_PIC/MY202016%20and%202017%20Projected%20Fuel%20Economy%20Performance%20Report%20Final.pdf.

⁷ 49 U.S.C. 32912.

⁸ 49 U.S.C. 32913.

⁹ A copy of this petition is available in the rulemaking docket.

¹⁰ Public Law 114–74, Sec. 701.

¹¹ This OMB guidance is available at <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2016/m-16-06.pdf> (last accessed May 22, 2017).

II. NHTSA's Reconsideration of Final Rule and Request for Comment on How To Adjust CAFE Civil Penalties

CAFE penalties are straightforward to administer, but determining the appropriate amount of inflation adjustment is more complicated than originally understood. As CAFE standard stringency continues to increase, the nation's increased abundance of fuel resources has reduced fuel prices and is causing consumers to make purchasing decisions based on factors other than fuel economy, the potential effects of higher penalties for shortfalls may be more widely felt. In fact, NHTSA's data indicates that many automakers are projected to fall behind the standards for model years 2016 and 2017. Moreover, as explained earlier, once NHTSA settles on an amount for CAFE penalties, that becomes the amount applicable to all shortfalls, and NHTSA has no leeway to compromise or remit penalties for manufacturers who feel that their compliance circumstances are dire, unless they are actually facing bankruptcy. The consequences of this decision, therefore, are considerable and fairly permanent. NHTSA is therefore *sua sponte* reconsidering the December 28, 2016 final rule.

The Inflation Adjustment Act provides an exception to give federal agencies the ability to adjust the "catch-up" amount of a civil monetary penalty by less than the required amount. In order to make such an adjustment, the head of the agency must determine through notice and comment rulemaking that either (1) increasing the penalty by the otherwise required amount will have a "negative economic impact," or (2) the social costs of increasing the penalty by the otherwise required amount outweigh the benefits. The Director of the Office of Management and Budget must agree with either conclusion by an agency before an agency can act upon such a conclusion.¹⁶ The term "negative economic impact" is not defined in the Inflation Adjustment Act, though OMB's guidance noted that it expected a concurrence that a penalty increase would have a "negative economic impact" to be "rare."¹⁷

Additionally, the OMB guidance directed agencies to calculate the initial "catch-up adjustment" based on either the year the penalty was originally established by Congress, or last adjusted (by Congress or by the agency), whichever is later.¹⁸ If NHTSA

determined that it was appropriate to use a different base year than the 1975 base year used to calculate the adjustment in the interim final rule, that decision could have a significant impact on the future CAFE penalties level.

After further consideration of these issues, and because the July 5, 2016 interim final rule did not provide an opportunity for interested parties to provide input fully, NHTSA has determined that it should seek public comment on whether and how NHTSA should consider the issues raised above in seeking to implement the Inflation Adjustment Act as it pertains to CAFE penalties.

Both exceptions to the Inflation Adjustment Act require the agency to assess the economic effects of increasing the penalty amount. Relevant, therefore, to both exceptions is information concerning the costs and benefits of increased penalties. In general, the agency expects that increasing the level of the CAFE penalty rate will lead to both increased penalties being paid and increased compliance with CAFE standards, which would result in greater fuel savings and other benefits. We request comment on any information related to these costs and benefits, including:

- What would be the aggregate increased cost of applying a higher fine rate? To what extent would this be based on increased fines versus increase compliance?
- What would be the effect on penalty payments of applying a higher fine rate?
- What would be the effect on the average price of passenger cars and light trucks sold in the U.S?
- How much additional fuel would be saved by raising the CAFE penalty rate any amount between \$5.50 per tenth of a mile per gallon and \$14 per tenth of a mile per gallon, and based on current projections of fuel prices, what would be the monetized benefit to consumers, if any, as compared to additional costs to consumers associated with higher penalties?
- What would be the environmental impacts of this fuel savings?
- Are there any other costs or benefits the agency should consider?
- Do commenters have data suggesting whether societal costs outweigh societal benefits?

In acting under the "negative economic impact" exception, two slightly different overarching questions also present themselves: First, whether the "impact" resulting from raising the CAFE penalty rate leads to a "negative economic impact," and second, whether and how the EPCA requirements in 49 U.S.C. 32912 for what NHTSA must

consider in raising CAFE penalty rates under that section interact with NHTSA's obligations under the Inflation Adjustment Act. NHTSA therefore seeks comment on the following:

- If NHTSA were to consider potential "negative economic impacts" associated with raising the CAFE penalty rate, what impacts, specifically, should NHTSA evaluate, why are those impacts relevant and not others, and what magnitude of impacts should be regarded as constituting "negative economic impacts"?
- Do commenters have information that could be useful to NHTSA in evaluating "negative economic impacts" that they would be willing to provide?
- "Negative economic impact" also potentially requires the agency to consider impacts that are similar to those considered in cost-benefit analysis. For example:
 - If there are increased prices due to increased penalties, what effect may that have on sales, including transfer of sales from new vehicles to used vehicles?
 - If any impact on sales exists, would there be any adverse safety, fuel economy, or environmental impacts if consumers remain in older vehicles, which are less likely to have advanced safety and environmental features, or may be less fuel efficient than new model year vehicles? Would rising prices have a disproportionate impact on rural and disadvantaged communities, including with respect to safety, fuel economy, and environmental benefits?
 - If prices are affected by raising the penalties, would this restrict consumer choice?
 - If the prices of new model year vehicles rise as a result of higher CAFE penalties, would there be an impact on the price of older model year vehicles, and what economic impact might there be as a result?
 - If increased penalties increase the costs of vehicles, would that lead to any secondary economic impacts on the nation, on a state or group of states, or on a region within a state or group of states, if as a result consumers spend less money on other desired goods and services?
 - If penalties rise, could that create disincentives for automakers to build certain types of vehicles with lower fuel economy, such as vehicles specially designed to accommodate Americans with disabilities? And if, as a result of higher CAFE penalties, the prices of such vehicles rise or the availability of such vehicles falls, what might be the impact on consumers of such vehicles?

¹⁶ See Section 701(c), Public Law 114–74.

¹⁷ OMB Guidance, at 3.

¹⁸ *Id.*

- Do commenters believe that the EPCA considerations for raising CAFE penalty rates under 49 U.S.C. 32912 are relevant to the catch-up adjustment required by the Inflation Adjustment Act? Why or why not?

- Do commenters believe that the EPCA considerations for “substantial deleterious impact” are relevant to a determination of “negative economic impact”? If so, do commenters believe that those considerations *must be* accounted for in determining negative economic impact, or simply that they are informational, and what is the legal basis for that belief?

- If the EPCA considerations are relevant, how should they be applied in this instance?

- Do commenters have data suggesting what levels of “substantial energy conservation,” as envisioned by EPCA, would outweigh any “substantial deleterious impact” of raising penalties? Why or why not?

- Assuming the factors under 32912 are relevant, can commenters provide specific, documented information (including references to the sources relied on) with regard to the following:

- Would there be any potential effects on employment nationally, on specific states or groups of states, or within regions of a state or groups of states, which could result from raising the CAFE penalty rate any amount between \$5.50 per tenth of a mile per gallon and \$14 per tenth of a mile per gallon?

- Would rising penalties affect employment on specific sectors of the economy?

- Are there any potential effects on competition within the automotive sector and the market shares of individual automakers that could result from raising the CAFE penalty rate any amount between \$5.50 per tenth of a mile per gallon and \$14 per tenth of a mile per gallon?

- Are there any potential effects on automobile imports that could result from raising the CAFE penalty rate any amount between \$5.50 per tenth of a mile per gallon and \$14 per tenth of a mile per gallon?

Finally, regarding whether NHTSA used the appropriate base year to calculate the adjustment in the interim final rule, should NHTSA instead use the passage of EISA in 2007 as the “base year” for calculating the catch-up adjustment? Do commenters believe that Congress, as a whole, “adjusted” or re-“established” the CAFE penalty amount in EISA within the meaning of the Inflation Adjustment Act when Congress amended the penalty provision? What is the basis for

commenters’ belief? That is, could it be argued that Congress, as a whole, explicitly considered and rejected a change to the specific civil penalty dollar amount in the statute (\$5.00) and instead ratified the penalty while at the same time amending the penalty provision to authorize the use of civil penalty revenue to support NHTSA’s CAFE rulemaking and to support research and development of the advanced technology vehicles?¹⁹ Under such an interpretation, Congress may have re-“established” the CAFE penalty in 2007, meaning that it could be used as the base year to apply the inflation adjustment multiplier. If so, what would the economic consequences of such a change in base year be?

In the event that NHTSA decides that it should adopt a CAFE civil penalty level other than \$14, how much lead time (in model years) should NHTSA provide to manufacturers to allow them to adjust their production to the new penalty level? What is the factual and legal basis to support such lead time if NHTSA determines to adopt a different penalty level?

III. CAFE Penalty During Reconsideration

Since NHTSA is reconsidering its December 28, 2016 final rule, including whether \$14 per tenth of a mile per gallon is the appropriate inflationary-adjusted penalty level, NHTSA is delaying the effective date of the final rule pending reconsideration in a separate document also published in this **Federal Register**. During reconsideration, the applicable civil penalty rate is \$5.50 per tenth of a mile per gallon, which was the civil penalty rate prior to NHTSA’s inflationary adjustment. Since \$5.50 is also the penalty rate that applies under the December 28, 2016 final rule until Model Year 2019, NHTSA expects that delaying the final rule pending reconsideration will not affect the actual payment of CAFE penalties that would have otherwise applied prior to Model Year 2019.

¹⁹ In a September 16, 2016 letter to NHTSA supplementing their August 1, 2016 petition for reconsideration of the July 5, 2016 interim final rule adjusting the CAFE penalties, the petitioners argued that Congress had considered increasing the CAFE penalty and instead ultimately ratified the existing one. As support for this argument, the petitioners cited a subcommittee discussion draft of June 1, 2007, published in the record of a hearing before the Subcommittee on Energy and Air Quality of the House Committee on Energy and Commerce entitled “Legislative Hearing on Discussion Draft Concerning Alternative Fuels, Infrastructure and Vehicles,” June 7, 2007, Serial Number 110–53, available at <https://www.gpo.gov/fdsys/pkg/CHRG-110hhrg42440/pdf/CHRG-110hhrg42440.pdf>.

NHTSA expects that its inflationary adjustment will provide lead time in advance of assessing a new CAFE penalty level.²⁰ As NHTSA explained in the December 28, 2016 **Federal Register** document, absent lead time, increasing the civil penalties for falling short of CAFE standards would not lead to an increase in fuel economy. Most manufacturers could not alter their compliance plans in response to the increase in civil penalties for several model years, and therefore raising the penalty rate without lead time would seem to impose retroactive punishment without generating any additional fuel savings. Neither of these outcomes seems consistent with Congress’ intent either in EPCA or in the Inflation Adjustment Act.

IV. Public Participation

NHTSA requests comment on all aspects of this document. This section describes how you can participate in this process.

How do I prepare and submit comments?

To ensure that your comments are correctly filed in the Docket, please include the Docket Number NHTSA–2017–0073 in your comments. Your comments must not be more than 15 pages long.²¹ NHTSA established this limit to encourage you to write your primary comments in a concise fashion. However, you may attach necessary additional documents to your comments, and there is no limit on the length of the attachments. If you are submitting comments electronically as a PDF (Adobe) file, NHTSA asks that the documents be submitted using the Optical Character Recognition (OCR) process, thus allowing NHTSA to search and copy certain portions of your submissions.²² Please note that pursuant to the Data Quality Act, in order for substantive data to be relied on and used by NHTSA, it must meet the information quality standards set forth in the OMB and DOT Data Quality Act guidelines. Accordingly, NHTSA encourages you to consult the guidelines in preparing your comments. DOT’s guidelines may be accessed at <https://www.transportation.gov/regulations/dot-information-dissemination-quality-guidelines>.

²⁰ The appropriate lead time is one of the issues on which NHTSA is seeking public comment.

²¹ See 49 CFR 553.21.

²² Optical character recognition (OCR) is the process of converting an image of text, such as a scanned paper document or electronic fax file, into computer-editable text.

Tips for Preparing Your Comments

When submitting comments, please remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- Explain why you agree or disagree, suggest alternatives, and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns, and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified in the **DATES** section above.

How can I be sure that my comments were received?

If you submit your comments by mail and wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

How do I submit confidential business information?

If you wish to submit any information under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, NHTSA, at the address given above under **FOR FURTHER INFORMATION CONTACT**. When you send a comment containing confidential business information, you should include a cover letter setting forth the information specified in NHTSA's confidential business information regulation.²³

In addition, you should submit a copy from which you have deleted the claimed confidential business information to the Docket by one of the methods set forth above.

Will NHTSA consider late comments?

NHTSA will consider all comments received before midnight Eastern Standard Time on the comment closing date indicated above under **DATES**. To the extent practicable, NHTSA will also

consider comments received after that date. If a comment is received too late for us to practicably consider as part of this action, NHTSA will consider that comment as an informal suggestion for a future rulemaking action.

How can I read the comments submitted by other people?

You may read the materials placed in the docket for this document (e.g., the comments submitted in response to this document by other interested persons) at any time by going to <http://www.regulations.gov> and following the online instructions for accessing the dockets. You may also read the materials at the DOT Docket Management Facility by going to the street address given above under **ADDRESSES**.

V. Regulatory Notices and Analyses

A. Executive Order 12866, Executive Order 13563, and DOT Regulatory Policies and Procedures

NHTSA has considered the impact of this rulemaking action under Executive Order 12866, Executive Order 13563, and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under Executive Order 12866 or Executive Order 13563. This action is limited to seeking comment on an adjustment of a civil penalty under a statute that NHTSA enforces, and has been determined not to be "significant" under the Department of Transportation's regulatory policies and procedures and the policies of the Office of Management and Budget. Because this rulemaking seeks comment on the penalty amounts enacted under the IFR and does not change the number of entities that are subject to civil penalties, the impacts are anticipated to be non-significant.

B. Regulatory Flexibility Act

NHTSA has also considered the impacts of this rule under the Regulatory Flexibility Act. I certify that this rule will not have a significant impact on a substantial number of small entities. The following provides the factual basis for this certification under 5 U.S.C. 605(b). The amendments only affect manufacturers of motor vehicles. Low-volume manufacturers can petition NHTSA for an alternate CAFE standard under 49 CFR part 525, which lessens the impacts of this rulemaking on small businesses by allowing them to avoid liability for potential penalties under 49 CFR 578.6(h)(2). Small organizations and governmental jurisdictions will not be significantly affected as the price of

motor vehicles and equipment ought not change as the result of this rule.

C. Executive Order 13132 (Federalism)

Executive Order 13132 requires NHTSA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" is defined in the Executive Order to include regulations that have "substantial direct effects 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." Under Executive Order 13132, the agency may not issue a regulation with Federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or the agency consults with State and local governments early in the process of developing the proposed regulation.

This rule will not have substantial direct effects 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, as specified in Executive Order 13132. The reason is that this rule applies to motor vehicle manufacturers. Thus, the requirements of Section 6 of the Executive Order do not apply.

D. Unfunded Mandates Reform Act of 1995 (UMRA)

The Unfunded Mandates Reform Act of 1995, Public Law 104-4, requires agencies to prepare a written assessment of the cost, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually. Because NHTSA does not believe that this rule will necessarily have a \$100 million effect, no Unfunded Mandates assessment will be prepared.

E. Executive Order 12778 (Civil Justice Reform)

This rule does not have a retroactive or preemptive effect. Judicial review of this rule may be obtained pursuant to 5 U.S.C. 702. That section does not require that a petition for

²³ 49 CFR part 512.

reconsideration be filed prior to seeking judicial review.

F. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980, NHTSA states that there are no requirements for information collection associated with this rulemaking action.

G. Privacy Act

Please note that anyone is able to search the electronic form of all comments received into any of DOT's dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78) or you may visit <https://www.transportation.gov/privacy>.

Jack Danielson,

Acting Deputy Administrator.

[FR Doc. 2017–14525 Filed 7–7–17; 11:15 am]

BILLING CODE 4910–59–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket Number 170314267–7566–02]

RIN 0648–BG48

Fisheries of the Northeastern United States; Monkfish; Framework Adjustment 10

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: This action approves and implements regulations submitted by the New England and Mid-Atlantic Fishery Management Councils in Framework Adjustment 10 to the Monkfish Fishery Management Plan. This action sets monkfish specifications for fishing years 2017–2019 (May 1, 2017 through April 30, 2020). It also increases current days-at-sea allocations and trip limits. This action is intended to allow the fishery to more effectively harvest its optimum yield.

DATES: This rule is effective July 12, 2017.

ADDRESSES: Copies of Framework Adjustment 10 and the accompanying environmental assessment (EA) are available on request from: John K. Bullard, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930. Framework 10 and the EA are also accessible via the Internet at: <https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/monkfish/index.html>. These documents are also accessible via the Federal eRulemaking Portal: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: William Whitmore, Fishery Policy Analyst, (978) 281–9182.

SUPPLEMENTARY INFORMATION:

Background

The New England and the Mid-Atlantic Fishery Management Councils jointly manage the Monkfish Fishery Management Plan (FMP). The fishery

extends from Maine to North Carolina from the coast out to the end of the continental shelf. The Councils manage the fishery as two management units, with the Northern Fishery Management Area (NFMA) covering the Gulf of Maine (GOM) and northern part of Georges Bank, and the Southern Fishery Management Area (SFMA) extending from the southern flank of Georges Bank through Southern New England and into the Mid-Atlantic Bight to North Carolina.

The monkfish fishery is primarily managed by landing limits and a yearly allocation of monkfish days-at-sea (DAS) calculated to enable vessels participating in the fishery to catch, but not exceed, the target total allowable landings (TAL) for each management area. The catch limits are calculated to maximize yield in the fishery over the long term. Based on a yearly evaluation of the monkfish fishery, the Councils may revise existing management measures through the framework provisions of the FMP to better achieve the goals and objectives of the FMP and achieve optimum yield, as required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The monkfish fishery has not fully harvested its quota since 2011. The fishery underharvested its available quota in the last three years (Table 1). The Councils developed Framework 10 to enhance the operational efficiency of existing management measures in an effort to better achieve optimum yield.

TABLE 1—MONKFISH LANDINGS COMPARISON FOR FISHING YEARS 2013–2015

Management area	Target TAL (mt) for fishing years 2013–2015	2013 Landings (mt)	2014 Landings (mt)	2015 Landings (mt)	Average percent (%) of TAL landed 2013–2015
NFMA	5,854	3,596	3,403	4,080	63
SFMA	8,925	5,088	5,415	4,733	57

Approved Measures

1. Establish Specifications for Fishing Years 2017–2019

This action retains the biological reference points previously established in Framework 8 (79 FR 41919; July 8, 2014). The overfishing limit (OFL) for fishing years 2017–2019 (May 1, 2017 through April 30, 2020) is 17,805 mt for

the NFMA and 23,204 mt for the SFMA. The acceptable biological catch (ABC) for each area, which equals the annual catch limit (ACL), is 7,592 mt for the NFMA and 12,316 mt for the SFMA. Additional background information on these specifications is available in the proposed rule (82 FR 21498; May 9, 2017), and is not repeated here.

Although the biological reference points are unchanged, this action increases monkfish total allowable landings (TAL), or quotas, for the next three fishing years (Table 2). The TALs are derived after reducing an assumed amount of discards and a management uncertainty buffer from the ABC.

TABLE 2—SPECIFICATION CHANGES IN FRAMEWORK ADJUSTMENT 10 FOR FISHING YEARS 2017–2019

Management area	Management uncertainty buffer		Discard rate		Total allowable landings (TAL)		TAL change (%)
	Previous (%)	Revised (%)	Previous (%)	Revised (%)	Previous (mt)	Revised (mt)	
NFMA	13.5	3	10.9	13.9	5,854	6,338	8.27
SFMA	6.5	3	22.5	24.6	8,925	9,011	0.96

Framework 10 updates the discard rates for both management areas using operational assessment discard information from fishing years 2013–2015 (Table 2). These changes slightly increase the discard rate in both management areas, which in itself would decrease the TAL.

However, Framework 10 also reduces the management uncertainty buffers to 3 percent (Table 2). The management

uncertainty buffers are used as an offset between the ACL and TAL to prevent the ACL from being exceeded. The approach used to calculate discards has performed well in the past; an adequate amount of discards has been forecasted, reducing the likelihood of the ACL being exceeded. Further, as previously explained, the TALs have been consistently underharvested in both areas. As a result, there is little risk of

exceeding the TALs and a more substantive management uncertainty buffer is no longer necessary.

2. Monkfish DAS and Trip Limit Increases

This action approves trip limit increases in both management areas (Table 3) as well as a DAS increase in the SFMA.

TABLE 3—TRIP LIMIT CHANGES IN FRAMEWORK ADJUSTMENT 10 *

Permit category	NFMA		SFMA	
	Previous limit	Revised limit	Previous limit	Revised limit
A	No Changes		610 lb (277 kg)	700 lb (318 kg)
B			500 lb (227 kg)	575 lb (261 kg)
C	600 lb (272 kg)	900 lb (408 kg)	610 lb (277 kg)	700 lb (318 kg)
D	500 lb (227 kg)	750 lb (340 kg)	500 lb (227 kg)	575 lb (261 kg)

* Trip limit values are monkfish tail weights.

In the NFMA, this action increases incidental landing limits for Category C and D vessels fishing on a groundfish DAS. Vessels targeting groundfish land most of the monkfish in the NFMA. Increasing the incidental trip limits for vessels targeting groundfish may increase monkfish landings. Increasing the incidental trip limit also allows these vessels to retain additional monkfish that otherwise would have been discarded when fishing solely on a groundfish DAS under the previous (lower) trip limits. This measure reduces the administrative burden for most these vessels because they will no longer need to declare a monkfish DAS to retain a higher monkfish possession limit.

In the SFMA, the DAS allocation and trip limits will increase by 15 percent (Table 3). Monkfish permitted vessels can fish in the SFMA for 37 DAS (an increase of 5 DAS). The majority of monkfish landings in the SFMA come from vessels directly targeting monkfish. Vessels directing on monkfish in the SFMA are more restricted by DAS allocations and trip limits than vessels fishing in the NFMA. Therefore, these trip limit and DAS increases are projected to generate more fishing

opportunities and landings in the SFMA.

Comments and Responses on Measures Proposed in Framework 10

We received four comments on the proposed rule, two comments from members of the fishing industry and two comments from the general public. One commenter suggested that the incidental landing limits for the open access fishery be increased. One commenter requested that the current management measures should remain unchanged. Two comments argued that monkfish need additional protections. We consolidated responses to similar comments and our responses are below.

Comment 1: One commenter stated that vessel trip limits for the open-access category vessels (permit Category E) that catch an incidental limit of monkfish should increase.

Response: This suggestion was not considered by the Councils in this action, is not within the scope of this action, and would need to be proposed in a future action. As a result, the Category E possession limits remain unchanged.

Comment 2: One commenter suggested that no changes be

implemented due to uncertainties in the fishery.

Response: Although the stock assessment model was not used in the recent operational assessment update, there is still plenty of scientific and catch data, which was recently reviewed in an operational assessment and endorsed by the Council's Scientific and Statistical Committee. This action incorporates the best scientific information available. Furthermore, this action retains scientific uncertainty buffers between the OFL and ABCs and management uncertainty buffers between the ACLs and TALs. These buffers are designed to specifically ensure that there is a low likelihood of overfishing the monkfish stock. The fishery remains in a healthy state and is currently underharvested and underutilized. We are approving this action to increase harvests in an effort to better achieve optimum yield.

Comment 3: Two commenters argued that more restrictive management measures are necessary to protect monkfish.

Response: As explained in Comment 2, the fishery remains in a healthy state and is currently underharvested and underutilized. The monkfish fishery is not in a rebuilding plan, is not subject

to overfishing, and is not considered overfished. Measures approved in this action will further promote a sustainable fishery.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that the management measures implemented in this final rule are necessary for the conservation and management of the Monkfish fishery and consistent with the Magnuson-Stevens Act, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order (E.O.) 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) at the proposed rule stage that this action would not have a significant economic effect on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification, and the initial certification remains unchanged. As a result, a final regulatory flexibility analysis is not required and none has been prepared.

The Assistant Administrator for Fisheries finds good cause, under 5 U.S.C. 553(d)(3), to waive the 30-day delayed effectiveness of this action. As explained in the preamble, this rule provides immediate benefits to the fishing industry and does not require any new regulatory restrictions that would require fishermen to modify their fishing operations. Further delay of this action would reduce the positive economic impacts that are intended by these measures, prevent regulatory discards from being reduced, require the use of unnecessary effort controls (*e.g.*, DAS restrictions), retain unnecessary administrative measures, and further prevent the fishery from achieving optimum yield. This action increases trip limits by 50 percent in the NFMA and 15 percent SFMA and increases the DAS that can be fished in the SFMA by 15 percent. Increasing the trip limits removes the need for many fishermen to use a DAS when fishing for monkfish, reducing the administrative burden on fishermen. This modification also provides additional fishing opportunities. Increasing the trip limit and removing the need for fishermen to utilize a DAS also reduces the risk of fishermen discarding monkfish due to trip limit restrictions under a DAS. These changes represent substantial benefits to fishermen.

Furthermore, the fishing year started on May 1, 2017. Since much of the fishing effort on monkfish occurs during the months of May and June, any additional delay implementing these measures would further reduce the positive economic impacts that are intended by these measures and frustrate fishermen.

This action was designed to increase fishing opportunities and catch. Any delay in implementing this action reduces the ability for the fishery to harvest its optimum yield. For the reasons explained above, this action is not subject to the 30-day delayed effectiveness provision of the Administrative Procedures Act (APA).

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: July 6, 2017.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 648 is amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 1. The authority citation for part 648 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 2. In § 648.92, revise paragraph (b)(1)(ii) to read as follows:

§ 648.92 Effort-control program for monkfish limited access vessels.

* * * * *

(b) * * *

(1) * * *

(ii) *DAS restrictions for vessels fishing in the SFMA.* A vessel issued a limited access monkfish permit may not use more than 37 of its 46 monkfish DAS allocation in the SFMA during each fishing year. Each vessel issued a limited access monkfish permit fishing in the SFMA must declare that it is fishing in this area through the vessel call-in system or VMS prior to the start of every trip. In addition, if a vessel does not possess a valid letter of authorization from the Regional Administrator to fish in the NFMA as described in § 648.94(f), NMFS shall presume that any monkfish DAS used were fished in the SFMA.

* * * * *

■ 3. In § 648.94, revise paragraphs (b)(2)(i), (b)(2)(ii) and (b)(3)(i) to read as follows:

§ 648.94 Monkfish possession and landing restrictions.

* * * * *

(b) * * *

(2) *Vessels fishing under the monkfish DAS program in the SFMA*—(i) *Category A, C, and G vessels.* A vessel issued a limited access monkfish Category A, C, or G permit that fishes under a monkfish DAS in the SFMA may land up to 700 lb (318 kg) tail weight or 2,037 lb (924 kg) whole weight of monkfish per DAS (or any prorated combination of tail weight and whole weight based on the conversion factor for tail weight to whole weight of 2.91). For every 1 lb (0.45 kg) of tail-only weight landed, the vessel may land up to 1.91 lb (0.87 kg) of monkfish heads only, as described in paragraph (a) of this section.

(ii) *Category B, D, and H vessels.* A vessel issued a limited access monkfish Category B, D, or H permit that fishes under a monkfish DAS in the SFMA may land up to 575 lb (261 kg) tail weight or 1,673 lb (759 kg) whole weight of monkfish per DAS (or any prorated combination of tail weight and whole weight based on the conversion factor for tail weight to whole weight of 2.91). For every 1 lb (0.45 kg) of tail-only weight landed, the vessel may land up to 1.91 lb (0.87) of monkfish heads only, as described in paragraph (a) of this section.

* * * * *

(3) *Category C, D, F, G, and H vessels fishing under the multispecies DAS program*—(i) *NFMA.* Unless otherwise specified in paragraph (b)(1) of this section, a vessel issued a limited access monkfish Category C permit that fishes under a NE multispecies DAS, and not a monkfish DAS, exclusively in the NFMA may land up to 900 lb (408 kg) tail weight or 2,619 lb (1,188 kg) whole weight of monkfish per DAS (or any prorated combination of tail weight and whole weight based on the conversion factor for tail weight to whole weight of 2.91). A vessel issued a limited access monkfish Category D permit that fishes under a NE multispecies DAS, and not a monkfish DAS, exclusively in the NFMA may land up to 750 lb (340 kg) tail weight or 2,183 lb (990 kg) whole weight of monkfish per DAS (or any prorated combination of tail weight and whole weight based on the conversion factor for tail weight to whole weight of 2.91). A vessel issued a limited access monkfish Category C, D, or F permit participating in the NE Multispecies Regular B DAS program, as specified under § 648.85(b)(6), is also subject to the incidental landing limit specified in

paragraph (c)(1)(i) of this section on
such trips.

* * * * *

[FR Doc. 2017-14562 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 82, No. 132

Wednesday, July 12, 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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2017-0461; Airspace Docket No. 17-AEA-5]

Proposed Amendment of VOR Federal Airways V-16, V-31, V-93, V-157, V-213, and V-229 in the Vicinity of Patuxent River, MD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend VHF Omnidirectional Range (VOR) Federal airways V-16, V-31, V-93, V-157, V-213, and V-229 near Patuxent River, MD. The modifications are required due to the planned decommissioning of the Patuxent VORTAC, Patuxent River, MD, navigation aid, which provides navigation guidance for portions of the above routes.

DATES: Comments must be received on or before August 28, 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: 1 (800) 647-5527 or (202) 366-9826. You must identify FAA Docket No. FAA-2017-0461 and Airspace Docket No. 17-AEA-5 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. The Docket Office (telephone 1 (800) 647-5527), is on the ground floor of the building at the above address.

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: Paul Gallant, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267-8783.

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 the 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 modify the VOR Federal airway route structure in the eastern United States to maintain the efficient flow of air traffic.

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 (FAA Docket No. FAA-2017-0461 and Airspace Docket No. 17-AEA-5) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Commenters 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 FAA Docket No. FAA-2017-0461 and Airspace Docket No. 17-AEA-5." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. 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 **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 during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA 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 proposing an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to modify the descriptions of VOR Federal airways V-16, V-31, V-93, V-157, V-213, and V-229 due to the planned decommissioning of the Patuxent, MD, VORTAC. The proposed route changes are described below.

V-16: V-16 currently extends between the Los Angeles, CA, VORTAC and the Boston, MA, VOR/DME. Decommissioning of the Patuxent, MD, VORTAC would require modification of that portion of V-16 between the Richmond, VA, VORTAC and the Smyrna, DE, VORTAC as follows. After Richmond, the COLIN, VA, intersection (currently defined by the intersection of the Richmond 039° and the Patuxent, MD, VORTAC 228° radials) would be redefined as the intersection of the Harcum, VA, VORTAC 003°(T)/010°(M) and the Richmond, VA, VORTAC 040°(T)/049°(M) radials. The segments of V-16 between the COLIN, VA, intersection and the Smyrna, DE, VORTAC would be removed. This would result in a gap in the airway between COLIN, VA, intersection and Smyrna, DE, VORTAC. The amended V-16 would extend between the Los Angeles, CA, VORTAC and the COLIN, VA, intersection; and then between the Smyrna, DE, VORTAC and the Boston, MA, VOR/DME.

V-31: V-31 currently extends between the Patuxent, MD, VORTAC and the Nottingham, MD, VORTAC; and between the Baltimore, MD, VORTAC and the intersection of the Rochester, NY, VOR/DME 279° and the Buffalo, NY, VOR/DME 023° radials. The proposed amendment would remove the airway segments between the Patuxent, MD, VORTAC and the Nottingham, MD, VORTAC, leaving the segments extending between the Baltimore, MD, VORTAC and the intersection of the above Rochester, NY, and Buffalo, NY, radials as currently charted.

V-93: V-93 currently extends between the Patuxent, MD, VORTAC and the intersection of the Wilkes-Barre, PA, VORTAC 037° and the Sparta, NJ, VORTAC 300° radials; and between the intersection of the Sparta, NJ, VORTAC 018° and the Kingston, NY, VOR/DME 270° radials and the Bangor, ME, VORTAC. The proposed amendment would remove the segment between the Patuxent, MD, VORTAC and the Baltimore, MD, VORTAC. The amended airway would extend between the Baltimore, MD, VORTAC and the intersection of the Wilkes-Barre, PA, VORTAC 037° and the Sparta, NJ, VORTAC 300° radials; and then the airway would continue from the intersection of the Sparta, NJ, VORTAC 018° and the Kingston, NY, VOR/DME 270° radials to the Bangor, ME, VORTAC, as currently charted.

V-157: V-157 currently extends between the Key West, FL, VORTAC and the Albany, NY, VORTAC. The proposed amendment would modify that portion of the route between the Richmond, VA, VORTAC and the Smyrna, DE, VORTAC as follows. After Richmond, the COLIN, VA, intersection (currently defined by the intersection of the Richmond, VA, VORTAC 039° and the Patuxent, MD, VORTAC 228° radials) would be redefined as the intersection of the Harcum, VA, VORTAC 003°(T)/010°(M) and the Richmond, VA, VORTAC 040°(T)/049°(M) radials. The segments of V-157 between the COLIN, VA, intersection and the Smyrna, DE, VORTAC would be removed. This would result in a gap in the airway between the COLIN, VA, intersection and the Smyrna, DE, VORTAC. The amended V-157 would extend between Key West, FL, and the COLIN intersection; and then between the Smyrna, DE, VORTAC and the Albany, NY, VORTAC.

V-213: V-213 currently extends between the Grand Strand, SC, VORTAC and the Albany, NY, VORTAC. The proposed removal of the Patuxent, MD, VORTAC from the route would require an amendment between the current intersection of the Hopewell, VA, VORTAC 019° and the Brooke, VA, VORTAC 132° radials and the Smyrna, DE, VORTAC. V-213 would be amended as follows. After the intersection of the above Hopewell, VA, VORTAC 019° and the Brooke, VA, VORTAC 132° radials, the airway would proceed to the COLIN, VA, intersection (defined by the intersection of the Harcum, VA, VORTAC 003°(T)/010°(M) and the Richmond, VA, VORTAC 040°(T)/049°(M) radials). The segments of the route between the COLIN intersection, through the Patuxent, MD,

VORTAC, to the Smyrna, DE, VORTAC would be removed. The amended V-213 would extend between Grand Strand, SC, VORTAC and the COLIN, VA, intersection; and then between the Smyrna, DE, VORTAC and the Albany, NY, VORTAC. This would result in a gap in the route between the COLIN, VA, intersection and the Smyrna, DE, VORTAC.

V-229: V-229 currently extends between the Patuxent, MD, VORTAC and the Burlington, VT, VOR/DME. The proposed amendment would remove the route segments between the Patuxent, MD, VORTAC and the Atlantic City, NJ, VORTAC. The amended route would extend between the Atlantic City, NJ, VORTAC and the Burlington, VT, VOR/DME.

New navigation aid radials in the route descriptions below are stated in both True (T) and Magnetic (M) degrees. All other listed radials are unchanged and reflect True degrees.

The restricted area exclusionary language in the descriptions of V-16, V-157, and V-229 is updated to reflect current restricted area configurations.

Domestic VOR Federal airways are published in paragraph 6010(a) 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 VOR Federal airways listed in this document would be subsequently published 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 Department of Transportation (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 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 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 and effective September 15, 2016, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V-16 [Amended]

From Los Angeles, CA; Paradise, CA; Palm Springs, CA; Blythe, CA; Buckeye, AZ; Phoenix, AZ; INT Phoenix 155° and Stanfield, AZ, 105° radials; Tucson, AZ; San Simon, AZ; INT San Simon 119° and Columbus, NM, 277° radials; Columbus, El Paso, TX; Salt Flat, TX; Wink, TX; INT Wink 066° and Big Spring, TX, 260° radials; Big Spring; Abilene, TX; Bowie, TX; Bonham, TX; Paris, TX; Texarkana, AR; Pine Bluff, AR; Marvell, AR; Holly Springs, MS; Jacks Creek, TN; Shelbyville, TN; Hinch Mountain, TN; Volunteer, TN; Holston Mountain, TN; Pulaski, VA; Roanoke, VA; Lynchburg, VA; Flat Rock, VA; Richmond, VA; to INT Harcum, VA 003°(T)/010°(M) and Richmond 040°(T)/049°(M) radials. From Smyrna, DE; Cedar Lake, NJ; Coyle, NJ; INT Coyle 036° and Kennedy, NY, 209° radials; Kennedy; INT Kennedy 040° and Calverton, NY 261° radials; Calverton; Norwich, CT; Boston, MA. The airspace within Mexico and the airspace below 2,000 feet MSL outside the United States is excluded. The airspace within Restricted Areas R-5002A, R-5002C, and R-5002D, and the airspace within restricted areas R-4005, R-4006, and R-4007 is excluded during their times of use.

V-31 [Amended]

From Baltimore, MD; INT Baltimore 004° and Harrisburg, PA, 147° radials; Harrisburg; Selinsgrove, PA; Williamsport, PA; Elmira, NY; INT Elmira 002° and Rochester, NY, 120° radials; Rochester; to INT Rochester 279° and Buffalo, NY 023° radials.

V-93 [Amended]

From Baltimore, MD; INT Baltimore 004° and Lancaster, PA, 214° radials; Lancaster; Wilkes-Barre, PA; to INT Wilkes-Barre 037° and Sparta, NJ 300° radials. From INT Sparta 018° and Kingston, NY, 270° radials; Kingston; Pawling, NY; Chester, MA, 12 miles 7 miles wide (4 miles E and 3 miles W of centerline); Keene, NH; Concord, NH; Kennebunk, ME; INT Kennebunk 045° and Bangor, ME, 220° radials; to Bangor.

V-157 [Amended]

From Key West, FL; INT Key West 038° and Dolphin, FL, 244° radials; Dolphin; INT Dolphin 331° and La Belle, FL, 113° radials; La Belle; Lakeland, FL; Ocala, FL; INT Ocala 346° and Taylor, FL, 170° radials; Taylor, FL; Waycross, GA; Alma, GA; Allendale, SC; Vance, SC; Florence, SC; Fayetteville, NC; Kinston, NC; Tar River, NC; Lawrenceville, VA; Richmond, VA; to INT Harcum, VA 003°(T)/010°(M) and Richmond 040°(T)/049°(M) radials. From Smyrna, DE; Woodstown, NJ; Robbinsville, NJ; INT Robbinsville 044° and LaGuardia, NY, 213° radials; LaGuardia; INT LaGuardia 032° and Deer Park, NY, 326° radials; INT Deer Park 326° and Kingston, NY, 191° radials; Kingston, NY; to Albany, NY. The airspace within restricted areas R-4005, R-4006, R-4007, and R-6602A is excluded during their times of use.

V-213 [Amended]

From Grand Strand, SC, via Wilmington, NC; INT Wilmington 352° and Tar River, NC, 191° radials; Tar River; Hopewell, VA; INT Hopewell 019° and Brooke, VA, 132° radials; to INT Harcum, VA 003°(T)/010°(M) and Richmond 040°(T)/049°(M) radials. From Smyrna, DE; INT Smyrna 035° and Robbinsville, NJ, 228° radials; Robbinsville; INT Robbinsville 014° and Sparta, NJ, 174° radials; Sparta; to Albany, NY. The airspace within restricted areas R-4005, R-4006, and R-4007 is excluded during their times of use.

V-229 [Amended]

From Atlantic City, NJ; INT Atlantic City 055° and Colts Neck, NJ, 181° radials; INT Colts Neck 181° and Kennedy, NY, 209° radials; Kennedy; INT Kennedy 040° and Calverton, NY, 261° radials; INT Calverton 261° and Kennedy 053° radials; INT Kennedy 053° and Bridgeport, CT, 200° radials; Bridgeport; Hartford, CT; INT Hartford 040° and Gardner, MA, 195° radials; Gardner; Keene, NH; INT Keene 336° and Burlington, VT, 160° radials; to Burlington. The airspace within restricted areas R-5002B, R-5002E, and R-5002F is excluded during their times of use.

* * * * *

Issued in Washington, DC, on July 5, 2017.

Scott M. Rosenbloom,

Acting Manager, Airspace Policy Group.

[FR Doc. 2017-14524 Filed 7-11-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2017-0143; Airspace Docket No. 17-AGL-5]

Proposed Amendment of Class E Airspace, for Stevens Point, WI

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 Stevens Point Municipal Airport, Stevens Point, WI. Airspace reconfiguration is necessary due to the decommissioning of the Stevens Point col-located VHF Omnidirectional Range Tactical Air Navigation System (VORTAC) and cancellation of the VOR approaches.

DATES: Comments must be received on or before August 28, 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 1-800-647-5527. You must identify FAA Docket No. FAA-2017-0143 and Airspace Docket No. 17-AGL-5, 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:

Walter Tweedy (prepared by Ron Laster), Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5802.

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 airspace Class E airspace extending upward from 700 feet above the surface at Stevens Point Municipal Airport, Stevens Point, WI, to support IFR operations 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-2017-0143/Airspace Docket No. 17-AGL-5." 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 6.6-mile (formerly 6.5-mile) radius of Stevens Point Municipal Airport, Stevens Point, WI.. The segments that extended each side of the Stevens Point VORTAC extending from the 6.5-mile radius northeast, east, and southwest of the VORTAC, would be removed due to the decommissioning of the VORTAC and cancellation of the VOR approaches.

The Stevens Point VORTAC has been out of service since 2012 due to extreme fluctuations and out-of-tolerance structure. The action would enhance the safety and management of the standard instrument approach procedures for IFR operations at the 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 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, 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 proposed 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.

* * * * *

AGL WI E5 Stevens Point, WI [Amended]

Stevens Point Municipal Airport, WI
(Lat. 44°32'43" N., long. 89°31'49" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Stevens Point Municipal Airport.

Issued in Fort Worth, Texas, on June 30, 2017.

Walter Tweedy,

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

[FR Doc. 2017-14527 Filed 7-11-17; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA-468]

Schedules of Controlled Substances: Removal of Naldemedine From Control

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Drug Enforcement Administration (DEA) proposes to remove naldemedine (4*R*,4*aS*,7*aR*,12*bS*)-3-(cyclopropylmethyl)-4*a*,7,9-trihydroxy-*N*-(2-(3-phenyl-1,2,4-oxadiazol-5-yl)propan-2-yl)-2,3,4,4*a*,5,7*a*-hexahydro-1*H*-4,12-methanobenzofuro[3,2-*e*]isoquinoline-6-carboxamide) including its salts from the schedules of the Controlled Substances Act (CSA). This action is pursuant to the CSA which requires that such actions be made on the record after opportunity for a hearing through formal rulemaking. Naldemedine is currently a schedule II controlled substance because it can be derived from opium alkaloids. This action would remove the regulatory controls and administrative, civil, and criminal sanctions applicable to controlled substances, including those specific to schedule II controlled substances, on persons who handle (manufacture, distribute, reverse distribute, dispense, conduct research, import, export, or conduct chemical analysis) or propose to handle naldemedine.

DATES: Interested persons may file written comments on this proposal in accordance with 21 CFR 1308.43(g). Comments must be submitted electronically or postmarked on or before August 11, 2017. Commenters should be aware that the electronic

Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period.

Interested persons, may file a request for hearing or waiver of hearing pursuant to 21 CFR 1308.44 and in accordance with 21 CFR 1316.45, 1316.47, 1316.48, and/or 1316.49, as applicable. Requests for hearing and waivers of an opportunity for a hearing or to participate in a hearing must be received on or before August 11, 2017.

ADDRESSES: To ensure proper handling of comments, please reference "Docket No. DEA-468" on all electronic and written correspondence, including any attachments.

- **Electronic comments:** The Drug Enforcement Administration encourages that all comments be submitted electronically through the Federal eRulemaking Portal which provides the ability to type short comments directly into the comment field on the Web page or attach a file for lengthier comments. Please go to <http://www.regulations.gov> and follow the online instructions at that site for submitting comments. Upon completion of your submission you will receive a Comment Tracking Number for your comment. Please be aware that submitted comments are not instantaneously available for public view on [Regulations.gov](http://www.regulations.gov). If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

- **Paper comments:** Paper comments that duplicate the electronic submission are not necessary. Should you wish to mail a paper comment, *in lieu of* an electronic comment, it should be sent via regular or express mail to: Drug Enforcement Administration, Attn: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152.

- **Hearing requests:** All requests for a hearing and waivers of participation must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for hearing and waivers of participation should be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/LJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152.

FOR FURTHER INFORMATION CONTACT: Michael J. Lewis, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701

Morrisette Drive, Springfield, Virginia 22152; Telephone: (202) 598-6812.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

Please note that all comments received in response to this docket are considered part of the public record. They will, unless reasonable cause is given, be made available by the Drug Enforcement Administration (DEA) for public inspection online at <http://www.regulations.gov>. Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter. The Freedom of Information Act (FOIA) applies to all comments received. If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be made publicly available, you must include the phrase "PERSONAL IDENTIFYING INFORMATION" in the first paragraph of your comment. You must also place all of the personal identifying information you do not want made publicly available in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment, but do not want it to be made publicly available, you must include the phrase "CONFIDENTIAL BUSINESS INFORMATION" in the first paragraph of your comment. You must also prominently identify the confidential business information to be redacted within the comment.

Comments containing personal identifying information or confidential business information identified as directed above will be made publicly available in redacted form. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be made publicly available. Comments posted to <http://www.regulations.gov> may include any personal identifying information (such as name, address, and phone number) included in the text of your electronic submission that is not identified as directed above as confidential.

An electronic copy of this document and supplemental information to this proposed rule are available at <http://www.regulations.gov> for easy reference.

Request for Hearing, or Waiver of Participation in Hearing

Pursuant to 21 U.S.C. 811(a), this action is a formal rulemaking "on the record after opportunity for a hearing." Such proceedings are conducted pursuant to the provisions of the

Administrative Procedure Act (APA), 5 U.S.C. 551–559. 21 CFR 1308.41–1308.45; 21 CFR part 1316, subpart D. In accordance with 21 CFR 1308.44(a)–(c), requests for hearing, notices of appearance, and waivers of an opportunity for a hearing or to participate in a hearing may be submitted only by interested persons, defined as those “adversely affected or aggrieved by any rule or proposed rule issuable pursuant to section 201 of the Act (21 U.S.C. 811).” 21 CFR 1300.01. Such requests or notices must conform to the requirements of 21 CFR 1308.44(a) or (b), and in accordance with 21 CFR 1316.45, 1316.47, 1316.48, and/or 1316.49 as applicable, and include a statement of interest of the person in the proceeding and the objections or issues, if any, concerning which the person desires to be heard. Any waiver must conform to the requirements of 21 CFR 1308.44(c) and may include a written statement regarding the interested person’s position on the matters of fact and law involved in any hearing.

Please note that pursuant to 21 U.S.C. 811(a), the purpose and subject matter of a hearing held in relation to this rulemaking is restricted to: “(A) find[ing] that such drug or other substance has a potential for abuse, and (B) mak[ing] with respect to such drug or other substance the findings prescribed by subsection (b) of section 812 of this title for the schedule in which such drug is to be placed * * *.” All requests for hearing and waivers of participation must be sent to the DEA using the address information provided above.

Legal Authority

Pursuant to 21 U.S.C. 811(a)(2), the Attorney General may, by rule, “remove any drug or other substance from the schedules if he finds that the drug or other substance does not meet the requirements for inclusion in any schedule.” The Attorney General has delegated scheduling authority under 21 U.S.C. 811 to the Administrator of the DEA. 28 CFR 0.100.

The CSA provides that proceedings for the issuance, amendment, or repeal of the scheduling of any drug or other substance may be initiated by the Attorney General (1) on his own motion, (2) at the request of the Secretary of the Department of Health and Human Services (HHS),¹ or (3) on the petition

of any interested party. 21 U.S.C. 811(a). This action was initiated at the request of the Acting Assistant Secretary for Health of the HHS and by a petition by the sponsor to DEA to remove naldemedine from the list of scheduled controlled substances of the CSA, and is supported by, *inter alia*, a recommendation from the Assistant Secretary of the HHS and an evaluation of all relevant data by the DEA. This action would remove the regulatory controls and administrative, civil, and criminal sanctions applicable to controlled substances, including those specific to schedule II controlled substances, on persons who handle or propose to handle naldemedine.

Background

Naldemedine, known chemically as (4*R*,4*a*S,7*a*R,12*b*S)-3-(cyclopropylmethyl)-4*a*,7,9-trihydroxy-*N*-(2-(3-phenyl-1,2,4-oxadiazol-5-yl)propan-2-yl)-2,3,4,4*a*,5,7*a*-hexahydro-1*H*-4,12-methanobenzofuro[3,2-*el*isoquinoline-6-carboxamide, is an opium alkaloid derivative. Naldemedine is a high-affinity antagonist at the mu, kappa, and delta opioid receptors. On March 23, 2016, a new drug application (NDA) was submitted by Shionogi (Sponsor) to the Food and Drug Administration (FDA) for approval of naldemedine for the treatment of opioid induced constipation in patients with chronic non-cancer pain.

On June 8, 2016, the DEA received a petition from the drug sponsor (Shionogi, Inc.), requesting that the DEA amend 21 CFR 1308.12(b)(1) to exclude naldemedine as a schedule II substance from the Controlled Substances Act (CSA). The petitioner stated that naldemedine is a potent peripherally acting mu-opioid receptor antagonist. In accordance with 21 CFR 1308.43(c), the DEA accepted the petition for filing on August 5, 2016.

On March 23, 2017, the FDA approved naldemedine for marketing under the trade name Symproic® (0.2 mg tablets).² Naldemedine is indicated for the treatment of opioid-induced constipation (OIC) in adults with chronic non-cancer pain. Opioid-induced constipation is caused by an activation of mu-opioid receptors in the gastrointestinal tract. Naldemedine, a

peripheral acting mu-opioid antagonist, can prevent OIC.

Naldemedine is a schedule II controlled substance under 21 U.S.C. 812(a)(1) and 21 CFR 1308.12(b)(1), as a derivative of opium alkaloids and opiates.

Proposed Determination To Decontrol Naldemedine

According to the HHS, the sponsor submitted a New Drug Application (NDA) for naldemedine on March 23, 2016. In the NDA submission, the sponsor requested that naldemedine and its salts be removed from all schedules for control under the CSA. Based on the NDA, the HHS mentioned that naldemedine is an antagonist of peripheral opioid receptors.

On March 22, 2017, the HHS provided the DEA with a scientific and medical evaluation document prepared by the FDA entitled “Basis for the Recommendation to Decontrol Naldemedine and its Salts from the Controlled Substances Act.” Pursuant to 21 U.S.C. 811(b), this document contained an eight-factor analysis of the abuse potential of naldemedine as a new drug, along with the HHS’ recommendation to decontrol naldemedine from the schedules of the CSA.

In response, the DEA reviewed the scientific and medical evaluations and scheduling recommendation provided by the HHS, and all other relevant data, and completed its own eight-factor review document on naldemedine pursuant to 21 U.S.C. 811(c). Included below is a brief summary of each factor as analyzed by the HHS and DEA, and as considered by the DEA in this proposal to remove naldemedine from the schedules of the CSA. Please note that both the DEA and HHS analyses are available in their entirety under “Supporting and Related Material” of the public docket for this rule at <http://www.regulations.gov> under docket number DEA–468.

1. The Drug’s Actual or Relative Potential for Abuse

Naldemedine is a high affinity peripherally acting mu-opioid receptor antagonist. According to HHS, naldemedine is not available or marketed in any country, so there is a lack of evidence of diversion, illicit manufacturing, or deliberate ingestion (HHS review, 2017). Data obtained from scientific behavioral studies (drug discrimination and self-administration) show that naldemedine does not demonstrate a potential for abuse (HHS review, 2017). In clinical studies, naldemedine did not produce euphoria

¹ As set forth in a memorandum of understanding entered into by the HHS, the FDA, and the National Institute on Drug Abuse (NIDA), the FDA acts as the lead agency within the HHS in carrying out the Secretary’s scheduling responsibilities under the CSA, with the concurrence of the NIDA. 50 FR

9518, Mar. 8, 1985. The Secretary of the HHS has delegated to the Assistant Secretary for Health of the HHS the authority to make domestic drug scheduling recommendations. 58 FR 35460, July 1, 1993.

² http://www.accessdata.fda.gov/drugsatfda_docs/applletter/2017/208854Orig1s000ltr.pdf (last accessed 04/13/2017).

or abuse potential related adverse events (AEs) (HHS review, 2017). These data demonstrate that naldemedine lacks a potential for abuse.

2. Scientific Evidence of the Drug's Pharmacological Effects, if Known

Data submitted by HHS demonstrate that naldemedine binds strongly to all three opioid receptor sites: Mu, kappa and delta, and acts as an antagonist at all three opioid receptor sites. Under both acute and chronic administration of naldemedine, penetration into the blood-brain barrier was non-significant, thereby suggesting that naldemedine is unlikely to have abuse potential (HHS review, 2017). Data obtained from *in vivo* studies conducted by Kanemasa (2015)³ demonstrate that naldemedine potentially inhibits constipating effects produced by opioids and that pretreatment with naldemedine (up to 30 mg/kg) had no influence on morphine's analgesic effect in rats.

According to the HHS, results obtained from Phase 1 study conducted in a single-dose pooled population (n = 224) showed that naldemedine was well tolerated in healthy subjects not taking opioid medications (HHS review, 2017). HHS also presented adverse events (AEs) from three pooled phase 3 repeated dose studies with naldemedine (n = 1,163 vs placebo, n = 1,165). It was noted by HHS that naldemedine was well tolerated in individuals taking opioid drugs. AEs reported at a rate $\geq 2\%$ for naldemedine included nasopharyngitis, upper respiratory tract infection, urinary tract infection, diarrhea, abdominal distention, abdominal pain, flatulence, nausea, vomiting, hyperhidrosis, arthralgia, and back pain. Headache was the only centrally-mediated AE reported (2%) for individuals taking naldemedine, but it should be noted that individuals in the placebo group also reported headaches at the same percentage (2%). There were no reports of euphoria, hallucination or other abuse-related adverse events in either the naldemedine or placebo-treated groups.

3. The State of Current Scientific Knowledge Regarding the Drug or Other Substance

Naldemedine tosylate (active ingredient in naldemedine drug product) is known chemically as (4R,4aS,7aR,12bS)-3-(cyclopropylmethyl)-4a,7,9-trihydroxy-

N-(2-(3-phenyl-1,2,4-oxadiazol-5-yl)propan-2-yl)-2,3,4,4a,5,7a-hexahydro-1H-4,12-methanobenzofuro[3,2-e]isoquinoline-6-carboxamide 4-methylbenzenesulfonate. According to HHS, naldemedine tosylate is slightly soluble in water and ethanol, soluble in methanol, and freely soluble in dimethylsulfoxide. Naldemedine tosylate is synthesized in a two-step/four-reaction derivation process from naltrexone hydrochloride, an opioid antagonist. The HHS further notes that the side chain addition makes naldemedine's lipid solubility low and thereby reduces its ability to cross the blood-brain barrier.

HHS reported that the Sponsor studied the pharmacokinetic profile of naldemedine in humans. Study participants were administered a single oral dose of naldemedine (0.1–100 mg). Data endpoints that were studied included time to peak plasma concentrations (Tmax), peak plasma concentrations (Cmax), area under the curve (AUC), and drug half-life ($t_{1/2}$). Over the tested doses (0.1–100 mg naldemedine), the pharmacokinetic parameter ranges were as follows: Tmax—0.5 to 1.0 hours; Cmax—2 ng/ml to 2,560 ng/ml; AUC—11 ng.h/ml to 3,980 ng.h/ml; $t_{1/2}$ — ~9 hours for all doses.

4. Its History and Current Pattern of Abuse

Naldemedine is not marketed in the United States or in other countries. Based on its pharmacological similarities to other opioid receptor antagonists, naltrexone, naloxone and naloxegol, it is unlikely that naldemedine possesses abuse related indications. According to the HHS, there has been no evidence of abuse-related symptoms associated with naldemedine from the preclinical and clinical studies.

5. The Scope, Duration, and Significance of Abuse

The DEA searched the National Forensic Laboratory Information System (NFLIS)⁴ and STARLiMS (a web-based, commercial laboratory information management system)⁵ databases; there

⁴ NFLIS is a national drug forensic laboratory reporting system that systematically collects results from drug chemistry analyses conducted by participating Federal, State and local forensic laboratories across the country.

⁵ STRIDE was a database of drug exhibits sent to DEA laboratories for analysis. STRIDE collected the results of drug evidence analyzed at DEA laboratories and reflects evidence submitted by the DEA, other Federal law enforcement agencies, and some local law enforcement agencies. On October 1, 2014, STARLiMS replaced STRIDE as the DEA laboratory drug evidence data system of record.

have been no reports of naldemedine seizures in the United States. As mentioned in Factors 1 and 2, there were no abuse or euphoria-related adverse events reported from naldemedine use in clinical trials submitted by the Sponsor in the NDA submission.

6. What, if any, Risk There Is to the Public Health

According to the HHS, there are no signs or symptoms that show that naldemedine has abuse potential; hence, the possibility of abuse and public health risk is very unlikely. Naldemedine at a dose up to 5-times the recommended dose did result in cardiotoxicity (Migoya et al 2017).⁶ Naldemedine's mechanism of action as a mu-opioid receptor antagonist and lack of cardiotoxicity underscores its minimal potential to be associated with public health risk and public health risk as related to abuse.

7. Its Psychic or Physiological Dependence Liability

In *in vivo* physical dependence studies, both during the drug administration period and 7 days following drug discontinuation, no symptoms of physical dependence were observed for naldemedine (HHS review, 2017). The HHS also mentioned that the lack of naldemedine self-administration by animals is consistent with a lack of psychic dependence liability. Hence, naldemedine does not have psychological or physical dependence liability.

8. Whether the Substance Is an Immediate Precursor of a Substance Already Controlled Under the CSA

Naldemedine is not considered an immediate precursor of any controlled substance.

Conclusion

Based on the recommendation of the Assistant Secretary for Health, received in accordance with section 201(b) of the Act (21 U.S.C. 811(b)), and the independent review of the available data by DEA, the Acting Administrator of DEA, pursuant to sections 201(a) and 201(b) of the Act (21 U.S.C. 811(a) and 811(c)), finds that:

(1) Naldemedine has no potential for abuse and does not meet the finding for control under any CSA schedule. Naldemedine is a high-affinity

DEA laboratory data submitted after September 30, 2014 are repositied in STARLiMS.

⁶ Migoya E, Fukumura K, Yamada T, Arjona Ferreira J. 2017. Effect of naldemedine, a peripherally acting mu-opioid receptor antagonist, on QT interval. The Journal of Pain S81:426.

³ Kanemasa T, Koike K, Arai T, Horita N, Chiba H, Tsuyoshi K, Hasegawa M. 2015. Effects of Naldemedine: A Peripherally Acting Mu-Opioid Receptor Antagonist in Rat Models of Opioid-Induced Constipation. American Journal of Gastroenterology. S110: 1322.

antagonist at the three opioid receptors, mu, delta, and kappa. It is not related in action to a drug or other substance already listed as having potential for abuse and has no abuse potential.

(2) Naldemedine has a currently accepted medical use in the United States; Naldemedine was approved for marketing on March 23, 2017 under the brand name Symproic® for the treatment of opioid-induced constipation in adults with chronic non-cancer pain.

(3) Naldemedine does not have physical or psychological dependence potential; Naldemedine does not produce physical dependence in animals. In animal self-administration studies, naldemedine did not produce significant self-administration infusions. Hence, naldemedine does not have psychological dependence liability.

Based on these findings, the Acting Administrator of DEA concludes that naldemedine does not meet the requirements for inclusion in any schedule, and should be removed from control under the CSA.

Regulatory Analyses

Executive Orders 12866 and 15363

In accordance with 21 U.S.C. 811(a), this proposed scheduling action is subject to formal rulemaking procedures performed “on the record after opportunity for a hearing,” which are conducted pursuant to the provisions of 5 U.S.C. 556 and 557. The CSA sets forth the criteria for scheduling a drug or other substance. Such actions are exempt from review by the Office of Management and Budget (OMB) pursuant to section 3(d)(1) of Executive Order 12866 and the principles reaffirmed in Executive Order 13563.

Executive Order 12988

This proposed regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

Executive Order 13132

This proposed rulemaking does not have federalism implications warranting the application of Executive Order 13132. The proposed rule does not have substantial direct effects on the States, on the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government.

Executive Order 13175

This proposed rule does not have tribal implications warranting the application of Executive Order 13175. It does not have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Regulatory Flexibility Act

The Administrator, in accordance with the Regulatory Flexibility Act (5 U.S.C. 601–612) (RFA), has reviewed this proposed rule and by approving it certifies that it will not, if promulgated, have a significant economic impact on a substantial number of small entities. The purpose of this rule is to remove naldemedine from the list of schedules of the CSA. This action will remove regulatory controls and administrative, civil, and criminal sanctions applicable to controlled substances for handlers and proposed handlers of naldemedine. Accordingly, it has the potential for some economic impact in the form of cost savings.

If finalized, the proposed rule will affect all persons who would handle, or propose to handle, naldemedine. Due to the wide variety of unidentifiable and unquantifiable variables that potentially could influence handling of naldemedine, the DEA is unable to determine the number of entities and small entities which would handle naldemedine. However, the DEA estimates that all persons who would handle, or propose to handle naldemedine, are currently registered with the DEA to handle controlled substances. Therefore, the 1.7 million (1,683,023 as of April 2016) controlled substance registrations, representing approximately 436,761 entities, would be the maximum number of entities affected by this rule. The DEA estimates that 425,856 (97.5%) of 436,761 affected entities are “small entities” in accordance with the RFA and Small Business Administration size standards.

The DEA estimates all controlled substances registrants handle both controlled and non-controlled substances and these registrants are expected to continue to handle naldemedine if the proposed rule were finalized. Additionally, since prospective naldemedine handlers are likely to handle other controlled substances, the cost benefits they would receive as a result of the de-control of naldemedine is minimal. As naldemedine handlers continue to handle other controlled substances, they

will need to maintain their DEA registration and keep the same security and recordkeeping processes, equipment, and facilities in place and would experience only minimal reduction in security, inventory, recordkeeping, and labeling costs. Physical security control requirements are the same for controlled substances listed in schedules II, III, IV, and V for the vast majority of registrants (practitioners).

While the DEA does not have a basis to estimate the number of affected entities, the DEA estimates that the maximum number of affected entities is 436,761 of which 425,856 are estimated to be small entities. Since the affected entities are expected to handle other controlled substances and maintain security and recordkeeping facilities and processes consistent with controlled substances, the DEA estimates any economic impact will be minimal. Because of these facts, this rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

In accordance with the Unfunded Mandates Reform Act (UMRA) of 1995, 2 U.S.C. 1501 *et seq.*, the DEA has determined and certifies that this action would not result in any Federal mandate that may result “in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted for inflation) in any one year * * *.” Therefore, neither a Small Government Agency Plan nor any other action is required under UMRA of 1995.

Paperwork Reduction Act

This action does not impose a new collection of information requirement under the Paperwork Reduction Act, 44 U.S.C. 3501–3521. This action would not impose recordkeeping or reporting requirements on State or local governments, individuals, businesses, or organizations. 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.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

For the reasons set out above, the DEA proposes to amend 21 CFR part 1308:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for 21 CFR part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), unless otherwise noted.

■ 2. In § 1308.12, amend the introductory text of paragraph (b)(1) to read as follows:

§ 1308.12 Schedule II.

* * * * *

(b) * * *

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine, naldemedine, nalmefene, naloxegol, naloxone, and naltrexone, and their respective salts, but including the following:

* * * * *

Dated: July 5, 2017.

Chuck Rosenberg,

Acting Administrator.

[FR Doc. 2017-14482 Filed 7-11-17; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG-2017-0108]

RIN 1625-AA09

Drawbridge Operation Regulation; Tombigbee River, Near Jackson, Alabama

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating schedule that governs the Norfolk Southern Railroad (NSRR) Vertical Lift Span Bridge across Tombigbee River, mile 44.90, near Jackson, between Washington and Clarke Counties, Alabama. This rule proposes to move the current on-site bridge tender control station to a geographically remote centralized control point located in Decatur, Alabama.

DATES: Comments and related material must reach the Coast Guard on or before September 11, 2017.

ADDRESSES: You may submit comments identified by docket number USCG-2017-0108 using Federal eRulemaking Portal at <http://www.regulations.gov>.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for instruction on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions on this proposed rule, call or email Ms. Donna Gagliano; Bridge Administration Branch, Eighth Coast Guard District; telephone 504-671-2128, email Donna.Gagliano@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
E.O. Executive Order
FR Federal Register
NPRM Notice of proposed rulemaking
U.S.C. United States Code
NSRR Norfolk Southern Railroad
Pub. L. Public Law
§ Section
U.S.C. United States Code

II. Background, Purpose and Legal Basis

In accordance with 33 CFR 117.42, the District Commander may authorize a drawbridge to operate under an automated system or from a remote location. The purpose of this rule is to allow the draw of this bridge to operate from a remote location. The draw will continue to be maintained in the open to navigation position except during the passage of trains. Mariners should not experience any changes in the level of service.

III. Discussion of the Proposed Rule

The Coast Guard, at the request of NSRR, is changing the method of operation for the NSRR Vertical Lift Bridge across Tombigbee River, mile 44.90, near Jackson, Alabama. Due to the need for increased efficiency in railroad operations, NSRR requested a change to the method of operating the draw from on-site to a draw tender operating the bridge remotely.

Presently, the draw is maintained in the open-to-navigation position and closed only for the passage of trains or maintenance. The bridge owner would like to operate the draw remotely using a drawtender at a centralized railroad operation in Decatur, Alabama, rather than maintaining the current on-site operation and drawtender. The implementation of this rule, in effect, removes the requirement that a drawtender be present on site at all times.

Under the new remote operation procedure, the draw will continue to be maintained in the open-to-navigation position and lowered only for the

passage of trains or for maintenance. There will be no modifications to the operation of the bridge as it relates to the passage of vessels. Instead, this change will allow the bridge owner to increase efficiency by coordinating bridge operations and vessel transits with train dispatch operations in Decatur, AL.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on these statutes and Executive Orders and we discuss First Amendment rights of protesters.

A. Regulatory Planning and Review

E.O.s 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This NPRM has not been designated a “significant regulatory action,” under E.O. 12866. Accordingly, NPRM it has not been reviewed by the Office of Management and Budget.

This interim rule is not a significant regulatory action because the draw will be maintained in the open-to-navigation position. Therefore, mariners will experience no changes in transiting through the bridge site. No new restrictions on or actions from the mariner are required by this rule.

The intent of the proposed rule is to improve safety and efficiency of bridge operations as it relates to vessel and railroad traffic.

Centralizing the bridge tender would have no impact on the existing regulations regarding hours or methods of bridge operations.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities.

“While some owners or operators of vessels intending to transit the bridge

may be small entities, for the reasons stated in section IV.A above this proposed rule would not have a significant economic impact on any vessel owner or operator.”

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Government

A rule has implications for federalism under E.O. 13132, Federalism, if it has 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. We have analyzed this proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in E.O. 13132.

Also, this proposed rule does not have tribal implications under E.O. 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this proposed rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This proposed rule simply promulgates the operating regulations or procedures for drawbridges. Normally such actions are categorically excluded from further review, under Table 3–2, (L49), of the Instruction.

Under Table 3–2, (L49), of the Instruction, a Memorandum for the Record (MFR) is not required for this rule. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this notice, and all public comments, are in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

- 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; and Department of Homeland Security Delegation No. 0170.1.

- 2. In § 117.118, redesignate introductory text as paragraph (a) and revise paragraphs (a) through (d) as paragraph (a)(1) through (a)(4); and add new paragraph (b) Tombigbee River to read as follows:

§ 117.118 Tombigbee River.

* * * * *

(b) The draw of the NSRR Vertical Lift Bridge across the Tombigbee River, mile 44.90, near Jackson, Washington and Clarke Counties, Alabama shall be maintained as follows:

(1) The draw shall be maintained in the fully open-to-navigation position for vessels at all times, except during periods when it is closed for the passage of rail traffic or to perform periodic maintenance authorized in accordance with subpart A of this part.

(2) The draw shall be remotely operated by the draw tender at Norfolk Southern Railroad's drawbridge in

Decatur, Alabama. The estimated duration that the bridge will remain closed for the passage of rail traffic is 10 to 15 minutes per operation.

(3) When a train approaches the bridge, the draw tender will initiate the bridge closing warning signal, consisting of radio calls via VHF-FM channels 13 and 16 and activation of flashing red warning lights at each end of the span. The radio calls will be broadcast at five (5) minutes prior to bridge closing and at two (2) minutes prior to bridge closing. Photoelectric (infrared) boat detectors will monitor the waterway beneath the bridge for the presence of vessels.

(4) The drawtender will continuously monitor waterway traffic in the area using closed-circuit cameras mounted on the bridge. The draw will only be closed if the draw tender's visual inspection indicates that the channel is clear and there are no vessels transiting in the area. The draw tender will

maintain constant surveillance of the navigation channel to ensure that no conflict with maritime traffic exists. If two or more closed-circuit cameras are inoperable or if there is inclement weather, the draw will only be operated by a draw tender located on site at the bridge.

(5) At the end of the two-minute warning period, if no vessels have been detected by the draw tender, the draw closing sequence will automatically proceed.

(6) Upon passage of the train, the draw will be returned to the fully open-to-navigation position to allow marine traffic to pass. The warning lights will continue to flash red until the draw has returned to the fully open-to-navigation position at which time they will deactivate.

(7) After the passage of each train, the draw must be returned to it fully open-to-navigation position.

(8) To request openings of the draw when the vertical lift span is in the closed-to-navigation position, mariners may contact NSRR via VHF-FM channel 13 or by telephone at the number displayed on the signs posted at the bridge.

(9) The draw will be operated locally if:

(i) Communication is lost between the drawbridge and the draw tender in Decatur, Alabama;

(ii) More than two closed-circuit cameras are not working;

(iii) The marine radio is inoperable;

(iv) Weather conditions warrant; or

(v) Ordered by the Coast Guard.

* * * * *

Dated: June 22, 2017.

D.R. Callahan,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 2017-14606 Filed 7-11-17; 8:45 am]

BILLING CODE 9110-04-P

Notices

Federal Register

Vol. 82, No. 132

Wednesday, July 12, 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

Office of Advocacy and Outreach

[FOA No.: OAO-0011]

Catalog of Federal Domestic Assistance (CFDA) No.: 10.443— Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers and Veteran Farmers and Ranchers Program

AGENCY: Office of Advocacy and Outreach (OAO), USDA.

ACTION: Funding Opportunity Announcement (FOA).

SUMMARY: This notice announces the availability of funds and solicits applications from community-based and non-profit organizations, institutions of higher education, and Tribal entities to compete for financial assistance through the Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers and Veteran Farmers and Ranchers Program (hereinafter known as the “2501 Program”). Individual applicants do not meet the eligibility criteria.

Funding is being provided to eligible entities who, in partnership with the Office of Advocacy and Outreach (OAO), will conduct outreach initiatives and training to achieve the overall goal of the 2501 Program—to assist socially disadvantaged and veteran farmers and ranchers in owning and operating farms and ranches while increasing their participation in agricultural programs and services provided by the U.S. Department of Agriculture (USDA).

DATES: Only one project proposal may be submitted per eligible entity. Proposals must be submitted through www.grants.gov and received by August 7, 2017, at 11:59 p.m. EST. Proposals submitted after this deadline will *not* be considered for funding.

At least two (2) teleconferences will be held during the open period of this announcement to answer any clarifying questions.

Filing a Complaint of Discrimination

To file a complaint of discrimination, complete the USDA Program Discrimination Complaint Form, which may be accessed online at: http://www.ocio.usda.gov/sites/default/files/docs/2012/Complain_combined_6_8_12.pdf, or write a letter signed by you or your authorized representative.

Send your completed complaint form or letter to USDA by mail, fax, or email:

Mail: U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue SW., Washington, DC 20250-9410. *Fax:* (202) 690-7442. *Email:* program.intake@usda.gov.

FOR FURTHER INFORMATION, PLEASE

CONTACT: U.S. Department of Agriculture, Office of Advocacy and Outreach, Attn: Kenya Nicholas, Program Director, J.L. Whitten Building, Room 520-A, 1400 Independence Avenue SW., Washington, DC 20250, Phone: (202) 720-6350, Fax: (202) 720-7704, Email: OASDVFR2017@osec.usda.gov.

Persons with Disabilities: Persons who require alternative means for communication (Braille, large print, audiotape, etc.), should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

SUPPLEMENTARY INFORMATION:

Funding/Awards: The total funding potentially available for this competitive opportunity is \$8.4 million. The OAO will award new grants from this announcement, subject to availability of funds and the quality of applications received. All applications will be considered new projects and applicants will compete based on their organization's entity type (e.g., nonprofit organization, higher education institution), as described below. The maximum amount of requested federal funding for projects shall not exceed \$200,000. The maximum project period is one (1) year. Projects that are part of multi-year initiatives will only be funded for 1 year. Eligible entities may apply each new funding cycle with a new project proposal provided that: (a) Activities and associated costs do not overlap with projects awarded in previous years; and (b) recipients are current and compliant with existing financial and progress reporting. The progress of existing projects, along with the percentage of funds used to date, may impact funding decisions.

Funding will be awarded based on peer competition within the three categories described below along with the amount of anticipated funding for each category. The OAO reserves the discretion to allocate funding between the three categories based upon the number and quality of applications received. There is no commitment by the OAO to fund any particular application or to select a specific number of recipients within each category.

1. *Category #1:* Eligible entities described in Sections III.A.2, III.A.3, and III.A.4 (1890 Land Grant colleges and universities, 1994 Alaska Native and American Indian Tribal colleges and universities, and Hispanic-Serving colleges and universities).

2. *Category #2:* Eligible entities described in Sections III.A.1 and III.A.6 (i.e., nonprofit organizations, community-based organizations, including a network or a coalition of community-based organizations, Indian Tribes (as defined in 25 U.S.C. 450b), and National Tribal organizations).

3. *Category #3:* Eligible entities described in Sections III.A.5 and III.A.7 (i.e., all other institutions of higher education including 1862 colleges, nonprofit organizations without a 501(c)(3) status certification from the IRS, and other organizations or institutions, including those that received funding under this program before January 1, 1996).

Contents of This Announcement

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I. Funding Opportunity Description

A. Background

The OAO is committed to ensuring that socially disadvantaged and veteran farmers and ranchers are able to equitably participate in USDA programs. Differences in demographics, culture, economics, and other factors preclude a single approach to identifying solutions that can benefit our underserved farmers and ranchers. Community-based and non-profit organizations, higher education institutions, and eligible Tribal entities can play a critical role in addressing the unique difficulties they face and can

help improve their ability to start and maintain successful agricultural businesses. With 2501 Program funding, organizations can extend our outreach efforts to connect with and assist socially disadvantaged and veteran farmers and ranchers and to provide them with information on available USDA resources.

1. The 2501 Program was authorized by the Food, Agriculture, Conservation, and Trade Act of 1990. The Food, Conservation, and Energy Act of 2008 expanded the authority of the Secretary of Agriculture (the Secretary) to provide awards under the program and transferred the administrative authority to the OAO. The Agricultural Act of 2014 further expanded the program to include outreach and assistance to veterans. The 2501 Program extends USDA's capacity to work with members of farming and ranching communities by funding projects that enhance the equitable participation of socially disadvantaged and veteran farmers and ranchers in USDA programs. It is the OAO's intention to build lasting relationships between USDA, the recipient's organizations, and socially disadvantaged and veteran farmers and ranchers.

2. Only one proposal will be accepted from each organization.

B. Scope of Work

The 2501 Program provides funding to eligible organizations for training and technical assistance projects designed to assist socially disadvantaged and veteran farmers and ranchers in owning and operating viable agricultural enterprises. Proposals must be consistent with requirements stated in 7 U.S.C. 2279(a)(2). Under this statute, the outreach and technical assistance program funds shall be used exclusively:

1. To enhance coordination of the outreach, technical assistance, and education efforts authorized under agriculture programs;

2. To assist the Secretary of Agriculture in:

a. Reaching current and prospective socially disadvantaged farmers or ranchers and veteran farmers or ranchers in a linguistically appropriate manner; and

b. improving the participation of those farmers and ranchers in USDA programs.

Proposals from eligible entities must address two or more of the following priority areas:

1. Assist socially disadvantaged or veteran farmers and ranchers in owning and operating successful farms and ranches;

2. Improve participation among socially disadvantaged or veteran farmers and ranchers in USDA programs;

3. Build relationships between current and prospective farmers and ranchers who are either socially disadvantaged or veterans and USDA's local, state, regional, and National offices;

4. Introduce agriculture-related information to socially disadvantaged or veteran farmers and ranchers through innovative training and technical assistance techniques; and

5. Introduce agricultural education targeting socially disadvantaged youth, and/or socially disadvantaged beginning farmers and ranchers, in rural and persistent poverty communities.

To encourage information sharing and to build capacity among recipients, the OAO may require Project Directors to attend an annual training conference that can be expensed with awarded grant funds not to exceed \$1,000 per award for up to two authorized entity personnel. The conference will allow recipients, USDA officials, and other agriculture-related guests to share ideas and lessons learned; provide training on performance and financial reporting requirements; and provide information on USDA programs and services. In addition, Project Directors will have an opportunity to make contacts and gather information on best practices.

C. Anticipated Outputs (Activities), Outcomes (Results), and Performance Measures

1. Outputs (Activities). The term "output" means an outreach, educational component, or assistance activity, task, or associated work product related to improving the ability of socially disadvantaged and veteran farmers and ranchers to own and operate farms and ranches, assistance with agriculture related activities, or guidance for participation in USDA programs. Outputs may be quantitative or qualitative but must be measurable during the period of performance.

Examples of outputs from the projects to be funded under this announcement may describe an organization's activities and their participants such as: Number of workshops or meetings held and number of participants attending; frequency of services or training delivered; and to whom and/or development of products, curriculum, or resources provided. Other examples include but are not limited to the following:

a. Number of socially disadvantaged and veteran farmers or ranchers served;

b. number of conferences or training sessions held and number of socially

disadvantaged and veteran farmers and ranchers who attended;

c. type and topic of educational materials distributed at outreach events;

d. creation of a program to enhance the operational viability of socially disadvantaged and veteran farmers and ranchers;

e. number of completed applications submitted for consideration for USDA programs; or

f. activity that supports increased participation of socially disadvantaged farmers and ranchers and veteran farmers and ranchers in USDA programs.

Progress and Financial Reports will be required, as specified in Section VI, Subsection D, "Reporting Requirement."

2. Outcomes (Results). The term "outcome" means the difference or effect that has occurred as a result from carrying out an activity, workshop, meeting, or from delivery of services related to a programmatic goal or objective. Outcomes refer to the final impact, change, or result that occurs as a direct result of the activities performed in accomplishing the objectives and goals of your project. Outcomes may refer to results that are agricultural, behavioral, social, or economic in nature. Outcomes may reflect an increase in knowledge or skills, a greater awareness of available resources or programs, or actions taken by stakeholders as a result of learning.

Project Directors will be required to document anticipated outcomes that are funded under this announcement which should include but are not limited to:

a. Increase in participation in USDA programs among socially disadvantaged and veteran farmers and ranchers;

b. increase in receptiveness of socially disadvantaged and veteran farmers and ranchers to outreach efforts through effective communication;

c. increase in economic stability of socially disadvantaged and veteran farmers and ranchers within a defined geographic area;

d. increase in community marketing and sales opportunities for the products of socially disadvantaged and veteran farmers and ranchers; or

e. increase use of resource conservation and sustainability practices among socially disadvantaged and veteran farmers and ranchers.

3. Performance Measures.

Performance measures are tied to the goals or objectives of each activity and ultimately the overall purpose of the project. They provide insight into the effectiveness of proposed activities by indicating areas where a project may need adjustments to ensure success. Applicants must develop performance

measure expectations which will occur as a result of their proposed activities. These expectations will be used as a mechanism to track the progress and success of a project. Project performance measures should include statements such as: Whether workshops or technical assistance will meet the needs of farmers or ranchers in the service area and why; how much time will be spent in group training or individual hands-on training of farmers and ranchers in the service area; or whether activities will meet the demands of stakeholders. Project performance measures must include the assumptions used to make those estimates.

Consider the following questions when developing performance measurement statements:

- What is the measurable short-term and long-term impact the project will have on servicing or meeting the needs of stakeholders?
- How will the organization measure the effectiveness and efficiency of their proposed activities to meet their overall goals and objectives?

II. Award Information

A. Statutory Authority

The statutory authority for this action is 7 U.S.C. 2279, as amended, which authorizes award funding for projects designed to provide outreach and assistance to socially disadvantaged and veteran farmers and ranchers.

B. Expected Amount of Funding

The total estimated funding expected to be available for awards under this competitive opportunity is \$8.4 million. Funding will be awarded based on peer competition within the three categories listed below. The OAO reserves the discretion to allocate funding between the categories based upon the number and quality of applications received. There is no commitment by the OAO to fund any particular application or to make a specific number of awards within each category.

1. *Category #1:* Eligible entities described in Sections III.A.2, III.A.3, and III.A.4 (1890 Land-Grant colleges and universities, 1994 Alaska Native and American Indian Tribal colleges and universities, and Hispanic-Serving colleges and universities). The OAO anticipates making awards totaling at least \$2 million for Category #1 applicants.

2. *Category #2:* Eligible entities described in Sections III.A.1 and III.A.6 (*i.e.*, nonprofit organizations, community-based organizations, including a network or a coalition of community-based organizations, Indian

tribes (as defined in 25 U.S.C. 450b), and National Tribal organizations). The OAO anticipates making awards totaling at least \$2 million for Category #2 applicants.

3. *Category #3:* Eligible entities described in Sections III.A.5 and III.A.7 (*i.e.*, all other institutions of higher education including 1862 colleges, nonprofit organizations without a 501(c)(3) status certification from the IRS and other organizations or institutions, including those that received funding under this program before January 1, 1996). The OAO anticipates making awards totaling at least \$1 million for Category #3 applicants.

C. Project Period

The performance period for projects selected from this solicitation will not begin prior to the effective award date. The maximum project period is one (1) year. Projects that are part of multi-year initiatives will only be funded for 1 year.

D. Award Type

Funding for selected projects will be in the form of a grant which must be fully executed no later than September 30, 2017. The anticipated Federal involvement will be limited to the following activities:

1. Approval of recipients' final budget and statement of work accompanying the grant agreement;
2. Monitoring of recipients' performance through quarterly and final financial and performance reports; and
3. Evaluation of recipients' use of federal funds through desk audits and on-site visits.

III. Eligibility Information

A. Eligible Entities

1. Any community-based organization, network, or coalition of community-based organizations that:

- Demonstrates experience in providing agricultural education or other agricultural-related services to socially disadvantaged and veteran farmers and ranchers;
- provides documentary evidence of work with, and on behalf of, socially disadvantaged and veteran farmers and ranchers during the 3-year period preceding the submission of a proposal for assistance under this program; and
- does not or has not engaged in activities prohibited under Section 501(c) (3) of the Internal Revenue Code of 1986.

2. An 1890 or 1994 institution of higher education (as defined in 7 U.S.C. 7601).

3. An American Indian Tribal community college or an Alaska Native cooperative college.

4. A Hispanic-Serving Institution of higher education (as defined in 7 U.S.C. 3103).

5. Any other institution of higher education (as defined in 20 U.S.C. 1001) that has demonstrated experience in providing agricultural education or other agricultural-related services to socially disadvantaged farmers and ranchers.

6. An Indian Tribe (as defined in 25 U.S.C. 450b) or a National Tribal organization that has demonstrated experience in providing agricultural education or other agriculturally-related services to socially disadvantaged farmers and ranchers.

7. All other organizations or institutions that received funding under this program before January 1, 1996, but only with respect to projects that the Secretary considers similar to projects previously carried out by the entity under this program.

B. Cost-Sharing or Matching

Matching is not required for this program.

C. Threshold Eligibility Criteria

Applications from eligible entities that meet all criteria will be evaluated as follows:

1. Proposals must comply with the submission instructions and requirements set forth in Section IV of this announcement. Pages in excess of the page limitation will not be considered.

2. Proposals must be received through www.grants.gov as specified in Section IV of this announcement on or before the proposal submission deadline. Applicants will receive an electronic confirmation receipt of their proposal from www.grants.gov.

3. Proposals received after the submission deadline will not be considered. Please note that in order to submit proposals, organizations must create accounts in www.grants.gov and in the System for Awards Management (SAM.gov); both of which could take up to 3 days or longer. Therefore, it is strongly suggested that organizations begin this process immediately. Registering early could prevent unforeseen delays in submitting your proposal.

4. Proposals must address a minimum of two or more of the priority areas that provide outreach and assistance to socially disadvantaged or veteran farmers and ranchers as stated in Section I, Subsection B, Scope of Work.

5. Incomplete or partial applications will not be eligible for consideration.

IV. Proposal and Submission Information

A. System for Award Management (SAM)

It is a requirement to register for SAM (www.sam.gov). There is NO fee to register for this site.

Per 2 CFR part 200, applicants are required to: (1) Be registered in SAM prior to submitting an application; (2) provide a valid unique entity identifier in the application; and (3) continue to maintain an active SAM registration with current information at all times during which the organization has an active Federal award or an application or plan under consideration by a Federal awarding agency. The OAO may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time the OAO is ready to make a Federal award, OAO 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.

SAM contains the publicly available data for all active exclusion records entered by the Federal Government identifying those parties excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits. All applicant organizations and their key personnel will be vetted through SAM.gov to ensure they are in compliance with this requirement and not on the Excluded Parties List. Organizations identified as having delinquent Federal debt may contact the Treasury Offset Program at (800) 304-3107 for instructions on resolution, but will not be awarded a 2501 Program grant prior to resolution.

B. Obtain Proposal Package From www.grants.gov

Applicants may download individual grant proposal forms from www.grants.gov. For assistance with www.grants.gov, please consult the Applicant User Guide at <http://grants.gov/assets/ApplicantUserGuide.pdf>.

Applicants are required to submit proposals through www.grants.gov. Applicants will be required to register through www.grants.gov in order to begin the proposal submission process. We strongly suggest you initiate this

process immediately to avoid processing delays due to registration requirements.

Federal agencies post funding opportunities on www.grants.gov. The OAO is not responsible for submission issues associated with www.grants.gov. If you experience submission issues, please contact www.grants.gov support staff for assistance.

Proposals must be submitted by August 7, 2017, via www.grants.gov at 11:59 p.m. EST. Proposals received after this deadline *will not* be considered.

C. Content of Proposal Package Submission

All submissions must contain completed and electronically signed original application forms, as well as a Project Summary, Project Narrative, and a Budget Narrative as described below:

1. *Forms and documents.* The forms listed below can be found in the proposal package at www.grants.gov and must be submitted with all applications. Required forms are provided as fillable PDF templates. Applicants must download and complete these forms and submit them in the application submission portal at www.grants.gov. PDF documents listed below are documents the applicant must create in Word format and then submit in PDF format.

- Standard Form (SF) 424, Application for Federal Assistance
- Standard Form (SF) 424A, Budget Information—Non-Construction Programs
- Standard Form (SF) 424B, Assurances—Non-Construction Programs
- Key Contacts Form (provide first, middle, and last names)
- PDF document of 1-Page Project Summary
- PDF document of Project Narrative
- PDF document of Budget Narrative
- Form AD-3031, Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants

Please note, additional forms will be required from organizations being awarded the 2501 Grant.

2. *Attachments.* The attachments listed below are required for all proposals and must be included in the proposal package at www.grants.gov. Attachment 1 will consist of the Project Summary Page and the Project Narrative. Attachment 2 will consist of the Budget Narrative. Please submit the summary and narratives in PDF format to preserve the content and formatting. Attachment 3 will consist of Appendices.

Note: Number each page of each attachment and indicate the total number of

pages per attachment (*i.e.*, 1 of 15, 2 of 15, etc.). **DO NOT PASSWORD PROTECT ANY OF YOUR SUBMITTED DOCUMENTS.** Documents that are password protected cannot be viewed by the OAO staff or members of the Independent Review Panel.

• *Attachment 1: Project Summary Page.* The proposal must contain a Project Summary Page, which should not be numbered and must follow immediately after the SF Form 424, Application for Federal Assistance form. The Project Summary Page is limited to 250 words. It should be a synopsis or summary of the project's goals and objectives. It should be written as a CONCISE notice or advertisement about your organization, including your organization's name; name of your project; two or three sentences describing your project; the project's geographic service area; and the Project Director's name, email address, and telephone number. No points will be given or subtracted for the Project Summary Page. This will allow the OAO to quickly glean pertinent information on the project. Organizations can expect that the Project Summary Page may be used in its entirety or in part for media purposes to include press releases, informational emails to potential stakeholders or partners, to provide upper echelons of government with a snapshot of an organization, and for demographic purposes. Please do not restate the objectives of the 2501 Program (*i.e.*, "to provide outreach and assistance for socially disadvantaged farmers and ranchers and veterans farmers and ranchers"); it should reflect the goal of your specific project.

• *Attachment 1: Project Narrative.* In 15 double-spaced pages or less, using 1-inch margins and 12-point font, indicate the organization that will conduct the project, the geographical area served by the project, and the priority areas that will be addressed by the project. Please be concise. Note: Members of the review panel will not be required to review proposals from organizations that have deviated from these formatting specifications.

○ Discuss the merits of your proposed project. Specifically, proposals must: (1) Define and establish the existence of the needs of socially disadvantaged farmers and ranchers, veteran farmers and ranchers, or both in the defined geographic area; (2) identify the experience of the organization(s) taking part in the project; (3) identify the names of organizations that will be your partners in the project, if any; (4) identify the geographic area of service; and (5) discuss the potential impact of the project.

○ Identify the qualifications, relevant experience, education, and publications of each Project Director or collaborator. Also, specifically address the work to be completed by key personnel and the roles and responsibilities within the scope of the proposed project. This includes past completed projects and financial management experiences.

○ In an organized format, create a timeline for each task to be accomplished during the period of performance timeframe. Relate each task to one of the five priority areas in Section I, Subsection B. The timeline is part of the 15 page limit but can be as simple as a one-page description of tasks.

• *Attachment 2: Budget Narrative.* The Budget Narrative should identify and describe the costs associated with the proposed project, including sub-awards or contracts and indirect costs. An eligible entity that has never received a negotiated indirect cost rate may elect to charge a de minimis rate of 10 percent maximum of total direct costs in accordance with 2 CFR 200.414(f).

Organizations with previously approved indirect cost rates must submit their Negotiated Indirect Cost Rate Agreement (NICRA) with this application in Attachment 3. All submitted NICRA agreements must be CURRENT. Other funding sources may also be identified in this attachment. Each cost indicated must be reasonable, allocable, necessary, and allowable under the Federal Cost Principles (2 CFR part 200, subpart E—Cost Principles) in order to be funded. The Budget Narrative should not exceed two pages and is *not* part of the Project Narrative.

• *Attachment 3: Appendices.* Organizations may submit abbreviated Articles of Incorporation for recently established organizations (must have been established at least 3 years prior to this application); résumés for key personnel; Letters of Commitment; Letters of Intent, Partnership Agreements, or Memoranda of Understanding with partner organizations; Letters of Support; 501(c)(3) certification from the IRS, or other supporting documentation which is encouraged but not required. Applicants can consolidate all supplemental materials into one additional attachment. Do *not* include sections from other attachments as an Appendix.

Checklist of documents to submit through www.grants.gov:

1. SF-424, Application for Federal Assistance.

Note: Ensure this is completed with accuracy; particularly email addresses and phone numbers. The OAO may not be able to reach you if your information is incorrect.

2. Project Summary Page (no more than 250 words).

3. Project Narrative including a timeline (no more than 15 pages, 12 point font, and 1 inch margins only).

Note: To ensure fairness and uniformity for all applicants, Project Narratives not conforming to this stipulation may not be considered.

4. SF-424A, Budget Information—Non-Construction Programs.

5. SF 424B, Assurances—Non-Construction Programs.

6. Budget Narrative (not to exceed 2 pages).

7. Key Contacts Form (include the Project Director/Manager and Financial Representative). Provide first, middle, and last names.

Note: Please ensure this form is completed with accuracy. Individuals not listed on an applicants' Key Contact Form will not receive information about or access to data that concerns the applicant organization.

8. Résumés of key personnel, current Negotiated Indirect Cost Rate Agreements, Partnership Agreements, Letters of Intent, Support, or Recommendation, proof of 501(c)(3) status (if applicable), etc.

Best practice notes:

* Complete the following as soon as possible:

(1) Obtain a registered DUNs number.

(2) Register and maintain an active System for Award Management (SAMs) account.

(3) Register in www.grants.gov.

* Only submit Adobe PDF file format documents to www.grants.gov to preserve content and formatting.

* Name your documents with short titles to prevent issues with uploading/downloading documents from www.grants.gov. Documents with long names may not always upload/download properly.

* Do not password protect any submitted forms or documents.

* Ensure all the information on your SF-424 Application and Key Contact forms are correct. Include first, middle, and last names on Key Contact forms.

Where to Upload Attachments on Your Application. There are three blocks on the application where you may upload attachments:

* On block 14, click on “Add Attachment” to upload your Project Summary and Project Narrative.

* In the section that reads “Budget Narrative File(s)”, type in the “Mandatory Budget Narrative Filename”. Just below the file name,

click on “Add Mandatory Budget Narrative” to upload your Budget Narrative.

* After block 15, click on “Add Attachments” to add all your supporting documents (résumés, Partnership Agreements, Letters of Support, etc.).

D. Sub-Awards and Partnerships

Funding may be used to provide sub-awards, which includes using sub-awards to fund partnerships; however, the recipient must utilize at least 50 percent of the total funds awarded, and no more than three subcontracts will be permitted. All sub-awardees must comply with applicable requirements for sub-awards. Applicants must provide documentation of a competitive bidding process for services, contracts, and products, including consultant contracts, and conduct cost and price analyses to the extent required by applicable procurement regulations.

The OAO awards funds to *one eligible applicant* as the recipient. Please indicate a lead applicant as the responsible party if other organizations are named as partners or co-applicants or members of a coalition or consortium. The recipient will be held accountable to the OAO for the proper administrative requirements and expenditure of all funds.

E. Submission Dates and Times

The closing date and time for receipt of proposal submissions is August 7, 2017, at 11:59 p.m., EST via www.grants.gov. Proposals received after the submission deadline will be considered late without further consideration. Proposals must be submitted through www.grants.gov without exception. Additionally, organizations must also be registered in the SAM (www.sam.gov). Creating an account for both Web sites can take several days to receive account verification and/or PIN numbers. Please allow sufficient time to complete access requirements for these Web sites. The proposal submission deadline is firm.

F. Confidential Information

In accordance with 2 CFR part 200, the names of entities submitting proposals, as well as proposal contents and evaluations, will be kept confidential to the extent permissible by law. If an applicant chooses to include confidential or proprietary information in the proposal, it will be treated in accordance with Exemption 4 of the Freedom of Information Act (FOIA). Exemption 4 of the FOIA protects trade secrets, and commercial and financial information obtained from a person that is privileged or confidential.

G. Pre-Submission Proposal Assistance

1. The OAO may not assist individual applicants by reviewing draft proposals or providing advice on how to respond to evaluation criteria. However, the OAO will respond to questions from individual applicants regarding eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification regarding the announcement. Any questions should be submitted to OASDVFR2017@osec.usda.gov.

2. The OAO will post questions and answers relating to this funding opportunity during its open period on the Frequently Asked Questions (FAQs) section of our Web site: <http://www.outreach.usda.gov/grants/>. The OAO will update the FAQs on a weekly basis and conduct webinars on an as-needed basis.

3. Please visit our Web site at <https://www.outreach.usda.gov/grants/index.htm> to review the most recent Terms and Conditions for receiving an award as it provides additional information pertaining to the OAO awards. This version is subject to change upon new program requirements.

V. Application Review Information**A. Evaluation Criteria**

Only eligible entities whose proposals meet the threshold criteria in Section III of this announcement will be reviewed according to the evaluation criteria set forth below. Applicants should explicitly and fully address these criteria as part of their proposal package. Each proposal will be reviewed under the regulations established under 2 CFR part 200.

A review panel that is independent of OAO will use a point system to rate each proposal, awarding a maximum of 100 points (90 points, plus an additional 10 discretionary points for programmatic priorities). Each proposal will be reviewed by at least two members of the Independent Review Panel who will review and score all applications submitted. The Independent Review Panel will numerically score and rank each application within the three categories and funding decisions will be based on their recommendations to the designated approving official. Final funding decisions will be made by the designated approving official.

B. Evaluation Criteria for New Grants Proposals

Criteria	Points
1. <i>Project Narrative</i> : Under this criterion, your proposal will be evaluated to the extent to which the narrative includes a well-conceived strategy for addressing the requirements and objectives stated in Section I, Part B, Scope of Work, (see page 5, Project Narrative, for further clarification) identifying a minimum of two or more of the priority areas In addition, the OAO may award up to 10 discretionary points (two (2) points each) for the following:	40 10
<ul style="list-style-type: none"> • Projects assisting beginning farmers and ranchers (as defined in 7 U.S.C. 3319f); • Projects to assist states/communities identified as persistent poverty; • Projects located in rural areas; and • Projects with an emphasis on partnering with other nonprofits, Federal, state, and local entities to maximize areas of coverage for outreach (i.e., research, small and beginning farmers, and feeding programs, etc.). • Projects leveraging funding from other Federal, state, and local entities, to maximize funding for outreach (i.e., research, small and beginning farmers, and feeding programs, etc.). 	
2. <i>Programmatic Capability</i> : Under this criterion, applicants will be evaluated based on their ability to successfully complete and manage the proposed project taking into account the applicant's: Organizational experience, its staff's expertise and/or qualifications, and the organization's resources. The organization must also clearly document its historical successes and future plans to continue assisting socially disadvantaged and veteran farmers and ranchers	10
3. <i>Financial Management Experience</i> : Under this criterion, applicants will be evaluated based on their demonstrated ability to successfully complete and manage the proposed project taking into account the applicants' past performance in successfully completing and managing prior funding agreements identified, Section I, Part C, Performance Measures (see page 8). Past performance documentation on successfully completed projects may be at the Federal, state, or local community level. Per 2 CFR 200.205, if an applicant is a prior recipient of Federal awards, their record in managing that award will be reviewed, including timeliness of compliance with applicable reporting requirements and conformance to the terms and conditions of previous Federal awards	5
4. <i>Budget</i> : Under this criterion, proposed project budget will be evaluated to determine whether costs are reasonable, allowable, allocable, and necessary to accomplish the proposed goals and objectives; and whether the proposed budget provides a detailed breakdown of the approximate funding used for each major activity. Additionally, indirect costs must be appropriately applied (see page 14). For a list of unallowable costs, please see 2 CFR Part 200, subpart E	15
5. <i>Tracking and Measuring</i> : Under this criterion, the applicant's proposal will be evaluated based upon clearly documenting a detailed plan for tracking and measuring their progress toward achieving the expected project outputs and outcomes as stated in Section I, Part C, Performance Measures (see page 7). Applicants should indicate how they intend to clearly document the effectiveness of their project in achieving proposed thresholds or benchmarks in relation to stated goals and objectives. For example, state how your organization plans to connect socially disadvantaged and veteran farmers and ranchers with USDA agricultural programs. Applicants must clearly demonstrate how they will ensure timely and successful completion of the project with a reasonable time schedule for execution of the tasks associated with the projects	20

C. Selection of Reviewers

All applications will be reviewed by members of an Independent Review Panel. Panel members are selected based upon training and experience in relevant fields including outreach, technical assistance, cooperative extension services, civil rights, education, statistical, and ethnographic data collection and analysis, and agricultural programs, and are drawn

from a diverse group of experts to create a balanced panel.

VI. Award Administration Information**A. Award Notices****Proposal Notifications and Feedback**

1. The successful applicant will be notified by the OAO via telephone, email, and/or postal mail. The notification will advise the applicant

that its proposed project has been evaluated and recommended for award. The notification will be sent to the *Project Manager* listed on the SF-424, Application for Federal Assistance. Project Managers should be the Authorized Organizational Representative (AOR) and authorized to sign on behalf of the organization. It is imperative that this individual is responsive to notifications by the OAO.

If the individual is no longer in the position, please notify the OAO immediately to submit the new contact for the application by updating your organization's Key Contact form and forwarding a résumé of the new key personnel. The award notice will be forwarded to the grantee for execution and must be returned to the OAO Director, who is the authorizing official. Once grant documents are executed by all parties, authorization to begin work will be given. At a minimum, this process can take up to 30 days from the date of notification.

2. The OAO will also send notification to unsuccessful applicants via email or postal mail. The notification will be sent to the *Project Manager* listed on the SF-424, Application for Federal Assistance. Project Managers should be the AOR.

3. Within 10 days of award status notification, unsuccessful applicants may request feedback on their application. Feedback will be provided as expeditiously as possible. Feedback sessions will be scheduled contingent upon the number of requests and in accordance with 7 CFR 2500.026.

B. Administrative and National Policy Requirements

All awards resulting from this solicitation will be administered in accordance with the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards codified at 2 CFR part 200, as supplemented by USDA implementing regulations at 2 CFR parts 400 and 415, and OAO Federal Financial Assistance Programs—General Award Administrative Procedures, 7 CFR part 2500.

In compliance with its obligations under Title VI of the Civil Rights Act of 1964 and Executive Order 13166, it is the policy of the OAO to provide timely and meaningful access for persons with

Limited English Proficiency (LEP) to projects, programs, and activities administered by Federal grant recipients. Recipient organizations must comply with these obligations upon acceptance of grant agreements as written in OAO's Terms and Conditions. Following these guidelines is essential to the success of our mission to improve access to USDA programs for socially disadvantaged and veteran farmers and ranchers.

C. Data Universal Numbering System, System for Award Management, and www.grants.gov.

In accordance with the Federal Funding Accountability and Transparency Act (FFATA) and the USDA implementation, all applicants must obtain and provide an identifying number from Dun and Bradstreet's (D&B) Data Universal Numbering System (DUNS). Applicants can receive a DUNS number, at no cost, by calling the toll-free DUNS number request line at (866) 705-5711, or visiting the D&B Web site at www.dnb.com.

In addition, FFATA requires applicants to register with the System for Award Management (SAM). *This registration must be maintained and updated annually.* Applicants can register or update their profile, at no cost, by visiting the SAM Web site at www.sam.gov. This is a requirement to register for www.grants.gov.

All applicants must register for an account on www.grants.gov in order to submit their application. There is no cost for registration. All applications must be submitted through www.grants.gov. This Web site is managed by the Department of Health and Human Services, not OAO. Many Federal agencies use this Web site to post Funding Opportunity Announcements (FOA). Please click on the "Support" tab to contact their customer support personnel for help with submitting your application.

D. Reporting Requirement

In accordance with 2 CFR part 200, the following reporting requirements will apply to awards provided under this FOA. The OAO reserves the right to revise the schedule and format of reporting requirements as necessary in the award agreement.

1. Quarterly Progress Reports and Financial Reports will be required.

• *Quarterly Progress Reports.* The recipient must submit the most current OMB-approved Performance Progress Report form (SF-PPR). For each report, the recipient must complete fields 1 through 12 of the SF-PPR. To complete field 10, the recipient is required to provide a detailed narrative of project performance and activities as an attachment, as described in the award agreement. Quarterly progress reports must be submitted to the designated OAO official within 30 days after the end of each calendar quarter.

• *Quarterly Financial Reports.* The recipient must submit SF 425, Federal Financial Report. For each report, the recipient *must complete both* the Federal Cash Transaction Report and the Financial Status Report sections of the SF-425. Quarterly financial reports must be submitted to the designated OAO official within 30 days after the end of each calendar quarter.

2. Final Progress and Financial Reports will be required upon project completion. This report should include a summary of the project or activity throughout the funding period, achievements of the project or activity, and a discussion of overall successes and issues experienced in conducting the project or project activities. The final Financial Report should consist of a complete SF-425 indicating the total costs of the project. Final Progress and Financial Reports must be submitted to the designated OAO official within 90 days after the completion of the award period as follows:

Report	Performance period	Due date	Grace period
Form SF-425, Federal Financial Report and Progress Report (<i>Quarterly</i>).	October thru December	12/30/2016	1/30/2017
	January thru March	3/30/2017	4/30/2017
	April thru June	6/30/2017	7/30/2017
	July thru September	9/30/2017	10/30/2017
Final Progress and Financial Reports	Earlier of December 30, 2017, or 90 days after project completion.		

* Dates subject to change at the discretion of OAO.

Signed this 26th day of June 2017.

Christian Obineme,

Associate Director, Office of Advocacy and Outreach.

[FR Doc. 2017-14547 Filed 7-11-17; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Forest Service

Information Collection; Disposal of Mineral Materials

AGENCY: Forest Service, USDA.

ACTION: Notice; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking comments from all interested individuals and organizations on the extension of a currently approved information collection, Disposal of Mineral Materials.

DATES: Comments must be received in writing on or before September 11, 2017 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

ADDRESSES: Comments concerning this notice should be addressed to Sarah Shoemaker, Geologist, USDA Forest Service, Minerals and Geology Management, 709 West 9th Street, Room 561 C, Juneau, AK 99801.

Comments also may be submitted via facsimile to (907) 586-7840 or by email to: sarahshoemaker@fs.fed.us.

The public may inspect comments received at the USDA Forest Service Alaska Region, Minerals and Geology Management, Federal Building, 709 West 9th Street, Juneau, AK 99801 during normal business hours.

FOR FURTHER INFORMATION CONTACT:

Sarah Shoemaker, Geologist, Minerals and Geology Management Staff, sarahshoemaker@fs.fed.us or (907) 586-7886.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 twenty-four hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION:

Title: Disposal of Mineral Materials.

OMB Number: 0596-0081.

Expiration Date of Approval: October 31, 2017.

Type of Request: Renewal of a currently approved collection.

Abstract: The Mineral Materials Act of 1947, as amended, and the Multiple Use Mining Act of 1955, as amended, authorize the Secretary of Agriculture to permit disposal of petrified wood and

common varieties of sand, stone, gravel, pumice, pumicite, cinders, clay, and other similar materials on lands administered by the USDA Forest Service.

Individuals, organizations, companies, or corporations interested in mining mineral materials on National Forest System lands may contact their local Forest Service office to inquire about mining mineral materials opportunities, to learn about areas on which such activities are permitted, and to request form FS-2800-9 (Contract of Sale for Minerals Materials). Interested parties are asked to provide information that includes the purchaser's name and address, the location and dimensions of the area to be mined, the kind of material that will be mined, the quantity of material to be mined, the sales price of the mined material, the payment schedule, the amount of the bond, and the period of the contract.

The collected information enables the Forest Service to document planned operations, to prescribe the terms and conditions the agency deems necessary to protect surface resources, and to affect a binding contract agreement. Forest Service employees will evaluate the collected information to ensure that entities applying to mine mineral materials are financially accountable and will conduct their activities in accordance with the mineral regulations of Title 36, Code of Federal Regulations, Part 228, Subpart C (36 CFR part 228). If this information is not collected, the Forest Service would be unable to comply with Federal regulations to mine mineral materials, and operations could cause undue damage to surface resources.

Estimate of Annual Burden: 2.5 hours.
Type of Respondents: Mineral materials operators.
Estimated Annual Number of Respondents: 2,626.
Estimated Annual Number of Responses per Respondent: 1.
Estimated Total Annual Burden on Respondents: 6,565 hours.

Estimated annual number of respondents is based on the average number of respondents in 2014 through 2016. This number is lower than previous renewal estimates, thus the estimated total annual burden on respondents is lower than the most recent renewal.

Comment Is Invited: Comment is invited on: (1) Whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the

burden of the 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 the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request toward Office of Management and Budget approval.

Leslie A.C. Weldon,

Deputy Chief, National Forest System.

[FR Doc. 2017-14565 Filed 7-11-17; 8:45 am]

BILLING CODE 3411-15-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-47-2017]

Foreign-Trade Zone (FTZ) 52—Suffolk County, New York; Notification of Proposed Production Activity; Estee Lauder Inc. (Skin Care, Fragrance, and Cosmetic Products), Melville, New York

Estee Lauder Inc. (Estee Lauder) submitted a notification of proposed production activity to the FTZ Board for its facility in Melville, New York within FTZ 52. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on June 16, 2017.

The Estee Lauder facility is located within Site 4 of FTZ 52. The facility is used for the manufacturing and distribution of skin care, fragrance, and cosmetic products. Pursuant to 15 CFR 400.14(b), FTZ activity would be limited to the specific foreign-status materials and components and specific finished products described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt Estee Lauder from customs duty payments on the foreign-status components used in export production. On its domestic sales, for the foreign-status materials/components noted below, Estee Lauder would be able to choose the duty rates during customs entry procedures that apply to: Perfumes; lip make-up; eye make-up; manicure/pedicure preparation pads;

rouge powder; non-rouge cosmetic powder; cosmetic make-up; shampoo; hair lacquers; conditioner; hair straightening product; hair colorant; hair thickener; toothpaste; shaving preparations; deodorants; bath salts and other bath preparations; room spray; depilatory cream; soap (for toilet use); skin wash; and, washing and cleansing powders and liquids (duty rate ranges from free to 6.5%). Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

The components and materials sourced from abroad include: Seaweeds and Other Algae; Vegetable Saps & Extract of Licorice; *Paonia Suffruticosa* Extract; *Sclerotium Gum*; Hydrolyzed *Candida Saitoana* Extract; *Salicornia Herbacea* Extract; Carrageenan; Wool Grease and Fatty Substances; Olive Oil; Sunflower Seed Oil; Castor Oils; Vegetable Oils; Jojoba Oils; Vegetable Fats and Oils; Fixed Vegetable Fats/Oils; Jojoba Oil and its Fractions; Vegetable Waxes; Candelilla Wax; Carnauba Wax; Bayberry Wax; Body Butter; Raspberry Leaves Wax; Carnauba Vegetable Waxes; Bleach Bee Wax; Salt; Kaolin Clays; Hectorite; Adipic Acid; Brazilian Green Fuchsite; Calcite; Isododecane; Isohexadecane; Mineral Oil; White Mineral Oil; Paraffin Wax; Synthetic Beeswax; Ceresin Wax; Microcrystalline Wax; Isoparaffin; Ozokerite; Synthetic Wax; Polyethylene Glycols; Hydrogen Fluoride; Ammonia; Zinc Oxide/Zinc Peroxide; Aluminum Hydroxide; Chromium Oxides; Titanium Dioxide Blends; Magnesium Sulfates; Calcium Carbonate; Silicate; Calcium Aluminum Borosilicate; Magnesium Aluminum Silicate; Hydrides, Nitrides, Azides, Silicides and Borides; Dodecan, Hexadecan and Octadecan; Amyl Alcohol; Propylene Glycol; Glycerol; Ester of Glycerol; Sterols and Inositols; Benzyl Alcohol; Butylated Hydroxytoluene; 1-Naphthol; Toluene-2,5-diamine; 2-methyl-resorcino; p-Aminophenol; 5-Amino-2-Cresol; Phenol Alcohols; Aromatic Alcohol; Thiotaine; Chlorphenesin; Phenoxyethanol; Diglycerin; Polyquaternium-37; Polyethylene Glycols; PEG-20 Glyceryl Triisostearate; Ethylene glycol phenyl ether; Aromatic Ether Alcohols; Ether Alcohols; Ketone-phenols; Odoriferous or Flavoring Compounds; Propionic Acid; Ester of Myristic, Palmitic and Stearic Acids; Sodium Stearate; Triglycerides; PEG-100 Stearate; Behenic Acid; Isopropyl Myristate; Wheat Germ Glycerides; Tridecyl Stearate; Triethylhexanoin; Ceramide NG; Butyl Avocadate; Sucrose Polybehenate; Glyceryl Stearate SE; Sucrose Polycotton Seedate; Isodecyl

Neopentanoate; Isononyl Isononanoate; Ethylhexyl Palmitate; Neopentyl Glycol Dicaprate; Octyl Stearate; Polyoxyalkylene Fatty Acid Esters; Isopropyl Triisostearate; Polyglyceryl Isostearate; Phytosteryl Isostearate; Methyl Glucose Sesquisteate; Ethylhexyl Hydroxystearate; Castor Isostearate Succinate; Isodecyl Isononanoate; Ethyl Hexyl Isononanoate; Myristic Acid; Isononyl Isononanoate; Neopentyl Glycol Diheptanoate; Polyoxyethylene (100) Stearate; Ethyl Hexyl Stearate; Ethylene/VA Copolymer; Ethylene/Acrylic Acid Copolymer; Polyethylene; Tridecyl Octanoate; Tridecyl Trimellitate; Butyl Acetate; Alcohol Denatured; Isobutyrate; Sucrose Polyesters; Behenic Acid; Cetyl Acetate; Glyceryl Behenate; Diisostearyl Malate; Castor Isostearate Succinate; Pentaerythrityl Pentaiononanoate; Caprylyl Glycol; Diethylhexyl Succinate; Hydroxyethyl Urea; Cetearyl Isononanoate; Neopentyl Glycol Dicaprate; Fatty Acids of Animal or Vegetable; Saturated Acid; Esters of Acrylic Acid; Oleic, Linoleic or Linoelc or Linoelc Acids; Plastic of Acrylic; Fumaric Acid; Lactic Acid Salts & Esters; Citric Acid; Salts and Esters of Citric Acid; Salicylic Acid/Salts; Carboxylic Acid; Carboxylic Acid Blend; Butyl Paraben; Propyl Paraben; Lauryl PCA; Methyl Paraben NF; Phenoxyethanol; Butyloctyl Salicylate; Pentaerythritol; Propyl Carbonate; Isononyl Isononanoate and Quaternium-90 Bentonite and Propylene Carbonate Gel; Cyclopentasiloxane (and) Distardimonium Hectorite (and) Propylene Carbonate Gel; Ethylenediamine and its salts; Amino Alcohol; Amino Hydroxy Naphthalenesulfonic acids; Glutamic Acid; Amino Acids; Amino Acids—Aromatic; Lecithins and Other Phosphoaminolipids; Acetyl L Carnitine Hydrochloric Acid; Ammonium Acryloyldimethyltaurate; Quaternium-22; Steardimonium Chloride; Coco-Betaine; Polyquaternium-6; Cetyl Trimethyl Ammonium Chloride; Hexamethylenetetramine Chloroallyl Chloride; Betaine; Quaternary Ammonium Salts and Hydroxides; Pathenyl Hydroxypropyl Steardimonium Chloride; Hair Conditioning Agent; Quaternary Ammonium Chloride; Ammonium Acryloyldimethyltaurate and VP Copolymer Blend; Cetrimonium Chloride; Polyquaternium-7; Organo Silicon Compounds; Organo Aromatic; Lactones; N-Acetyl-D-Glucosamine; Ascorbyl Phosphate; Glucosamine; PEG-120 Methyl Glucose Dioleate; Heterocyclic Compounds; Vitamin B;

Caffeine and its Salt; D Mannose; Trehalose; Cyclodextrins; Lactobionic Acid; Trehalose Dihydrate; Sucrose; Oxalis Triangularis Extract (Jeju Island Love Plant); Acetylated Sucrose Distearate; Ascorbic Acid; Ascorbic Acid 2 Glucoside; Synthetic Manganese-Porphyrin Complexes; Moisturizing Polymers; Non-phospholipid Vesicles; Pigment/Preparation; Light Diffusing Powders; Titanium Oxide; Cosmetic Emollient; Silica Blend; Pearlescent Agent; Titanium Dioxide, Silica and Synthetic Fluorophlogopite Blend; Titanium Dioxide and Wax Blend; Assorted Color Cosmetic Pigments of Mica, Iron Oxide, Silica and Titanium Dioxide; Fungicides; Indmono Oil; Indmono Oil Derived from Coconut; Industrial Fatty Alcohols; Binders for Foundry Molds or Cores; Polymers of Ethylene; Charcoal Powder; and, Mica Plate, Sheet, Strip (duty rate ranges from free to 7.7% or 8.8¢/kg or 84¢/bbl).

The request indicates that Polyethylene; Citric Acid; Salts and Esters of Citric Acid; and Pigment/Preparation are subject to antidumping/countervailing duty (AD/CVD) orders. The FTZ Board's regulations (15 CFR 400.14(e)) require that merchandise subject to AD/CVD orders be admitted to the zone in privileged foreign status (19 CFR 146.41).

The request also indicates that the following components and materials will be admitted to the zone in privileged foreign status (19 CFR 146.41), thereby precluding inverted tariff benefits on such items: Trehalose; Cyclodextrins; Lactobionic Acid; Trehalose Dihydrate; Sucrose; Oxalis Triangularis Extract (Jeju Island Love Plant); Acetylated Sucrose Distearate; Ascorbic Acid; Ascorbic Acid 2 Glucoside; Pigment/Preparation; Light Diffusing Powders; Titanium Dioxide; Cosmetic Emollient; Silica Blend; Pearlescent Agent; Titanium Dioxide, Silica and Synthetic Fluorophlogopite Blend; Titanium Dioxide and Wax Blend; and, Assorted Color Cosmetic Pigments of Mica, Iron Oxide, Silica and Titanium Dioxide.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is August 21, 2017.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's

Web site, which is accessible via www.trade.gov/ftz.

For further information, contact Juanita Chen at Juanita.Chen@trade.gov or (202) 482-1378.

Dated: July 6, 2017.

Elizabeth Whiteman,
Acting Executive Secretary.

[FR Doc. 2017-14613 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-16-2017]

Foreign-Trade Zone (FTZ) 7— Mayaguez, Puerto Rico; Authorization of Production Activity; Bristol-Myers Squibb Holdings Pharma, Ltd. (Pharmaceuticals); Manati, Puerto Rico

On March 6, 2017, Bristol-Myers Squibb Holdings Pharma, Ltd. submitted a notification of proposed production activity to the FTZ Board within Subzone 7J, in Manati, Puerto Rico.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (82 FR 13578, March 14, 2017). On July 5, 2017, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, subject to the FTZ Act and the FTZ Board's regulations, including Section 400.14.

Dated: July 7, 2017.

Elizabeth Whiteman,
Acting Executive Secretary.

[FR Doc. 2017-14612 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-842]

Large Residential Washers From Mexico: Final Results of Antidumping Duty Administrative Review; 2015– 2016

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On March 6, 2017, the Department of Commerce (the Department) published the preliminary results of the third administrative review of the antidumping duty (AD) order on large residential washers

(LRWs) from Mexico. The period of review (POR) is February 1, 2015, to January 31, 2016. Based on our analysis of the comments received and our verification findings, we made certain changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margin for the respondent, Electrolux Home Products Corp. N.V. and Electrolux Home Products de Mexico, S.A. de C.V. (collectively, Electrolux¹), is listed below in the section entitled “Final Results of the Review.”

DATES: Effective July 12, 2017.

FOR FURTHER INFORMATION CONTACT: Ross Belliveau or Rebecca Janz, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4952 or (202) 482-2972, respectively.

SUPPLEMENTARY INFORMATION:

Background

The review covers one producer/exporter of the subject merchandise: Electrolux. On March 6, 2017, the Department published the *Preliminary Results*.² In April 2017, the Department verified the sales data reported by Electrolux, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act).

In May 2017, we received case briefs from Whirlpool Corporation (the petitioner) and Electrolux. In June 2017, we received a rebuttal brief from the petitioner.

Scope of the Order

The products covered by the order are all large residential washers and certain subassemblies thereof from Mexico. The products are currently classifiable under subheadings 8450.20.0040 and 8450.20.0080 of the Harmonized Tariff System of the United States (HTSUS). Products subject to this order may also enter under HTSUS subheadings 8450.11.0040, 8450.11.0080, 8450.90.2000, and 8450.90.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the

¹ We inadvertently included Electrolux Home Products, Inc. as a producer/exporter of subject merchandise in our preliminary results. See *Large Residential Washers from Mexico: Preliminary Results of the Antidumping Duty Administrative Review; 2015–2016*, 82 FR 12538 (March 6, 2017) (*Preliminary Results*), and accompanying Preliminary Results Decision Memorandum (PDM) at 1. However, Electrolux Home Products, Inc. is the U.S. affiliate of Electrolux.

² See *Preliminary Results*.

merchandise subject to this scope is dispositive.³

Analysis of Comments Received

All issues raised in the case briefs by parties are listed in the Appendix to this notice and addressed in the Issues and Decision Memorandum. Parties can find a complete discussion of these issues and the corresponding recommendations in this public memorandum, which is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>; the Issues and Decision Memorandum is also available to all parties in the Central Records Unit, room B8024, of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on comments received from interested parties regarding our *Preliminary Results* and our findings at verification, we made certain changes to the preliminary calculation of weighted-average dumping margin calculations for Electrolux.

Final Results of the Review

We are assigning the following weighted-average dumping margin to Electrolux:

Manufacturer/exporter	Weighted-average dumping margin (percent)
Electrolux Home Products Corp. NV/Electrolux Home Products de Mexico, S.A. de C.V.	3.67

We intend to disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

Duty Assessment

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), the

³ A full description of the scope of the order is contained in Memorandum, “Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Large Residential Washers from Mexico,” dated concurrently with this notice (Issues and Decision Memorandum).

Department has determined, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. The Department intends to issue appropriate assessment instructions directly to CBP 41 days after publication of the final results of this administrative review.

For Electrolux, the Department calculated an *ad valorem* importer-specific assessment rate equal to the total amount of dumping calculated for the importer's examined sales and the total entered value of those sales. Where an importer-specific assessment rate is zero or *de minimis* (*i.e.*, less than 0.5 percent), the Department will instruct CBP to liquidate these entries without regard to antidumping duties pursuant to 19 CFR 351.106(c)(2).

The Department's "automatic assessment" practice will apply to entries of subject merchandise during the POR produced by Electrolux, for which the company did not know that its merchandise was destined for the United States.⁴ In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate established in the less-than fair-value (LTFV) investigation (*i.e.*, 36.52 percent),⁵ if there is no rate for the intermediary company(ies) involved in the transaction.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Electrolux will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recently-

completed segment of this proceeding for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 36.52 percent, the all-others rate determined in the LTFV investigation.⁶ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is published in accordance with section 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h) and 351.221(b)(5) of the Department's regulations.

Dated: July 5, 2017.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Margin Calculations
- V. Discussion of the Issues
 - Comment 1. The Department's Use of Zeroing
 - Comment 2. Methodological Issues in the Differential Pricing Analysis
 - Comment 3. Calculation Errors in Electrolux's Margin Program

VI. Recommendation

[FR Doc. 2017–14610 Filed 7–11–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–010]

Certain Crystalline Silicon Photovoltaic Products From the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2014–2016

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On March 7, 2017, the Department of Commerce (the Department) published the preliminary results of the first administrative review (AR) of the antidumping duty (AD) order on certain crystalline silicon photovoltaic products from the People's Republic of China (PRC). The period of review (POR) for the AR is July 31, 2014, through January 31, 2016. The AR covers nine companies including one mandatory respondent. We received comments from interested parties on our preliminary results. Based on our analysis of the comments received, we made changes to the margin calculations for the final results of this AR. The final weighted-average dumping margins are listed below in the "Final Results of Review" section of this notice.

DATES: Effective July 12, 2017.

FOR FURTHER INFORMATION CONTACT:

Aleksandras Nakutis, AD/CVD Operations, Office IV, Enforcement & Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3147.

SUPPLEMENTARY INFORMATION:

Background

On March 7, 2017, the Department published in the **Federal Register** the preliminary results of the 2014–2016 AR of the antidumping duty order on certain crystalline silicon photovoltaic products from the PRC.¹ For events subsequent to the *Preliminary Results*,

¹ See *Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2014–2016*, 82 FR 12793 (March 7, 2017) (*Preliminary Results*) and accompanying Preliminary Decision Memorandum (PDM).

⁴ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) for a full discussion of this practice.

⁵ See *Large Residential Washers From Mexico and the Republic of Korea: Antidumping Duty Orders*, 78 FR 11148 (February 15, 2013).

⁶ *Id.*

see the Department's Issues and Decision Memorandum.²

Scope of the Order

The merchandise covered by the order is modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials.³ Merchandise covered by the order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 8501.61.0000, 8507.20.8030, 8507.20.8040, 8507.20.8060, 8507.20.8090, 8541.40.6020, 8541.40.6030 and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the order is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs filed by parties in this review are addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice. A list of the issues that parties raised, and to which we responded in the Issues and Decision Memorandum, follows as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov> and to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results*, and for the reasons explained in the Issues and Decision Memorandum, we made revisions to our preliminary calculations of the weighted-average

dumping margins for the mandatory respondent, Trina.^{4,5}

Final Determination of No Shipments

In the *Preliminary Results*, we found that one company, JA Solar Technology Co., Ltd. (JA Solar), had no shipments during the POR.⁶ Consistent with the Department's assessment practice in NME cases, we completed the review with respect to JA Solar.⁷ The Department placed on the record a memorandum regarding JA Solar's no shipment claim and shipment data from U.S. Customs and Border Protection (CBP).⁸ On May 1, 2017, JA Solar timely submitted comments regarding the Department's memorandum on JA Solar's no shipment claim. No parties submitted rebuttal comments regarding JA Solar's no shipment claim. For these final results, we continue to find that JA Solar had no shipments during the POR. As noted in the "Assessment" section below, the Department will issue appropriate instructions with respect to this company to CBP based on our final results.⁹ In addition, JA Solar will maintain its dumping margin from the most recently completed segment of this proceeding in which it participated.

Separate Rates

In the *Preliminary Results*, the Department determined that Trina, and seven other companies demonstrated their eligibility for separate rates.¹⁰ No parties commented on this preliminary decision. For these final results, we continue to find that the eight companies listed in the table in the "Final Results" section of this notice are eligible for separate rates status. The Department assigned a dumping margin

to the separate rate companies that it did not individually examine, but which demonstrated their eligibility for a separate rate, based on the mandatory respondent's dumping margin.¹¹

Final Results of Review

We determine that the following weighted-average dumping margins exist for the POR:

Exporter	Weighted-average dumping margin
Changzhou Trina Solar Energy Co., Ltd./Trina Solar (Changzhou) Science and Technology Co., Ltd./Yangcheng Trina Solar Energy Co., Ltd./Turpan Trina Solar Energy Co., Ltd./Hubei Trina Solar Energy Co., Ltd.	9.61
BYD (Shangluo) Industrial Co., Ltd.	9.61
Chint Solar (Zhejiang) Co., Ltd. ..	9.61
Hefei JA Solar Technology Co., Ltd.	9.61
Perlight Solar Co., Ltd.	9.61
Shenzhen Sungold Solar Co., Ltd.	9.61
Sunny Apex Development Ltd	9.61
Wuxi Suntech Power Co., Ltd.	9.61

Because no party requested a review of the PRC-wide entity and the Department no longer considers the PRC-wide entity as an exporter conditionally subject to administrative reviews,¹² we did not conduct a review of the PRC-wide entity. Thus, the weighted-average dumping margin for the PRC-wide entity (*i.e.*, 165.04 percent) is not subject to change as a result of this review.¹³

Assessment

The Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review. The Department intends to issue assessment instructions to CBP 15 days after the publication date of these final results of review. In accordance with 19 CFR 351.212(b)(1), we are calculating importer- (or customer-) specific assessment rates for the merchandise

¹¹ See Memorandum, "Calculation of the Final Dumping Margin for Separate Rate Recipients," dated concurrently with this notice.

¹² See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65969–70 (November 4, 2013).

¹³ See *Certain Silicon Photovoltaic Products from the People's Republic of China: Antidumping Duty Order; and Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 80 FR 8592 (February 18, 2015).

⁴ In these final results of review, the Department has continued to treat the following six companies as a single entity: Changzhou Trina Solar Energy Co., Ltd./Trina Solar (Changzhou) Science & Technology Co., Ltd./Yangcheng Trina Solar Energy Technology Co., Ltd./Changzhou Trina Solar Yabang Energy Co., Ltd./Turpan Trina Solar Energy Co., Ltd./Hubei Trina Solar Energy Co., Ltd. (Collectively, Trina). See *Preliminary Results*, 82 FR 12793 (March 7, 2017) and PDM at 6.

⁵ See Issues and Decision Memorandum at comments 6, 8, 9, and 11.

⁶ See *Preliminary Results*.

⁷ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694, 65694–95 (October 24, 2011) (*Assessment of Antidumping Duties*).

⁸ See memorandum to interested parties re: "Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China: Shanghai JA Solar Technology Co., Ltd.'s No-shipment Claim and Release of U.S. Customs and Border Protection Information Relating to No Shipment Claims Made in the 2014–2016 Administrative Review of Certain Crystalline Silicon Photovoltaic Products from the People's Republic of China," dated April 25, 2017.

⁹ See *Assessment of Antidumping Duties*; see also the "Assessment" section of this notice, below.

¹⁰ See *Preliminary Results*.

² See Memorandum, "Issues and Decision Memorandum for the Final Results of the 2014–2016 Antidumping Duty Administrative Review of Crystalline Silicon Photovoltaic Products From the People's Republic of China," (Issues and Decision Memorandum), dated concurrently with this notice.

³ For a complete description of the scope of the order, see Issues and Decision Memorandum.

subject to this review. For any individually examined respondent whose weighted-average dumping margin is above *de minimis* (i.e., 0.50 percent), the Department will calculate importer- (or customer)-specific assessment rates for merchandise subject to this review. Where the respondent reported reliable entered values, the Department calculated importer- (or customer)-specific *ad valorem* rates by aggregating the dumping margins calculated for all U.S. sales to the importer- (or customer) and dividing this amount by the total entered value of the sales to the importer- (or customer).¹⁴ Where the Department calculated an importer- (or customer)-specific weighted-average dumping margin by dividing the total amount of dumping for reviewed sales to the importer- (or customer) by the total sales quantity associated with those transactions, the Department will direct CBP to assess importer- (or customer)-specific assessment rates based on the resulting per-unit rates.¹⁵ Where an importer- (or customer)-specific *ad valorem* or per-unit rate is greater than *de minimis*, the Department will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis*, or an importer (or customer-) specific *ad valorem* or per-unit rate is zero or *de minimis*, the Department will instruct CBP to liquidate appropriate entries without regard to antidumping duties.¹⁶

For merchandise whose sale/entry was not reported in the U.S. sales database submitted by an exporter individually examined during this review, but that entered under the case number of that exporter (i.e., at the individually-examined exporter's cash deposit rate), the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number will be liquidated at the PRC-wide rate.¹⁷

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For the companies listed above the cash deposit rate will be their respective rate established in the final results of this review; (2) for previously investigated PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the PRC-wide entity (i.e., 165.04 percent); and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

We intend to disclose the calculations performed for these final results within five days of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Orders (APO)

This notice also serves as a reminder to parties subject to 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 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 of the final results of this antidumping duty administrative review is issued and published in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213 and 19 CFR 351.221(b)(5).

Dated: July 5, 2017.

Carole Showers,

Executive Director, Office of Policy, performing the duties of the Deputy Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Issues and Decision Memorandum

Summary
Background
Scope of the Order
List of Abbreviations and Acronyms
Discussion of the Issues
Comment 1: Scope of the Order
(A) The Scope of the Order Is Unlawful
(B) The Final Scope Determination Does Not Apply Retroactively
Comment 2: CVD Export Subsidies
Comment 3: Use of Zero Import Quantity
Comment 4: Use of Differential Pricing Analysis
Comment 5: Surrogate Value for Aluminum Frames
Comment 6: Surrogate Value for Scrap Modules
Comment 7: Exclusion of Certain Sales in the Calculation of Dumping Margin
Comment 8: Warranty Expenses
Comment 9: Debt Restructuring Income
Comment 10: Surrogate Value for Module Glass
Comment 11: Selection of Financial Statements
Comment 12: JA Solar Technology Co., Ltd.'s No Shipments Claim

[FR Doc. 2017-14611 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket Number 170627596-7596-01]

Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure: Workforce Development

AGENCY: National Institute of Standards and Technology (NIST), Department of Commerce.

ACTION: Notice; Request for Information (RFI).

SUMMARY: Executive Order 13800, "Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure" (the "Executive Order"), directs the Secretary of Commerce, in conjunction with the Secretary of Homeland Security, and in consultation

¹⁴ See 19 CFR 351.212(b)(1).

¹⁵ *Id.*

¹⁶ See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

¹⁷ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011), for a full discussion of this practice.

with other Federal Departments and Agencies, to assess the scope and sufficiency of efforts to educate and train the American cybersecurity workforce of the future, including cybersecurity-related education curricula, training, and apprenticeship programs, from primary through higher education; and provide a report to the President with findings and recommendations regarding how to support the growth and sustainment of the Nation's cybersecurity workforce in both the public and private sectors. The National Institute of Standards and Technology (NIST) is seeking information on the scope and sufficiency of efforts to educate and train the Nation's cybersecurity workforce and recommendations for ways to support and improve that workforce in both the public and private sectors.

Responses to this RFI—which will be posted at <https://nist.gov/nice/cybersecurityworkforce>—will inform the assessment and report of the Secretaries of Commerce and Homeland Security to the President.

DATES: Comments must be received by 5 p.m. Eastern time on August 2, 2017.

ADDRESSES: Online submissions in electronic form may be sent to cybersecurityworkforce@nist.gov. Please include the subject heading of “Cybersecurity Workforce RFI”. Attachments to electronic comments will be accepted in Microsoft Word or Excel, or Adobe PDF formats only. Written comments may be submitted by mail to Cybersecurity Workforce RFI, National Institute of Standards and Technology, 100 Bureau Drive, Stop 2000, Gaithersburg, MD 20899. Comments containing references, studies, research, and other empirical data that are not widely published should include copies or electronic links of the referenced materials.

All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information. Do not submit confidential business information, or otherwise sensitive or protected information. Please do not submit additional materials. All comments received in response to this RFI will be made available at <https://nist.gov/nice/cybersecurityworkforce> without change or redaction, so commenters should not include

information they do not wish to be posted (e.g., personal or confidential business information). Comments that contain profanity, vulgarity, threats, or other inappropriate language will not be posted or considered.

FOR FURTHER INFORMATION CONTACT: For questions about this RFI, contact: Danielle Santos at 301–975–5048 or Danielle.Santos@nist.gov. Please direct media inquiries to the NIST Public Affairs Office at 301–975–2762 or Jennifer.huergo@nist.gov.

SUPPLEMENTARY INFORMATION: Executive Order 13800 of May 11, 2017, “Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure,” directs the Secretary of Commerce and the Secretary of Homeland Security to consult with the Secretaries of Defense, Labor, and Education, the Director of the Office of Management and Budget, and other agencies identified jointly by the Secretary of Commerce and the Secretary of Homeland Security, in conducting an assessment and making recommendations regarding the nation's cybersecurity workforce.¹ Specifically, these departments are to:

(A) “jointly assess the scope and sufficiency of efforts to educate and train the American cybersecurity workforce of the future, including cybersecurity-related education curricula, training, and apprenticeship programs, from primary through higher education; and”

(B) “within 120 days of this order, provide a report to the President through the Assistant to the President for Homeland Security and Counterterrorism, with findings and recommendations regarding how to support the growth and sustainment of the Nation's cybersecurity workforce in both the public and private sectors.”²

The Commerce Department's National Institute of Standards and Technology is soliciting comments from the public that will aid the Department of Commerce (DOC) and the Department of Homeland Security (DHS) in preparing the assessment and report to the President. For the purposes of this RFI, “education and training” of the American cybersecurity workforce does not include general workforce cybersecurity awareness efforts. Rather, “education and training” refers to curriculum- or practicum-based programs to increase the effectiveness of the workforce addressing cybersecurity challenges. As the Executive Order

states, comments are sought on the cybersecurity workforce in both the private and public sectors.

NIST may conduct workshops to gain further public input to the assessment and recommendations regarding the cybersecurity workforce. Information will be made available at <https://nist.gov/nice/cybersecurityworkforce>.

This RFI does not address additional aspects of the cybersecurity workforce that are included in the Executive Order.

Request for Information

Given the nature and importance of the Executive Order, NIST requests information from the public about current, planned, or recommended education and training programs aimed at strengthening the U.S. cybersecurity workforce.

Respondents are encouraged—but are not required—to respond to each question and to present their answers after each question. The following questions cover the major areas about which NIST seeks comment. They are not intended to limit the topics that may be addressed. Respondents may address related topics and may organize their submissions in response to this RFI in any manner. Responses may include estimates; please indicate where the response is an estimate.

All responses that comply with the requirements listed in the **DATES** and **ADDRESSES** sections of this RFI will be considered.

Comments containing references, studies, research, and other empirical data that are not widely published should include copies or electronic links of the referenced materials. Do not include in comments or otherwise submit proprietary or confidential information, as all comments received in response to this RFI will be made available publicly at <https://nist.gov/nice/cybersecurityworkforce>. Comments that contain profanity, vulgarity, threats, or other inappropriate language will not be posted or considered.

General Information

1. Are you involved in cybersecurity workforce education or training (e.g., curriculum-based programs)? If so, in what capacity (including, but not limited to: Community college or university faculty or administrator; official with a non-profit association focused on cybersecurity workforce needs; manufacturer or service company that relies on cybersecurity employees; cybersecurity curriculum developer; cybersecurity training institute; educator in a primary grade school; government agency that provides

¹ Exec. Order No. 13800, Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure, 82 FR 22391 (May 16, 2017).

² <https://www.federalregister.gov/d/2017-10004>.

funding for cybersecurity education; or student or employee enrolled in a cybersecurity education or training program)? *Note:* Providing detailed information, including your specific affiliation is optional and will be made publicly available. Commenters should not include information they do not wish to be posted (e.g., personal or confidential business information) and are strongly encouraged not to include Personally Identifiable Information in their submissions.

Growing and Sustaining the Nation's Cybersecurity Workforce

1. What current metrics and data exist for cybersecurity education, training, and workforce developments, and what improvements are needed in the collection, organization, and sharing of information about cybersecurity education, training, and workforce development programs?

2. Is there sufficient understanding and agreement about workforce categories, specialty areas, work roles, and knowledge/skills/abilities?

3. Are appropriate cybersecurity policies in place in your organization regarding workforce education and training efforts and are those policies regularly and consistently enforced?

4. What types of knowledge or skills do employers need or value as they build their cybersecurity workforce? Are employer expectations realistic? Why or why not? Are these expectations in line with the knowledge and skills of the existing workforce or student pipeline? How do these types of knowledge and skills vary by role, industry, and sector, (e.g., energy vs financial sectors)?

5. Which are the most effective cybersecurity education, training, and workforce development programs being conducted in the United States today? What makes those programs effective? What are the goals for these programs and how are they successful in reaching their goals? Are there examples of effective/scalable cybersecurity, education, training, and workforce development programs?

6. What are the greatest challenges and opportunities facing the Nation, employers, and workers in terms of cybersecurity education, training, and workforce development?

7. How will advances in technology (e.g., artificial intelligence, Internet of Things, etc.) or other factors affect the cybersecurity workforce needed in the future? How much do cybersecurity education, training, and workforce development programs need to adapt to prepare the workforce to protect modernized cyber physical systems (CPS)?

8. What steps or programs should be continued, modified, discontinued, or introduced to grow and sustain the Nation's cybersecurity workforce, taking into account needs and trends? What steps should be taken:

- i. At the Federal level?
- ii. At the state or local level, including school systems?
- iii. By the private sector, including employers?
- iv. By education and training providers?
- v. By technology providers?

Kevin Kimball,

NIST Chief of Staff.

[FR Doc. 2017-14553 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric

Administration Proposed Information Collection; Comment Request; West Coast Region Vessel Identification Requirements

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 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 September 11, 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 Shannon Penna, National Marine Fisheries Service (NMFS), West Coast Region (WCR) Long Beach Office, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802, (562) 980-4238 or shannon.penna@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a current information collection.

Regulations at 50 CFR 660.704 require that all commercial fishing vessels with permits issued under authority of the National Marine Fishery Service's (NMFS) Fishery Management Plan for United States (U.S.) West Coast Highly Migratory Species Fisheries display the vessel's official number (U.S. Coast Guard documentation number or state registration number). The numbers must be of a specific size and format and located at specified locations. The official number must be affixed to each vessel subject to this section in block Arabic numerals at least 10 inches (25.40 centimeters) in height for vessels more than 25 feet (7.62 meters) but equal to or less than 65 feet (19.81 meters) in length; and 18 inches (45.72 centimeters) in height for vessels longer than 65 feet (19.81 meters) in length. Markings must be legible and of a color that contrasts with the background. The display of the identifying number aids in fishery law enforcement. This requirement does not apply to recreational charter vessels.

II. Method of Collection

The vessels' official numbers are displayed on the vessels.

III. Data

OMB Control Number: 0648-0361.

Form Number(s): None.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 1700.

Estimated Time per Response: All but purse seine vessels, 45 minutes; purse seine vessels, 1 hour, 15 minutes.

Estimated Total Annual Burden Hours: 1,325 hours.

Estimated Total Annual Cost to Public: \$13,250.

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: July 7, 2017.

Sarah Brabson,
NOAA PRA Clearance Officer.

[FR Doc. 2017-14576 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XF395

Pacific Whiting; Advisory Panel

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

ACTION: Notice; call for nominations.

SUMMARY: NMFS is soliciting nominations for appointments to the United States Advisory Panel (AP) established in the Agreement between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting (Pacific Whiting Treaty). Nominations are being sought to fill one position on the AP for a four year term beginning in 2018.

DATES: Nominations must be received by August 11, 2017.

ADDRESSES: You may submit nominations by any of the following methods:

- *Email:* whiting.nominations.wcr@noaa.gov.
- *Fax:* 206-526-6736, Attn: Frank Lockhart.
- *Mail:* Barry Thom, Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way NE., Seattle, WA 98115-0070.

FOR FURTHER INFORMATION CONTACT: Frank Lockhart, (206) 526-6142 or Miako Ushio, (206) 526-4644.

SUPPLEMENTARY INFORMATION:

Pacific Whiting Treaty Committees Background

The Pacific Whiting Act of 2006 (Pacific Whiting Act), 16 U.S.C. 7001-10, implements the 2003 Agreement between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting. Among other provisions, the Pacific Whiting Act provides for the establishment of an Advisory Panel (AP). The AP makes recommendations to the Joint Management Committee on

bilateral Pacific whiting management issues. AP members must be knowledgeable or experienced in the harvesting, processing, marketing, management, conservation, or research of the offshore Pacific whiting resource. Eight individuals represent the United States on the AP, and nominations for one of those positions (id. at § 7005) is solicited through this notice.

Members appointed to the U.S. sections of the AP will be reimbursed for necessary travel expenses in accordance with Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of Title 5. (Id. at § 7008). NMFS anticipates that 1-2 meetings of the AP will be held annually, and these meetings will be held in the United States or Canada. AP members will need a valid U.S. passport.

The Pacific Whiting Act also states that while performing their appointed duties, members "other than officers or employees of the United States Government, shall not be considered to be Federal employees while performing such service, except for purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 171 of title 28." (Id.)

Information on the Pacific Whiting Treaty, including current committee members can be found at: www.westcoast.fisheries.noaa.gov/fisheries/management/whiting/pacific_whiting_treaty.html.

Advisory Panel Qualifications

AP member nominees must be knowledgeable or experienced in the harvesting, processing, marketing, management, conservation, or research of the offshore Pacific whiting resource; and must not be employees of the United States government. Nomination packages for appointments should include:

1. The name of the applicant or nominee, position they are being nominated for and a description of his/her interest in Pacific whiting; and
2. A statement of background and/or description of how the nominee is knowledgeable or experienced in the harvesting, processing, marketing, management, conservation, or research of the offshore Pacific whiting resource. Letters of support for nominees will also be considered.

Authority: 16 U.S.C. 7001 *et seq.*

Dated: July 6, 2017.

Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2017-14552 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Greater Atlantic Region Vessel Identification Requirements

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 September 11, 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 Cynthia Hanson, (978) 281-9180 or Cynthia.Hanson@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a current information collection.

Regulations at 50 CFR 648.8 and § 697.8 require that owners of vessels over 25 ft (7.6 m) in registered length that have Federal permits to fish in the Greater Atlantic Region display the vessel's name and official number. The name and number must be of a specific size at specified locations: the vessel name must be affixed to the port and starboard sides of the bow and, if possible, on its stern. The official number must be displayed on the port and starboard sides of the deckhouse or hull, and on an appropriate weather deck so as to be clearly visible from enforcement vessels and aircraft. The display of the identifying characters aids in fishery law enforcement.

II. Method of Collection

No information is submitted to NMFS as a result of this collection. The vessel's identification information must be affixed to the vessel in the designated

locations, as specified in the regulations.

III. Data

OMB Control Number: 0648–0350.

Form Number(s): None.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Individuals or households; business or other for-profit organizations.

Estimated Number of Respondents: 3,665.

Estimated Time per Response: 45 minutes to affix vessel information to the required locations.

Estimated Total Annual Burden Hours: 2,749.

Estimated Total Annual Cost to Public: \$36,650 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: July 7, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017–14577 Filed 7–11–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF523

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's (Council's) Summer Flounder, Scup, and Black Sea Bass Advisory Panel will hold a public meeting, jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Advisory Panel.

DATES: The meeting will be held on Friday, July 28, 2017, from 10 a.m. until 12:30 p.m.

ADDRESSES: The meeting will be held via webinar with a telephone-only connection option. Details on webinar registration and telephone-only connection details will be posted: <http://www.mafmc.org>.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; www.mafmc.org.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The Council's Summer Flounder, Scup, and Black Sea Bass Advisory Panel (AP) will meet jointly with the Atlantic States Marine Fisheries Commission's (ASMFC's) Summer Flounder, Scup, and Black Sea Bass AP. The purpose of this meeting is for the Advisory Panels to review and comment on recent stock assessment information, as well as the reports and recommendations of the Council's Scientific and Statistical Committee (SSC) and the Summer Flounder, Scup, and Black Sea Bass Monitoring Committee regarding previously implemented fishery specifications (*i.e.*, catch and landings limits and management measures) for 2018 for all three species and possible scup specifications for 2019. The Council and ASMFC will consider input from the AP in August when reviewing these specifications.

Special Accommodations

The meeting is 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: July 7, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–14602 Filed 7–11–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF531

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Pacific Fishery Management Council's (Pacific Council) Ad Hoc Community Advisory Board (CAB) will hold a two-day meeting that is open to the public.

DATES: The CAB meeting will begin Thursday, July 27, 2017 at 8 a.m., Pacific Standard Time, and recess when business for the day is completed. It will continue at 8 a.m. Friday, July 28, adjourning when business for the day is completed.

ADDRESSES: The meeting will be held at the Sheraton Portland Airport Hotel, Garden A/B/C Room, 8235 NE. Airport Way, Portland, OR 97220; telephone: (503) 281–2500.

Council address: Pacific Council, 7700 NE. Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Dr. Jim Seger, Pacific Council; telephone: (503) 820–2416.

SUPPLEMENTARY INFORMATION: The primary purpose of the CAB meeting is to develop preliminary ranges of alternatives for Pacific Council consideration at the September 2017 Pacific Council meeting. The issues to be covered were identified by the Pacific Council at its June 2017 meeting and include: Meeting the at-sea whiting fishery bycatch needs; trawl sablefish area management (gear conflicts); shoreside individual fishing quota (IFQ) accumulation limit; shoreside IFQ choke species management; shoreside IFQ gear switching limitation; and catcher-processor sector accumulation limits on permit ownership and harvesting/processing. Ranges of alternatives are to be developed and finalized for analysis over the course of the September and November Pacific Council meetings. Due to workload limitations, it is unlikely that all of these issues will move forward in 2017.

Although nonemergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this

document and any issues arising after publication of this document 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 intent to take final action to address the emergency.

Special Accommodations

The meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt at (503) 820-2411 at least 10 business days prior to the meeting date.

Dated: July 7, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017-14603 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; For Hire Telephone Survey

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 September 11, 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 John Foster, (301) 427-8130 or john.foster@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a currently approved information collection. The For-Hire Telephone Survey (FHTS) is conducted for the National Marine Fisheries Service (NMFS) to estimate fishing effort and catch on for-hire vessels (*i.e.*, charter boats and head boats). These data are required to carry out provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), as amended, regarding conservation and management of fishery resources.

NOAA Fisheries designed and implemented the FHTS to collect fishing effort information from for-hire vessel representatives through log sheet submission, the internet, or by telephone interview. For-hire vessels are randomly selected for the FHTS from a comprehensive sample frame developed and maintained by NMFS. A sample of 10% of the vessels on the FHTS frame are selected for reporting each week. Each interview collects information about the vessel, the number and type of trips the vessel made during the reporting week, the number of anglers on each trip, and other trip-level information.

The FHTS estimates are combined with estimates derived from independent but complementary surveys of fishing trips, the Access-Point Angler Intercept Survey, to estimate total, state-level fishing catch, by species. These estimates are used in the development, implementation, and monitoring of fishery management programs by the NMFS, regional fishery management councils, interstate marine fisheries commissions, and state fishery agencies.

II. Method of Collection

Information will be collected through telephone interviews using a Computer Assisted Telephone Interviewing (CATI) System. In lieu of telephone interviews, respondents may also provide information by submitting a log sheet or participating in the survey online.

III. Data

OMB Control Number: 0648-0709.

Form Number(s): None.

Type of Review: Regular (extension of a current information collection).

Affected Public: Individuals or households.

Estimated Number of Respondents: 22,000.

Estimated Time per Response: 3½ minutes each for a telephone interview; to complete a response online; and to fax the log sheet.

Estimated Total Annual Burden Hours: 1,283.

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: July 7, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017-14575 Filed 7-11-17; 8:45 am]

BILLING CODE 3510-22-P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB-2017-0011]

Request for Information Regarding the Small Business Lending Market; Extension

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice; extension of comment period.

SUMMARY: On May 15, 2017, the Consumer Financial Protection Bureau (CFPB or Bureau) published a Request for Information Regarding the Small Business Lending Market (RFI), which provides that comments must be received on or before July 14, 2017. On May 23, 2017, the Bureau received a letter from thirteen industry trade associations requesting a 60-day comment period extension for this RFI. The additional time is requested in order to develop meaningful responses to the RFI. The Bureau believes the extension will allow all stakeholders the opportunity to provide more robust responses that will further develop the Bureau's understanding of the small

business lending market and support its rulemaking process to implement section 1071 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). In response to this request, the Bureau has determined that a 60-day extension of the comment period is appropriate.

DATES: The comment period for the Request for Information Regarding the Small Business Lending Market, published May 15, 2017, at 82 FR 22318, is extended. Responses must now be received on or before September 14, 2017.

ADDRESSES: You may submit responsive information and other comments, identified by Docket No. CFPB–2017–0011, by any of the following methods:

- **Electronic:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Email:** FederalRegisterComments@cfpb.gov. Include Docket No. CFPB–2017–0011 in the subject line of the email.
- **Mail:** Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.
- **Hand Delivery/Courier:** Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1275 First Street NE., Washington, DC 20002.

Instructions: Please note the number associated with any question to which you are responding at the top of each response (you are not required to answer all questions to receive consideration of your comments). The Bureau encourages the early submission of comments. All submissions must include the document title and docket number. Because paper mail in the Washington, DC area and at the Bureau is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to <http://www.regulations.gov>. In addition, comments will be available for public inspection and copying at 1275 First Street NE., Washington, DC 20002, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. You can make an appointment to inspect the documents by telephoning 202–435–7275.

All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT: For general inquiries, submission process questions or any additional information, please contact Monica Jackson, Office of the Executive Secretary, at 202–435–7275.

SUPPLEMENTARY INFORMATION: On May 15, 2017, the Consumer Financial Protection Bureau published a RFI¹ to learn more about the small business lending market. Section 1071 Dodd-Frank Act amends the Equal Credit Opportunity Act (ECOA) to require financial institutions to compile, maintain, and report information concerning credit applications made by women-owned, minority-owned, and small businesses. In an effort to inform the Bureau's work on the business lending data collection rulemaking to implement section 1071, the Bureau seeks to learn more about the small business financing market, including understanding more about the products that are offered to small businesses, including women-owned and minority-owned small businesses, as well as the financial institutions that offer such credit. The Bureau also seeks to learn more about the business lending data that currently is used and may be maintained by financial institutions in connection with credit applications made by small businesses, including women-owned and minority-owned small businesses, and the potential complexity and cost of small business data collection and reporting. The Bureau is also seeking comment from the public on privacy concerns related to the disclosure purposes of section 1071.

On May 23, 2017, the Bureau received a letter from thirteen industry trade associations requesting a 60-day comment period extension for this RFI. The additional time is requested in order to develop meaningful responses to the RFI. The Bureau believes the extension will allow all stakeholders the opportunity to provide more robust responses that will further develop the Bureau's understanding of the small business lending market and support its rulemaking process to implement section 1071 of the Dodd-Frank Act. In response to this request, the Bureau has determined that a 60-day extension of the comment period is appropriate.

Authority: 12 U.S.C. 5511(c)

¹ Request for Information Regarding the Small Business Lending Market, 82 FR 22318 (May 15, 2017).

Dated: July 4, 2017.

Richard Cordray,
Director, Bureau of Consumer Financial Protection.

[FR Doc. 2017–14599 Filed 7–11–17; 8:45 am]

BILLING CODE 4810–AM–P

DEPARTMENT OF DEFENSE

Department of the Air Force

Board of Visitors (BoV) of the U.S. Air Force Academy Notice of Meeting

AGENCY: U.S. Air Force Academy Board of Visitors, Department of the Air Force.

ACTION: Meeting notice.

SUMMARY: The U.S. Air Force Academy (USFA) Board of Visitors (BoV) will hold a meeting at the Blue and Silver Club, Falcon Stadium, U.S. Air Force Academy, Colorado Springs, CO on Friday, 28 July, 2017. The purpose of this meeting is to review morale and discipline, social climate, strategic communications, summer programs, and other matters relating to the Academy. Specific topics for this meeting include a Superintendent's Update; USAFA highlights and discussion; Strategic Communication; Academic Initiatives.

DATES: The meeting will be held from 0900 to 1430 on Friday, July 28, 2017.

ADDRESSES: Blue and Silver Club, Falcon Stadium, U.S. Air Force Academy, Colorado Springs, Colorado, 80840.

FOR FURTHER INFORMATION CONTACT: Captain Natalie Campos, Officer of the Deputy Assistant Secretary of the Air Force, SAF/MRM, Executive Officer and Force Management Action Officer, 1660 Air Force Pentagon, Washington, DC 20330, (703) 697–7058, natalie.m.campos.mil@mail.mil.

SUPPLEMENTARY INFORMATION: In accordance with 10 U.S.C. Section 9355, the U.S. Air Force Academy BoV will hold a meeting at Blue and Silver Club, Falcon Stadium, U.S. Air Force Academy, Colorado Springs, CO on Friday, 28 July, 2017. The meeting will begin at 0900 and conclude at 1430. The purpose of this meeting is to review morale and discipline, social climate, strategic communications, summer programs, and other matters relating to the Academy. Specific topics for this meeting include a Superintendent's Update; USAFA highlights and discussion; Strategic Communication; Academic Initiatives.

Public Accessibility to the Meeting: Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102–3.140 through 102–

3.165, and subject to the availability of space, this meeting is open to the public. Registration of members of the public who wish to attend the meeting will begin upon publication of this meeting notice and end three business days (July 25) prior to the start of the meeting. All members of the public must contact Capt Campos at the phone number or email listed in the **FOR FURTHER INFORMATION CONTACT**. Seating is limited and is on a first-to-arrive basis. Attendees will be asked to provide their name, title, affiliation, and contact information to include email address and daytime telephone number to the POC listed in the **FOR FURTHER INFORMATION CONTACT** section. Any interested person may attend the meeting, file written comments or statements with the committee, or make verbal comments from the floor during the public meeting, at the times, and in the manner, permitted by the BoV.

Written Comments or Statements: Pursuant to 41 CFR 102–3.105(j) and 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act, the public or interested organizations may submit written comments or statements to the BoV about its mission and/or the topics to be addressed in this public meeting. Written comments or statements should be submitted to Capt Campos, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section in the following formats: Adobe Acrobat or Microsoft Word. The comment or statement must include the author's name, title, affiliation, address, and daytime telephone number. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the committee DFO at least five (5) business days prior to the meeting so that they may be made available to the BoV Chairman for their consideration prior to the meeting. Written comments or statements received after this date may not be provided to the BoV until its next meeting. Please note that because the BoV operates under the provisions of the Federal Advisory Committee Act, as amended, all written comments will be treated as public documents and will be made available for public inspection.

Verbal Comments: Members of the public will be permitted to make verbal comments during the meeting only at the time and in the manner allowed herein. If a member of the public is interested in making a verbal comment at the open meeting, that individual must submit a request, with a brief statement of the subject matter to be addressed by the comment, at least three

(3) business days in advance, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section. The BoV DFO will log each request to make a comment, in the order received, and the DFO and BoV Chairman will determine whether the subject matter of each comment is relevant to the BoV's mission and/or the topics to be addressed in this public meeting.

A period near the end of the meeting will be available for verbal public comments. Members of the public who have requested to make a verbal comment and whose comments have been deemed relevant under the process described in this paragraph, will be allotted no more than five (5) minutes during this period, and will be invited to speak in the order in which their requests were received by the DFO. For the benefit of the public, rosters that list the names of BoV members and any releasable materials presented during the open portions of this BoV meeting shall be made available upon request.

Henry Williams,

Acting Air Force Federal Register Liaison Officer.

[FR Doc. 2017–14580 Filed 7–11–17; 8:45 am]

BILLING CODE 5001–10–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID DOD–2017–OS–0033]

Proposed Collection; Comment Request

AGENCY: Pentagon Force Protection Agency, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Pentagon Force Protection Agency (PFPA) 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 September 11, 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 Pentagon Force Protection Agency, 9000 Defense Pentagon, Suite 5B890, ATTN: Edwin R. Herchert, Washington, DC 20301–9000, or call 703–614–0002.

SUPPLEMENTARY INFORMATION:
Title; Associated Form; and OMB Number: Computer Aided Dispatch and Record Management System (CAD/RMS); OMB Control Number 0704–0522.

Needs and Uses: The information collection requirement is necessary to obtain information regarding incidents that occur at the Pentagon and other facilities under the jurisdiction of the Pentagon Force Protection Agency.

Affected Public: Individuals or households.
Annual Burden Hours: 231.
Number of Respondents: 693.
Responses per Respondent: 1.
Annual Responses: 693.
Average Burden per Response: 20 minutes.
Frequency: On occasion.

All data collected in the Computer Aided Dispatch (CAD)/Record Management System (RMS) result from daily medical, criminal, and suspicious activities occurring at the Pentagon, and other facilities under the jurisdiction of the Pentagon Force Protection Agency, by security and law enforcement personnel directly involved in the incidents. Daily investigation of incidents and resulting information collection is accomplished by PFFA to provide force protection, security, and law enforcement to safeguard personnel, facilities, infrastructure, and other resources for the Pentagon Reservation and for assigned DoD activities and DoD-occupied facilities within the NCR. This data is collected only as incidents occur and the frequency is not under the control of any PFFA personnel. Information not relevant to the investigation of an incident is not collected. Information is collected only one time from the respondent following the incident.

Dated: July 7, 2017.

Aaron Siegel,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2017-14609 Filed 7-11-17; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD-2016-OS-0057]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Office of the Under Secretary of Defense for Personnel and Readiness 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 September 11, 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 Office of the Assistant Secretary of Defense for Readiness, Force Education and Training, Voluntary Education, ATTN: Ms. Dawn Bilodeau, Pentagon, Room 2E573, Washington, DC 20301-1500 or send email to project officer at: dawn.a.bilodeau.civ@mail.mil.

SUPPLEMENTARY INFORMATION: President Barack Obama signed Executive Order 13607 on April 27, 2012 to address the problem of aggressive and deceptive targeting of Service members, veterans, and their families by some educational institutions. Section 4 of the Executive Order specifically calls for the creation of a robust, centralized complaint process for students receiving Federal military and veterans' educational benefits.

DoD, along with the participating Federal agencies identified in the Executive Order have determined that this complaint process, in addition to taking in complaints about abusive or deceptive practices by schools, must

create an opportunity for schools to resolve those complaints, and must ensure that complaint data is accessible both to the relevant components at the Departments of Defense, Veterans Affairs, and Education that review schools for compliance and program eligibility, as well as the relevant law enforcement agencies that will prosecute any illegal practices. Beyond creation of this complaint process, the agencies seek to prevent abusive, deceptive, and fraudulent marketing practices through the following mechanisms: Establishment of risk-based program reviews; limits on access to military installations by educational institutions; and the use of intellectual property and other legal protections to ensure Web sites and programs are not deceptively suggesting military affiliation or endorsement.

The centralized complaint system will provide a resource for students receiving military and veteran educational benefits to effectively submit complaints against institutions they feel have acted deceptively or fraudulently. The first step is to make it easier for prospective and current military students and spouse-students to raise these concerns.

Title; Associated Form; and OMB Number: DoD Postsecondary Education Complaint Intake Form, DD Form 2961; OMB Control Number 0704-0501.

Needs and Uses: The information collection requirement is necessary to obtain, document, and respond to egregious complaints, questions, and other information concerning actions post-secondary education programs and services provided to military service members and spouse-students. The DoD Postsecondary Education Complaint Intake form will provide pertinent information such as: The content of the complaint, the educational institution the student is attending, the level of study, the education program the student is enrolled in, the type of education benefits being used, the branch of the military service, and the preferred contact information.

Affected Public: Individuals or households; business or other for-profits; not-for-profit institutions.

Annual Burden Hours: 16.

Number of Respondents: 63.

Responses per Respondent: 1.

Annual Responses: 63.

Average Burden per Response: 15 minutes.

Frequency: On Occasion.

Respondents are military spouses who submit complaints via the Department of Defense (DoD) Postsecondary Education Complaint Intake form. The PECS Intake form is used to record

complaints concerning educational institutions that military spouses feel have acted deceptively, aggressively or fraudulently towards them. The Intake form documents information such as the level of study of the student, the educational institution the student is attending, the type of education benefits being used, the branch of the military service the spouses' sponsor, the content of the complaint, and the preferred contact information for the person making the contact. Complaint Case Managers use information from the Intake form to track and manage cases and to coordinate a resolution with educational institutions, and to provide feedback to the respondent throughout the process and once a resolution has been reached.

Dated: July 7, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017-14578 Filed 7-11-17; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Department of the Navy

[Docket ID: USN-2017-HQ-0004]

Proposed Collection; Comment Request

AGENCY: Commander Navy Installation Command, Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995*, the Department of the Navy 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 September 11, 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.

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 Commander Naval Installations Command, N3AT Technology Officer, ATTN: Floyd Madrid, Bldg 196, Rm. 123, 1325 10th Street SE., Washington Navy Yard, DC 20388 or call 202-433-4784; or Headquarters Marine Corps, Plans Policies and Operations, Security Division (PS), Security Branch, Security Technologies Section, ATTN: Charles Pierce, 3000 Marine Corps Pentagon Rm 4A324, Washington, DC 20350-3000, or call 703-695-7202.

SUPPLEMENTARY INFORMATION:

Title: Associated Form; and *OMB Number:* Navy Access Control Management System (NACMS) and the U.S. Marine Corps Biometric and Automated Access Control System (BAACS); The associated Form is SECNAV 5512/1 Department of the Navy Local Population ID Card/Base Access Pass Registration Form; OMB Control Number 0703-0061.

Needs and Uses: The information collection requirement is necessary to control physical access to Department of Defense (DoD), Department of the Navy (DON) or U.S. Marine Corps Installations/Units controlled information, installations, facilities, or areas over which DoD, DON or U.S. Marine Corps has security responsibilities by identifying or verifying an individual through the use of biometric databases and associated data processing/information services for designated populations for purposes of protecting U.S./Coalition/allied government/national security areas of responsibility and information; to issue

badges, replace lost badges and retrieve passes upon separation; to maintain visitor statistics; collect information to adjudicate access to facility; and track the entry/exit of personnel.

Affected Public: Individuals or Households; Business or other for-profit; Not-for-profit institutions.

Annual Burden Hours: 816,667.

Number of Respondents: 4.9 Million.

Responses per Respondent: 1.

Annual Responses: 4.9 Million.

Average Burden per Response: 10 minutes.

Frequency: Daily.

Respondents are non-DoD members of the general public, businesses or other for profit and not-for-profit institutions who are seeking to access DoD, DON or U.S. Marine Corps Installations/Bases, installations, facilities, or areas over which DoD, DON or U.S. Marine Corps has security responsibilities. The respondents appear in person, record their personal identifiable information on the SECNAV 5512/1 Department of the Navy Local Population ID Card/Base Access Pass Registration Form, and submit it to the DON/USMC registrar who verifies the information against required I-9 Identity proofing documents. The registrar then enters the respondent's registration data into the Navy's Access Control Management System (NACMS) or the USMC's Biometric and Automated Access Control System (BAACS), which respectively serve as the registering Installation's/Base's Physical Access Control System where the data is stored for local physical access control requirements. Upon entry, this information is also securely transmitted and stored within the Department of Defense's authoritative data source (Local Population Database). The data is used to perform background checks to determine the fitness of non-DoD persons who are requesting access to DoD, DON or U.S. Marine Corps military installations. Upon successful registration and background check, either a Local Population ID Card or Base Access Pass is issued to the respondent. Respondents who provide their personal identifiable information are consenting to collection of information by their action of voluntarily offering their I-9 documents, or fingerprints, irises, and facial profiles for biometric collection. Failure to provide requested information may result in denial of access to DoD installations, facilities, and buildings.

Dated: July 7, 2017.

Aaron Siegel,

*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

[FR Doc. 2017-14596 Filed 7-11-17; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF ENERGY

[**(OE Docket No. PP-82-5)**]

Application To Amend Presidential Permit; Vermont Electric Power Company, Inc., as Agent for the Joint Owners of the Highgate Interconnection Facilities

AGENCY: Office of Electricity Delivery and Energy Reliability, DOE.

ACTION: Notice of Application.

SUMMARY: Vermont Electric Power Company, Inc. ("VELCO"), as operating-and-management agent for the Joint Owners of the Highgate Transmission Interconnection Facilities (the "Highgate Joint Owners") filed an application to amend PP-82, issued on May 14, 1985 and amended on March 1, 1994, September 3, 2003, February 7, 2005 and again on May 3, 2016. VELCO requested that DOE reflect changes in ownership of the Highgate Transmission Facility.

DATES: Comments or motions to intervene must be submitted on or before August 11, 2017.

ADDRESSES: Comments or motions to intervene should be addressed as follows: Office of Electricity Delivery and Energy Reliability (OE-20), U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Christopher Lawrence (Program Office) at 202-586-5260, or by email to Christopher.Lawrence@hq.doe.gov, or Rishi Garg (Program Attorney) at 202-586-0258.

SUPPLEMENTARY INFORMATION: The construction, operation, maintenance, and connection of facilities at the international border of the United States for the transmission of electric energy between the United States and a foreign country is prohibited in the absence of a Presidential permit issued pursuant to Executive Order (E.O.) 10485, as amended by E.O. 12038.

On April 11, 2017, VELCO filed an application with DOE, as required by 10 CFR 205.322, requesting DOE amend PP-82-4 to reflect a change in the names and ownership interests and authorize, under Article 10 of PP-82 the transfer of the Highgate Transmission Facility so that Vermont Transco, LLC

(Transco) will acquire 94.73% of the ownership interest in the facility from the current Joint Highgate Owners. The remaining 5.27% of the ownership would be acquired by the Stowe Electric Department (Stowe). Transco and Stowe would then be the Joint Highgate Owners. On June 14, 2017, VELCO informed DOE that Burlington Electric Department will remain a joint owner with 7.7% interest. Based on this modification, Transco would then have 87.03% of the ownership interest.

The international transmission facilities authorized by Presidential Permit No. PP-82, as amended, include a back-to-back converter station in Highgate, VT and a 345 kilovolt (kV) transmission line extending approximately 7.5 miles from the converter station to the U.S.-Canada border in Franklin, VT. VELCO does not propose to make any physical changes to the Highgate Facilities but rather asks the Department to amend the permit to reflect the change in ownership of the project.

Procedural Matters: Any person may comment on this application by filing such comment at the address provided above. Any person seeking to become a party to this proceeding must file a motion to intervene at the address provided above in accordance with Rule 214 of FERC's Rules of Practice and Procedure (18 CFR 385.214). Two copies of each comment or motion to intervene should be filed with DOE on or before the date listed above.

Additional copies of such motions to intervene also should be filed directly with: Mr. Colin Owyang, Vice President, General Counsel & Corporate Secretary, Vermont Electric Power Company, Inc., 366 Pinnacle Ridge Road, Rutland, VT 05701, cowyang@velco.com AND John H. Marshall, Esq., Downs Rachlin Martin PLLC, 90 Prospect Street, P.O. Box 99, St. Johnsbury, VT 05819-0099, jmarshall@drm.com.

Before a Presidential permit may be granted or amended, DOE must determine that the proposed action will not adversely impact the reliability of the U.S. electric power supply system. In addition, DOE must consider the environmental impacts of the proposed action (*i.e.*, granting the Presidential permit or amendment, with any conditions and limitations, or denying the permit) pursuant to the National Environmental Policy Act of 1969. DOE also must obtain the concurrence of the Secretary of State and the Secretary of Defense before taking final action on a Presidential permit application.

Copies of this application will be made available, upon request, for public inspection and copying at the address

provided above. In addition, the application may be reviewed or downloaded electronically at <http://energy.gov/oe/services/electricity-policy-coordination-and-implementation/international-electricity-regulation-2>. Upon reaching the home page, select "Pending Applications."

Issued in Washington, D.C., on June 28, 2017.

Christopher A. Lawrence,

Electricity Policy Analyst, Office of Electricity Delivery and Energy Reliability.

[FR Doc. 2017-14598 Filed 7-11-17; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

Public Hearing on The Navajo Nation Tribal Government Weatherization Assistance Program

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Notice of public administrative review hearing.

SUMMARY: The Department of Energy (DOE) is announcing an "Administrative Review Hearing on The Navajo Nation Tribal Government Weatherization Assistance Program." The Navajo Nation Tribal Government requested this administrative review hearing to review DOE's decision to cancel negotiations for financial assistance award #DE-EE0007932 and future DOE Weatherization Assistance Program (WAP) financial assistance awards to The Navajo Nation Tribal Government.

DATES: The administrative review hearing will be held on Tuesday, August 22, 2017, from 10:00 a.m. to 12:00 p.m. Mountain Time.

ADDRESSES: The administrative review hearing will be held at the Department of Energy's Golden Field Office on the National Renewable Energy Laboratory (NREL) campus, 15013 Denver West Parkway, Golden, CO 80401, RSF Building. Attendees must check in at the Main (East) NREL Gate which is 15031 Denver West Parkway (for GPS purposes use this Main Gate address), park in the Visitor lot and proceed to the reception desk in the RSF Building main lobby. After they are checked in and given a visitor badge, the host will be called to come get them.

FOR FURTHER INFORMATION CONTACT: Questions may be directed to Erica

Burrin at 202-280-9863 or by email at erica.burrin@ee.doe.gov.

SUPPLEMENTARY INFORMATION: *Purpose of the Hearing:* DOE has determined that The Navajo Nation Tribal Government is noncompliant with the requirements of the DOE Weatherization Assistance Program (WAP). The purpose of this hearing is to review DOE's decision to cancel negotiations for financial assistance award #DE-EE0007932 and future DOE WAP financial assistance awards to The Navajo Nation Tribal Government.

Public Participation: Registration is free and available on a first-come, first-served basis. Persons interested in attending this hearing must notify Erica Burrin via email to erica.burrin@ee.doe.gov by 4 p.m. Eastern Time, Tuesday, August 8, 2017. Early registration is recommended because facilities are limited and, therefore, DOE may limit the number of participants from each organization. If you need special accommodations due to a disability, please include that information in your registration request email. Registrants will receive email confirmation after they have been accepted.

Please note that foreign nationals visiting DOE facilities are subject to advance security screening procedures. Any foreign national wishing to participate in the hearing should advise Erica Burrin at erica.burrin@ee.doe.gov as soon as possible to initiate the necessary procedures. Anyone attending the hearing will be required to present a government photo identification, such as a passport, driver's license, or government identification. Due to the required security screening upon entry, individuals attending should arrive early to allow for the extra time needed.

Due to the REAL ID Act implemented by the Department of Homeland Security (DHS), recent changes have been enacted regarding ID requirements for individuals wishing to enter Federal buildings from specific states and U.S. territories. Driver's licenses (and ID cards) from the following states or territories will not be accepted for building entry and one of the alternate forms of ID listed below will be required: Alaska, Louisiana, New York, American Samoa, Maine, Oklahoma, Arizona, Massachusetts, Washington, and Minnesota.

Acceptable alternate forms of Photo-ID include: U.S. Passport or Passport Card; an Enhanced Driver's License or Enhanced ID-Card issued by the states of Minnesota, New York or Washington (Enhanced licenses issued by these states are clearly marked Enhanced or

Enhanced Driver's License); a military ID or other Federal government issued Photo-ID card.

Issued in Washington, DC on July 6, 2017.

Erica Burrin,
Managing Team Lead.

[FR Doc. 2017-14601 Filed 7-11-17; 8:45 am]

BILLING CODE 6450-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0463, 3060-0501, 3060-0896 and 3060-1174]

Information Collections Being Submitted for Review and Approval to the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before August 11, 2017. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email Nicholas_A_Fraser@omb.eop.gov; and to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418-2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the Web page <<http://www.reginfo.gov/public/do/PRAMain>>, (2) look for the section of the Web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060-0463.

Title: Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CG Docket No. 03-123, FCC 03-112, FCC 07-110, FCC 07-186.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Businesses or other for-profit entities; State, Local and Tribal Government.

Number of Respondents and

Responses: 3,510 respondents and 3,680 responses.

Estimated Time per Response: 1–15 hours.

Frequency of Response: Annual and on-occasion reporting requirement; Recordkeeping requirement; Third Party Disclosure.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority can be found at section 225 of the Communications Act, 47 U.S.C. 225. The law was enacted on July 26, 1990, as Title IV of the Americans with Disabilities Act of 1990, Public Law 101–336, 104 Stat. 327.

Total Annual Burden: 5,260 hours.

Total Annual Cost: \$1,600.

Nature and Extent of Confidentiality: An assurance of confidentiality is not offered because this information collection does not require the collection of personally identifiable information from individuals.

Privacy Impact Assessment: No impact(s).

Needs and Uses: The Commission is submitting this modified information collection to the Office of Management and Budget (OMB) to transfer burden hours and costs associated with regulations under section 225 of the Communications Act (Act), as previously approved under OMB control number 3060–1047, to this information collection. The Commission intends to discontinue information collection 3060–1047 once this information collection is approved.

In 2003, the Commission released the 2003 Second Improved TRS Order, published at 68 FR 50973, August 25, 2003, which among other things required that TRS providers offer certain local exchange carrier (LEC)-based improved services and features where technologically feasible, including a speed dialing requirement which may entail voluntary recordkeeping for TRS providers to maintain a list of telephone numbers. See also 47 CFR 64.604(a)(3)(vi)(B).

In 2007, the Commission released the Section 225/255 VoIP Report and Order, published at 72 FR 43546, August 6, 2007, extending the disability access requirements that apply to telecommunications service providers and equipment manufacturers under 47 U.S.C. 225, 255 to interconnected voice over Internet protocol (VoIP) service providers and equipment manufacturers. As a result, under rules

implementing section 225 of the Act, interconnected VoIP service providers are required to publicize information about telecommunications relay services (TRS) and 711 abbreviated dialing access to TRS. See also 47 CFR 64.604(c)(3).

In 2007, the Commission released the 2007 Cost Recovery Report and Order and Declaratory Ruling, published at 73 FR 3197, January 17, 2008, in which the Commission requires that TRS providers submit to the TRS Fund Administrator the following information annually for intrastate traditional TRS, STS, and CTS: (a) The per-minute compensation rate(s); (b) whether the rate applies to session minutes or conversation minutes; (c) the number of intrastate session minutes; and (d) the number of intrastate conversation minutes. Also, STS providers must file a report annually with the TRS Fund Administrator and the Commission on their specific outreach efforts directly attributable to the additional compensation approved by the Commission for STS outreach. See also 47 CFR 64.604(c)(5)(iii)(D).

OMB Control Number: 3060–0501.

Title: Section 73.1942 Candidates Rates; Section 76.206 Candidate Rates; Section 76.1611 Political Cable Rates and Classes of Time.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 17,561 respondents; 403,610 responses.

Estimated Time per Response: 0.5 hours to 20 hours.

Frequency of Response: Recordkeeping requirement; On occasion reporting requirement; Semi-annual requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in Sections 154(i) and 315 of the Communications Act of 1934, as amended.

Total Annual Burden: 927,269 hours.

Total Annual Cost: None.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: Section 315 of the Communications Act directs broadcast stations and cable operators to charge political candidates the “lowest unit charge of the station” for the same class and amount of time for the same period, during the 45 days preceding a primary

or runoff election and the 60 days preceding a general or special election.

The information collection requirements contained in 47 CFR 73.1942 require broadcast licensees and the requirements contained in 47 CFR 76.206 require cable television systems to disclose any station practices offered to commercial advertisers that enhance the value of advertising spots and different classes of time (immediately preemptible, preemptible with notice, fixed, fire sale, and make good). These rule sections also require licensees and cable TV systems to calculate the lowest unit charge. Broadcast stations and cable systems are also required to review their advertising records throughout the election period to determine whether compliance with these rule sections require that candidates receive rebates or credits.

The information collection requirements contained in 47 CFR 76.1611 require cable systems to disclose to candidates information about rates, terms, conditions and all value-enhancing discount privileges offered to commercial advertisers.

OMB Control Number: 3060–0896.

Title: Broadcast Auction Form Exhibits.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other-for-profit entities, not-for-profit institutions, State, local or tribal government.

Number of Respondents and Responses: 2,000 respondents and 5,350 responses.

Estimated Hours per Response: 0.5 hours-2 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in Sections 154(i) and 309 of the Communications Act of 1934, as amended.

Annual Hour Burden: 6,663 hours.

Annual Cost Burden: \$12,332,500.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Impact Assessment(s): No impact(s).

Needs and Uses: The Commission’s rules require that broadcast auction participants submit exhibits disclosing ownership, bidding agreements, bidding credit eligibility and engineering data. These data are used by Commission staff to ensure that applicants are qualified to participate in Commission auctions and to ensure that license winners are entitled to receive the new entrant bidding credit, if applicable. Exhibits

regarding joint bidding agreements are designed to prevent collusion. Submission of engineering exhibits for non-table services enables the Commission to determine which applications are mutually exclusive.

OMB Control Number: 3060-1174.

Title: Section 73.503, Licensing requirements and service; Section 73.621, Noncommercial educational TV stations; Section 73.3527, Local public inspection file of noncommercial educational stations.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit institutions.

Number of Respondents and Responses: 2,200 respondents; 33,000 responses.

Estimated Time per Response: 0.5 hours.

Frequency of Response:

Recordkeeping requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority which covers these information collections is contained in 47 U.S.C. 151, 154(i), 303, and 399B.

Total Annual Burden: 16,500 hours.

Total Annual Cost: No cost.

Nature and Extent of Confidentiality: Although the Commission does not believe that any confidential information will need to be disclosed in order to comply with the information collection requirements, applicants are free to request that materials or information submitted to the Commission be withheld from public inspection. (See 47 CFR 0.459 of the Commission's Rules).

Privacy Impact Assessment: No impact(s).

Needs and Uses: On April 20, 2017, the Commission adopted a Report and Order in MB Docket No. 12-106, FCC 17-41, In the Matter of Noncommercial Educational Station Fundraising for Third-Party Non-Profit Organizations. Under the Commission's existing rules, a noncommercial educational (NCE) broadcast station may not conduct fundraising activities to benefit any entity besides the station itself if the activities would substantially alter or suspend regular programming. The Report and Order relaxes the rules to allow NCE stations to spend up to one percent of their total annual airtime conducting on-air fundraising activities that interrupt regular programming for the benefit of third-party non-profit organizations. The Report and Order imposes the following information

collection requirements on NCE stations:

Audience Disclosure: The information collection requirements contained in 47 CFR 73.503(e)(1) requires that a noncommercial educational FM broadcast station that interrupts regular programming to conduct fundraising activities on behalf of third-party non-profit organizations must air a disclosure during such activities clearly stating that the fundraiser is not for the benefit of the station itself and identifying the entity for which it is fundraising. The information collection requirements contained in 47 CFR 73.621(f)(1) requires that a noncommercial educational TV broadcast station that interrupts regular programming to conduct fundraising activities on behalf of third-party non-profit organizations must air a disclosure during such activities clearly stating that the fundraiser is not for the benefit of the station itself and identifying the entity for which it is fundraising. The audience disclosure must be aired at the beginning and the end of each fundraising program and at least once during each hour in which the program is on the air.

Retention of information on fundraising activities in local public inspection file: The information collection requirements contained in 47 CFR 73.3527(e)(14) requires that each noncommercial educational FM broadcast station and noncommercial educational TV broadcast station that interrupts regular programming to conduct fundraising activities on behalf of a third-party non-profit organization must place in its local public inspection file, on a quarterly basis, the following information for each third-party fundraising program or activity: The date, time, and duration of the fundraiser; the type of fundraising activity; the name of the non-profit organization benefitted by the fundraiser; a brief description of the specific cause or project, if any, supported by the fundraiser; and, to the extent that the station participated in tallying or receiving any funds for the non-profit group, an approximation, to the nearest \$10,000, of the total funds raised. The information for each calendar quarter is to be filed by the tenth day of the succeeding calendar quarter (e.g., January 10 for the quarter October-December, April 10 for the quarter January-March, etc.).

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2017-14563 Filed 7-11-17; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL MARITIME COMMISSION

Notice of Agreement Filed

The Commission hereby gives notice of the filing of the following agreement under the Shipping Act of 1984. Interested parties may submit comments on the agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve days of the date this notice appears in the **Federal Register**. A copy of the agreement is available through the Commission's Web site (www.fmc.gov) or by contacting the Office of Agreements at (202)-523-5793 or tradeanalysis@fmc.gov.

Agreement No.: 012397-001.

Title: National Shipping Company of Saudi Arabia (Bahri) and RZ Carrier GmbH & Co. KG (RZ Carrier) Space Charter Agreement.

Parties: The National Shipping Company of Saudi Arabia d/b/a Bahri and RZ Carrier GmbH & Co. KG.

Filing Party: Wayne Rohde, Esq.; Cozen O'Connor; 1200 Nineteenth Street NW.; Washington, DC 20036.

Synopsis: The amendment changes the name of Rickmers GmbH & Cie KG to RZ Carrier GmbH & Co. KG throughout the Agreement. It also changes the name of the Agreement and restates the Agreement.

By Order of the Federal Maritime Commission.

Dated: July 7, 2017.

Rachel E. Dickon,

Assistant Secretary.

[FR Doc. 2017-14615 Filed 7-11-17; 8:45 am]

BILLING CODE 6731-AA-P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the

banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 7, 2017.

A. Federal Reserve Bank of Boston (Prabal Chakrabarti, Senior Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02210-2204. Comments can also be sent electronically to BOS.SRC.Applications.Comments@bos.frb.org:

1. *Berkshire Hills Bancorp, Inc.*, Pittsfield, Massachusetts; to acquire 100 percent of the shares of Commerce Bancshares Corporation and thereby acquire, Commerce Bank and Trust Company, both of Worcester, Massachusetts.

B. Federal Reserve Bank of Dallas (Robert L. Triplett III, Senior Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Maple Financial Holdings, Inc.*, Dallas, Texas; to become a bank holding company by acquiring The First National Bank of Edgewood, Edgewood, Texas.

Board of Governors of the Federal Reserve System, July 7, 2017.

Michele T. Fennell,

Assistant Secretary of the Board.

[FR Doc. 2017-14587 Filed 7-11-17; 8:45 am]

BILLING CODE 6210-01-P

FEDERAL TRADE COMMISSION

[File No. 171 0027]

Broadcom Limited and Brocade Communications Systems, Inc.; Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of

federal law prohibiting unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before August 2, 2017.

ADDRESSES: Interested parties may file a comment at <https://ftcpublic.commentworks.com/ftc/broadcombroadcomdeconsent/> online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write “In the Matter of Broadcom Limited and Brocade Communications Systems, Inc., File No. 171 0027” on your comment and file your comment online at <https://ftcpublic.commentworks.com/ftc/broadcombroadcomdeconsent/> by following the instructions on the web-based form. If you prefer to file your comment on paper, write “In the Matter of Broadcom Limited and Brocade Communications Systems, Inc., File No. 171 0027” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Stephen Antonio (202-326-2536), Bureau of Competition, Mergers II Division, 600 Pennsylvania Avenue NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for July 3, 2017), on the World Wide Web, at <http://www.ftc.gov/news-events/commission-actions>.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or

before August 2, 2017. Write “In the Matter of Broadcom Limited and Brocade Communications Systems, Inc., File No. 171 0027” on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at <https://www.ftc.gov/policy/public-comments>.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublic.commentworks.com/ftc/broadcombroadcomdeconsent/> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov#!/home>, you also may file a comment through that Web site.

If you prefer to file your comment on paper, write “In the Matter of Broadcom Limited and Brocade Communications Systems, Inc., File No. 171 0027” on your comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW., Suite CC-5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW., 5th Floor, Suite 5610 (Annex D), Washington, DC. If possible, submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the publicly accessible FTC Web site at www.ftc.gov, you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else’s Social Security number; date of birth; driver’s license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any “trade secret or any commercial or financial information which . . . is privileged or confidential”—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and

FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled “Confidential,” and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the public FTC Web site—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC Web site, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before August 2, 2017. You can find more information, including routine uses permitted by the Privacy Act, in the Commission’s privacy policy, at <https://www.ftc.gov/site-information/privacy-policy>.

Analysis of Agreement Containing Consent Order To Aid Public Comment

Introduction

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an Agreement Containing Consent Order (“Consent Agreement”) from Broadcom Limited (“Broadcom”) and Brocade Communications Systems, Inc. (“Brocade”), designed to remedy the anticompetitive effects resulting from Broadcom’s proposed acquisition of Brocade.

Pursuant to an Agreement and Plan of Merger dated November 1, 2016, the parties agreed that Broadcom would acquire Brocade for \$5.9 billion, including assuming \$400 million in debt (“the Acquisition”). The

Commission’s Complaint alleges that the proposed Acquisition, if consummated, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. 18, and Section 5 of the FTC Act, as amended, 15 U.S.C. 45, by substantially lessening competition in the worldwide market for fibre channel switches. The Complaint alleges that Broadcom’s access to Cisco’s competitively sensitive confidential information, provided in furtherance of its ongoing supply relationship for application specific integrated circuits (“ASICs”) with Broadcom, may substantially lessen competition by increasing the likelihood that Broadcom may unilaterally exercise market power or by increasing the likelihood of coordinated interaction between the two competitors in the fibre channel switch market.

Under the terms of the proposed Decision and Order (“Order”) contained in the Consent Agreement, Broadcom is required to implement firewalls preventing the flow of Cisco’s confidential business information outside of an identified group of relevant Broadcom employees, and requires a monitor to oversee compliance with the firewall provisions. The proposed remedy effectively addresses the potential for competitive harm resulting from Broadcom misusing Cisco’s competitively sensitive confidential information.

The Consent Agreement has been placed on the public record for 30 days to solicit comments from interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the Consent Agreement and the comments received, and decide whether it should withdraw from the Consent Agreement, modify it, or make it final.

The Parties

Headquartered in both Singapore and San Jose, California, Broadcom is a publically traded global developer and supplier of semiconductor products. Broadcom’s enterprise storage group specializes in designing, producing, and selling a broad array of integrated circuits used in fibre channel and Ethernet network environments, including ASICs for fibre channel switches.

Headquartered in San Jose, California, Brocade is a data storage and networking company. Brocade is the leading manufacturer of fibre channel switches, and also sells wireless networking equipment, Ethernet switches, and software solutions for networks.

The Relevant Market and Market Structure

The relevant line of commerce in which to analyze the effects of the Acquisition is fibre channel switches. The fibre channel switch is part of a fibre channel storage area network, which employs the fibre channel interconnect protocol to enable stable, high-throughput data transfers between servers and storage arrays in data centers. Fibre channel switches provide quick and secure access to large amounts of data and are often used for mission-critical applications.

Fibre channel switch customers would not turn to alternative switching technologies in response to a small but significant price increase because doing so would involve significant business risk and expense.

Each fibre channel switch contains an ASIC, which is an integrated circuit that is custom-tailored to carry out the functions of the fibre channel switch. It is the most costly and technically complex component of the switch. The ASIC is designed through a collaboration between the switch manufacturer and an ASIC provider. Switch manufacturers typically develop proprietary intellectual property, and ASIC providers, add intellectual property libraries, design oversight capabilities, and oversee the production of the ASICs at a third-party foundry in order to create a commercial ASIC for a switch manufacturer.

The relevant geographic market in which to analyze the effects of the Acquisition on the fibre channel switch market is worldwide. Fibre channel switches are produced in facilities worldwide. The size and weight of fibre channel switches generally allow for economical shipping to downstream customers located throughout the world.

The worldwide market for fibre channel switches is highly concentrated, consisting of a duopoly between Brocade and Cisco. The fibre channel market has been flat to slowly declining over the past several years.

Effects of the Acquisition

The Complaint alleges that as a result of its ongoing ASIC supply relationship with Cisco, Broadcom will continue to have extensive access to Cisco’s competitively sensitive confidential information. Without proper safeguards, Broadcom could misuse that information, leading to anticompetitive conduct that could make Cisco a less effective competitor, or increase the likelihood of coordinated interaction between the two remaining fibre channel switch competitors, in turn

increasing the probability that customers would pay higher prices for fibre channel switches and that innovation would be lessened.

Entry

Entry into the worldwide fibre channel switch market is not likely to occur in a timely, likely, or sufficient magnitude, character and scope to deter or counteract any anticompetitive effects created by the proposed Acquisition. Entry is unlikely in light of slowly declining demand for fibre channel switches in a mature market, customers that tend to stay with one fibre channel switch manufacturer for extended periods of time, and the significant capital costs required for entry.

The Consent Agreement

To remedy the alleged competitive concern stemming from Broadcom's access to Cisco's competitively sensitive confidential information, the consent decree prevents the Cisco information from being shared among Broadcom employees who could use such information to raise prices or lessen innovation.

Pursuant to the proposed Order, only authorized individuals will have access to Cisco's competitively sensitive confidential information that is given to the firewalled entity, which is defined as Broadcom's business group responsible for the development, production, sale, and marketing of fibre channel ASICs for Cisco. The firewalled entity will have separate facilities and a separate information technology system with security protocols assuring access only to the authorized individuals. Furthermore, Broadcom shall require all authorized individuals to sign a non-disclosure agreement, requiring compliance with the terms of the proposed Order. Additionally, the proposed Order provides for a cooling off period whereby any authorized individual who leaves his or her position at the firewalled entity will not work in the development, production, sale, or marketing of fibre channel ASICs for Brocade's business unit or in the development, production, sales, and marketing of fibre channel switches for twelve months.

The proposed Order also requires Broadcom to use Cisco's competitively sensitive confidential information only in furtherance of the design, manufacturing, and sale of fibre channel ASICs for Cisco. Moreover, Broadcom will be required to take all actions necessary to prevent access to, or the disclosure or use of Cisco's competitively sensitive confidential

information by or to anyone who is not an authorized individual. The proposed Order also incorporates by reference non-disclosure provisions contained in four prior private Confidentiality Agreements that Broadcom, or its predecessor, signed with Cisco.

To ensure compliance with the proposed Order, the Commission will appoint a Monitor to oversee Broadcom's and Brocade's performance of their obligations pursuant to the Consent Agreement. The Monitor will be appointed to a five-year term, but the Commission may extend or modify the term as appropriate up to a ten-year period. Further, the Consent Agreement contains appropriate reporting requirements.

Opportunity for Public Comment

The purpose of this analysis is to facilitate public comment on the proposed Consent Agreement to aid the Commission in determining whether it should make the proposed Consent Agreement final. This analysis is not an official interpretation of the proposed Consent Agreement and does not modify its terms in any way.

By direction of the Commission.

Donald S. Clark,
Secretary.

[FR Doc. 2017-14536 Filed 7-11-17; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Sunshine Act Meeting: Board of Scientific Counselors NCEH/ATSDR; Cancellation

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: The original Federal Register Notice for this meeting was published in the **Federal Register** on May 22, 2017, Volume 82, Number 2017-10333, page/s/23250-23251.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9:00 a.m.–noon, EDT, June 23, 2017.

CHANGES IN THE MEETING: This meeting is being canceled in its entirety.

CONTACT PERSON FOR MORE INFORMATION: Amanda Malasky, BS, ORISE Fellow, CDC, 4770 Buford Hwy., Atlanta, GA 30344, telephone 770-488-7699; yoo00@cdc.gov.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee

management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Claudette Grant,

Acting Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 2017-14745 Filed 7-10-17; 4:15 pm]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2017-N-0002]

New Animal Drugs; Withdrawal of Approval of a New Animal Drug Application

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of withdrawal.

SUMMARY: The Food and Drug Administration (FDA) is withdrawing approval of two new animal drug applications (NADAs). This action is being taken at the sponsor's request because these products are no longer manufactured or marketed.

DATES: Withdrawal of approval is effective July 24, 2017.

FOR FURTHER INFORMATION CONTACT: Sujaya Dessai, Center for Veterinary Medicine (HFV-212), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240-402-5761, sujaya.dessai@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Zoetis, Inc., 333 Portage St., Kalamazoo, MI 49007 has requested that FDA withdraw approval of NADA 065-291 for bulk dihydrostreptomycin sulfate and NADA 065-324 for bulk streptomycin sulfate because the products are no longer manufactured or marketed.

Therefore, under authority delegated to the Commissioner of Food and Drugs, and in accordance with § 514.116 *Notice of withdrawal of approval of application* (21 CFR 514.116), notice is given that approval of NADA 065-291 and NADA 065-324, and all supplements and amendments thereto, is hereby withdrawn, effective July 24, 2017.

As neither of these NADAs was codified, the animal drug regulations do not require amendment to reflect the voluntary withdrawal of approval of these applications.

Dated: July 7, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017-14566 Filed 7-11-17; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Cancer Institute Special Emphasis Panel, July 20, 2017, 11:00 a.m. to July 20, 2017, 05:00 p.m., National Cancer Institute Shady Grove, Shady Grove, 9609 Medical Center Drive, 7W102, Rockville, MD 20850 which was published in the **Federal Register** on May 31, 2017, 82 FR 24983.

The meeting notice is amended to change the meeting title to "Core Infrastructure & Epidemiology Cohorts". The meeting date has been changed to August 8, 2017 and the contact person has been changed to Shakeel Ahmad, Ph.D.; phone 240-276-6349; ahmads@mail.nih.gov. The meeting is closed to the public.

Dated: July 6, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-14539 Filed 7-11-17; 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; The Dog Aging Project.

Date: August 4, 2017.

Time: 11:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, 2W200, 7201 Wisconsin Ave., Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Isis S. Mikhail, DRPH, MD, MPH, National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Suite 2C212, Bethesda, MD 20892, 301-402-7704, MIKHAILI@MAIL.NIH.GOV.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: July 6, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-14540 Filed 7-11-17; 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 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: Center for Scientific Review Special Emphasis Panel; Myocardial Ischemia and Metabolism Members Conflict.

Date: August 1-2, 2017.

Time: 12:00 p.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: Abdelouahab Aitouche, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4222, MSC 7814, Bethesda, MD 20892, 301-435-2365, aitouchea@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: July 6, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017-14538 Filed 7-11-17; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2016-1084]

Navigation and Vessel Inspection Circular (NVIC) 05-17; Guidelines for Addressing Cyber Risks at Maritime Transportation Security Act (MTSA) Regulated Facilities

AGENCY: Coast Guard, DHS.

ACTION: Notice of availability and request for comments.

SUMMARY: The Coast Guard announces the availability of draft Navigation and Inspection Circular (NVIC) 05-17; Guidelines for Addressing Cyber Risks at Maritime Transportation Security Act (MTSA) Regulated Facilities, and requests public comment on the draft. This NVIC proposes to clarify the existing requirements under MTSA to incorporate analysis of computer and cyber risks and guidance for addressing those risks. This NVIC would provide guidance on incorporating cybersecurity risks into an effective Facility Security Assessment (FSA), as well as additional recommendations for policies and procedures that may reduce cyber risk to operators of maritime facilities. Operators may use this document as a benchmark to develop and implement measures and activities for effective self-governance of cyber risks.

DATES: Comments must be submitted to the online docket via <http://www.regulations.gov>, or reach the Docket Management Facility, on or before September 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email, Jason Warren, Coast Guard; telephone 202-372-1106, email Jason.S.Warren@uscg.mil or LCDR Josephine Long, Coast Guard; telephone 202-372-1109, email Josephine.A.Long@uscg.mil.

ADDRESSES: You may submit comments identified by docket number USCG-2016-1084 using the Federal eRulemaking Portal at <http://www.regulations.gov>. See the "Public Participation and Request for Comments" portion of the

SUPPLEMENTARY INFORMATION section for further instructions on submitting comments.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

We encourage you to submit comments (or related material) on the draft NVIC. We will consider all submissions and may adjust our final action based on your 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.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Discussion

As highlighted in the United States Coast Guard Cyber Strategy, cyber security is one of the most serious economic and national security challenges we face as a nation. Adversaries, including state-sponsored and independent hacker groups, terrorists, Transnational Organized Crime groups, and insider threats can pose significant threats to our nation's Marine Transportation System (MTS). Yet these same systems allow the MTS to operate with an impressive record of efficiency and reliability. With approximately 360 sea and river ports, which handle more than \$1.3 trillion in annual cargo, we are dependent on a safe, secure, and efficient MTS, which in turn is highly dependent on a

complex, globally-networked system of technology.

The maritime industry continues to increase use of cyber technology. Facility operators use computers and cyber dependent technologies for communications, engineering, cargo control, environmental control, access control, passenger and cargo screening, and many other purposes. Facility safety and security systems, such as security monitoring, fire detection, and general alarm installations increasingly rely on computers and networks. While these computer and network systems create benefits, they are inherently vulnerable and could introduce new vulnerabilities. Exploitation, misuse, or simple failure of cyber systems can cause injury or death, harm the marine environment, disrupt vital trade activity, and degrade the ability to respond to other emergencies.

There are many resources, technical standards, and recommended practices available to the marine industry that can help their governance of cyber risks. Facility operators should use those resources to promote a culture of effective and proactive cyber risk management. The purpose of this draft NVIC is to begin to lay out a series of policies and procedures to mitigate these risks while ensuring the continued operational capability of the nation's MTS.

The provisions of the Maritime Transportation Security Act (MTSA) (Pub. L. 105–297, November 25, 2002) address the security of the MTS and authorize regulations. Under the authority of MTSA, the Coast Guard has promulgated regulations, located in subchapter H of Title 33 of the Code of Federal Regulations (CFR), which provide general parameters for port and facility security while allowing facility owners and operators the discretion to determine the details of how they will comply. Owners and operators are responsible for assessing vulnerabilities and ensuring the security of their facilities with Coast Guard oversight and guidance. The Coast Guard currently has the regulatory authority to instruct facilities and Outer Continental Shelf (OCS) facilities regulated under MTSA to address computer system and network vulnerabilities within their required Facility Security Assessment (FSA) and to address these vulnerabilities, if necessary, within the Facility Security Plan (FSP).

This draft NVIC would provide guidance and recommended practices for MTSA regulated facilities to address cyber-related vulnerabilities. It consists of two major parts. The first part, titled “Cyber Security and MTSA: 33 CFR

parts 105 and 106,” and labeled enclosure 1, discusses the existing MTSA regulatory requirements that are applicable to cyber security related threats. These provisions, located in parts 105 and 106 of 33 CFR, currently require that owners and operators of MTSA-regulated facilities and OCS facilities conduct FSAs, and if applicable, include in their FSPs measures addressing any vulnerabilities identified in the FSA. The NVIC would lay out the Coast Guard's interpretation of these existing requirements as they would apply to cybersecurity threats and recommended additions to the FSP. As these regulations are currently in force, the recommendations of the NVIC, if finalized, would serve as the Coast Guard's interpretation of those regulations. The NVIC would assist the owner/operator in identifying cyber systems that are related to MTSA regulatory functions, or whose failure or exploitation could cause or contribute to a Transportation Security Incident.

This NVIC also contains a more detailed set of cybersecurity parameters, labeled as enclosure 2 and titled “Cyber Governance and Cyber Risk Management Program Implementation Guidance,” which provides best recommended practices. This proposed guidance, derived from a variety of standardized industry practices including the National Institute of Standards and Technology (NIST) Cybersecurity Framework (CSF), lays out the basics for establishing a set of security policies designed to counter cybersecurity threats. These policies involve the establishment of roles and responsibilities for a Cyber Risk Management team, policies, and program, as well as guidance on how to implement such a program over a variety of business models. It also provides recommendations for developing security measures including inventory, access control, acceptable use policies, and network design. The recommendations in enclosure 2 of this proposed NVIC would provide the foundation for an effective strategy to help prevent and mitigate the damage from cybersecurity threats to the MTS.

With the publication of this draft NVIC, the Coast Guard is seeking industry and public comments on the necessity, robustness, implementation, and costs of the proposed cybersecurity guidance. Specifically, we are seeking comments on the feasibility of its implementation, how flexible and useful it is in addressing the broad scope of vulnerabilities and risk facing regulated facilities, and its ability to remain valid when technology and industry's use of technology changes. In

addition, we seek comments on whether this guidance aligns with activities that may already be taking place by industry. The Coast Guard will carefully consider all comments submitted during the comment period before promulgating any final guidance. This notice is issued under authority of 5 U.S.C. 522(a).

R.D. Manning,

Captain, U.S. Coast Guard, Chief, Office of Port and Facility Compliance.

[FR Doc. 2017-14616 Filed 7-11-17; 8:45 am]

BILLING CODE 9110-04-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 July 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:* July 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 2017-13, the IRS determined the rates of interest for the calendar quarter beginning July 1, 2017, and ending on September 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 October 1, 2017, and ending December 31, 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 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	
100194	033195	9	8	
040195	063095	10	9	
070195	033196	9	8	
040196	063096	8	7	
070196	033198	9	8	
040198	123198	8	7	

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate over-payments (Eff. 1–1–99) (percent)
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	093017	4	4	3

Dated: July 3, 2017.

Sean M. Mildrew,

Acting Chief Financial Officer, Office of Finance.

[FR Doc. 2017–14551 Filed 7–11–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–19]

60-Day Notice of Proposed Information Collection: Multifamily Housing Mortgage and Housing Assistance Restructuring Program (Mark to Market)

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 11, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB

Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at Colette.Pollard@hud.gov for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 8778339.

FOR FURTHER INFORMATION CONTACT:

Claude Dickson, Bonds and Appeals Manager, OAHF, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Claude.C.Dickson@hud.gov or telephone 202–402–8372. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Mr. Dickson.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Multifamily Housing Mortgage and housing Assistance Restructuring Program (Mark to Market).

OMB Approval Number: 2502–0533.

Type of Request: Extension of currently approved collection.

Form Numbers: HUD–9624, HUD–9625, OPG 2.1, OPG 2.2, OPG 2.7, OPG 2.9, OPG 2.15, OPG 2.16, OPG 2.17, OPG 3.1, OPG 3.2, OPG 3.3, OPG 3.4, OPG 3.5, OPG 3.7, OPG 3.8, OPG 4.1, OPG 4.2, OPG 4.3, OPG 4.4, OPG 4.5, OPG 4.6, OPG 4.7, OPG 4.8, OPG 4.10, OPG 4.11, OPG 4.12, OPG 5.1, OPG 5.4, OPG 5.5, OPG 6.2, OPG 6.5, OPG 6.8, OPG 6.9, OPG 7.1, OPG 7.2, OPG 7.3, OPG 7.3TPA, OPG 7.5, OPG 7.6, OPG 7.7, OPG 7.8, OPG 7.9, OPG 7.11, OPG 7.12, OPG 7.13, OPG 7.14, OPG 7.16, OPG 7.21, OPG 7.22, OPG 7.23, OPG 7.24, OPG 7.25, OPG 8.1, OPG 9.10, OPG 9.11, OPG 10.2, OPG 10.4a, OPG 10.4b, OPG 10.6a, OPG 10.8, OPG Appendix M, Attachment 1, OPG Appendix M Attachment 2, OPG 11.1.

Description of the need for the information and proposed use: The Mark to Market Program is authorized under the Multifamily Assisted Housing Reform and Affordability Act of 1997 as extended by the Market to Market Extension Act of 2001. The information collection is required and will be used to determine the eligibility of FHA-insured multifamily properties for participation in the Mark to Market program and the terms on which such participation should occur as well as to process eligible properties from acceptance into the program through closing of the mortgage restructure in accordance with program guidelines. The result of participation in the program is the refinancing and

restructure of the property's FHA-insured mortgage and, generally the reduction of Section 8 rent payments and establishment of adequately funded accounts to fund required repair and rehabilitation of the property.

Respondents (i.e. affected public): Contractors and tenants.

Estimated Number of Respondents: 126.

Estimated Number of Responses: 1922.

Frequency of Response: On occasion.

Average Hours per Response: 1.26.

Total Estimated Burdens: 2412.3.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) 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) The accuracy of the agency's estimate of the burden 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 those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 27, 2017.

Genger Charles,
General Deputy Assistant Secretary for Housing.

[FR Doc. 2017-14628 Filed 7-11-17; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5990-N-01]

Disabled and Low-Income Veterans Housing Rehabilitation and Modification Pilot Program; Solicitation of Comments on Program Design

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Advance notice and request for comments.

SUMMARY: This notice announces HUD's intention to develop a Notice of Funding Availability (NOFA) for the Disabled and Low-Income Veterans Housing Rehabilitation and Modification Pilot Program (Program), which was authorized by the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 and funded by the Consolidated Appropriations Act, 2016. The NOFA will announce the availability of up to \$5.7 million to be competitively awarded through grants of up to \$1 million each. The NOFA will also establish the applicable program requirements and selection criteria. HUD is seeking input from interested parties and stakeholders to inform its development of the Program so that the funds are used efficiently and fulfill the statutory purpose of addressing the housing needs of veterans who have disabilities and/or are low-income. This notice is not a solicitation of applications for the Program.

DATES: *Comments Due Date:* September 11, 2017.

ADDRESSES: Electronic responses are preferred and should be addressed to: rhed@hud.gov. Written comments may also be submitted to the Office of Rural Housing and Economic Development, U.S. Department of Housing and Urban Development, 451 Seventh St. SW., Room 7240, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Sylvia Y. Purvis, Senior Community Planning and Development Specialist, Office of Rural Housing and Economic Development, U.S. Department of Housing and Urban Development, 451 Seventh Street SW., Room 7240, Washington, DC 20410-7000; telephone 1-877-787-2526 (this is a toll-free number) or 1-202-708-2290 (this is not a toll-free number). Persons with speech or hearing impairments may access this number via TTY by calling the toll-free Federal Information Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: The Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Pub. L. 113-291, approved December 19, 2014) (Program Statute), as amended, requires HUD to work in consultation with the U.S. Department of Veterans Affairs (VA) to establish and oversee a pilot program to award grants to qualified organizations to rehabilitate and modify the primary residences of disabled and/or low-income veterans. Funding for the program was provided by the Consolidated Appropriations Act, 2016 (Pub. L. 114-113, approved December 18, 2015). Grants under the program

will be competitively awarded in accordance with statutory criteria and program requirements included in the NOFA.

As part of HUD's continued efforts for transparency in government operations and to expand opportunities for stakeholders to engage in decision-making, HUD is seeking comments to inform the NOFA. Feedback received through this process will assist HUD and the VA in developing a NOFA that will best serve disabled and/or low-income veterans whose homes must be rehabilitated or modified to meet their needs.

To be considered, suggestions for program design must be consistent with the requirements in the Program Statute and other applicable laws. The goal of the program is to address the housing needs of veterans, as defined by 38 U.S.C. 101, who have a disability, as defined by 42 U.S.C. 12102, and/or are low-income, meaning their income does not exceed 80 percent of the median income for the area as determined by the Secretary. For Fiscal Year (FY) 2017, the income limits are available at: <https://www.huduser.gov/portal/datasets/il/il17/Section8-IncomeLimits-FY17.pdf>. Eligible grantees are nonprofit organizations that provide nationwide or statewide programs that primarily serve veterans or low-income individuals. The grants may be used to modify or rehabilitate eligible veterans' primary residences or to provide grantees' affiliates with technical, administrative, and training support in connection with those services. Further details on the eligible use of funds under the Program may be found in section 1079(b)(3) of the Program Statute.

Grantees will be required to modify or rehabilitate the primary residences of eligible veterans either at no cost to the veterans (including application fees) or at a cost such that the veterans pay no more than 30 percent of their incomes on housing costs during any month. However, these services can only be provided if the veteran or a member of the veteran's family certifies that the veteran intends to continue residing in the primary residence for a sufficient period of time, which HUD will establish in the NOFA. In addition, section 1079(a)(6) of the Program Statute specifically defines what is considered a "primary residence."

Section 1079(b)(2) of Program Statute specifies minimum contents for grant applications and allows HUD to require additional information, if reasonable. The minimum contents include:

1. A plan of action detailing outreach initiatives;

2. The approximate number of veterans the qualified organization intends to serve using grant funds;

3. A description of the type of work that will be conducted, such as interior home modifications, energy efficiency improvements, and other similar categories of work; and

4. A plan for working with the VA and veterans service organizations to identify veterans who are not eligible for programs under 38 U.S.C. 2101 *et seq.* and meet their needs.

Grantees will be required to provide matching funds and/or in-kind contributions as provided under section 1079(b)(6) of the Program Statute. Specifically, at least 50 percent of each grant must be matched by non-Federal funding contributions and in-kind contributions to the housing modification and rehabilitation services provided under the Program.

The Program will also include detailed reporting requirements for both HUD and grantees, as provided under section 1079(b)(8) of the Program Statute.

In addition to the Program Statute, the Program will also be subject to laws and regulations that apply across HUD's programs. For example, program grantees will be required to follow the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR part 200, and program grantees will be subject to the Federal laws and regulations identified in 24 CFR 5.105. Grantees will also be subject to the requirements described by HUD's FY 2017 General Section to its NOFAs, which is available at: <https://www.hudexchange.info/resources/documents/FY-2017-NOFA-Policy-Requirements-and-General-Section.pdf>.

Maximum grant amount per organization is \$1,000,000. Total funds available are \$5,700,000.

To assist HUD in developing a NOFA that makes maximum use of the assistance appropriated for this program, HUD seeks comments on the following questions:

A. Criteria for Veterans

—What considerations should HUD make in determining veteran eligibility? Should HUD limit eligibility to veterans who have a disability *and* are low-income in order to provide the most benefit to veterans with the limited funding available under the program?

B. Criteria for Grantees

—What criteria should be used to evaluate an eligible organization's

capacity? Should HUD consider the organization size? Should HUD consider the regions the organizations serve? Should HUD consider how long the organization has existed? Should HUD consider the capacity of the organization to provide housing rehabilitation and modification and the organization's past performance? If so, how should HUD measure capacity and past performance? —Should HUD provide a preference for qualified nationwide or statewide organizations that serve veterans, low-income individuals, or both? Are there thresholds that HUD should use to ensure that the organization primarily serves disabled and low-income veterans?

C. Use of Funds

—Given the limited funding, how should HUD structure the program or NOFA to minimize duplication or overlap and maximize coordination with other existing programs for veterans? —Given the limited funding for the program, should HUD structure the program to take into account the severity of eligible veteran's disability-related need for a modification or rehabilitation of the home? If so, how? —Should HUD aim to fund more extensive housing modification and rehabilitation services, which may serve fewer disabled and low-income veterans, or less extensive housing modification and rehabilitation services, which may reach a larger number of disabled and low-income veterans? What considerations should HUD take into account to ensure that property rehabilitation costs are not unreasonably high? —Are there rehabilitation services that HUD should consider an eligible use of funds beyond those listed in section 1079(b)(3) of the Program Statute? —In determining whether the veteran currently resides and reasonably intends to continue residing in a primary residence owned by the veteran or a family member of the veteran, what criteria should HUD consider? Should HUD require that the veteran or family member own the home for a specific period of time before qualifying for the program? How long should HUD require the veteran to continue residing in the home after the housing modification or rehabilitation services are provided? How can HUD ensure that the veteran remains in his or her home after the housing modification

or rehabilitation services are provided?

—What criteria and metrics should be used by HUD to evaluate the impact and effectiveness of the use of funds by qualified organizations?

D. Matching Grant Funds

—Should HUD require grantees to provide matching funds that are more than 50 percent of the grant award received by that organization? Should HUD provide a preference for grantees that contribute more than 50 percent? What types of in-kind contributions should HUD permit to assist a qualified organization meet its match? Should HUD limit the amount of in-kind contributions permissible to meet the 50 percent match requirement?

While HUD specifically seeks comment on the foregoing questions, HUD welcomes additional information that will help inform the Program.

Dated: June 29, 2017.

Clifford Taffet,

General Deputy Assistant Secretary for Community Planning and Development.

[FR Doc. 2017-14630 Filed 7-11-17; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6001-N-22]

60-Day Notice of Proposed Information Collection: HUD-Owned Real Estate Dollar Home Sales Program

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 11, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC

20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at Colette.Pollard@hud.gov for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT:

Ivery W. Himes, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Ivery W. Himes at Ivery.W.Himes@hud.gov or telephone 202–708–1672, option 3. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: HUD-Owned Real Estate Dollar Home Sales Program.

OMB Approval Number: 2502–0569.

Type of Request: Extension of currently approved collection.

Form Number: None.

Description of the need for the information and proposed use: The information collection is used to determine the eligibility of prospective program participants and in binding contracts between the purchaser and HUD in implementing the Dollar Home Sales program. The sale of these properties makes it possible for government entities to rehabilitate the homes and make them available as low and moderate income housing.

Respondents (i.e. affected public): Government Entities.

Estimated Number of Respondents: 38.

Estimated Number of Responses: 567.

Frequency of Response: on occasion.

Average Hours per Response: 10 minutes to 1 hour.

Total Estimated Burdens: 361.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following: (1) 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) The accuracy of the agency's estimate of the burden 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 those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 9, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017–14625 Filed 7–11–17; 8:45 am]

BILLING CODE 4210–67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–16]

60-Day Notice of Proposed Information Collection: Mortgage Record Change

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 11, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at Colette.Pollard@hud.gov for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this

number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT:

Silas C. Vaughn, Disbursements and Customer Service Branch Office, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410–5000; telephone 202–402–3545 (this is not a toll-free number) or email Silas.C.Vaughn@HUD.GOV. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection:

Mortgage Record Change.

OMB Approval Number: 2502–0422.

Type of Request: Extension.

Form Number: 92080 (FHA Connection).

Description of the need for the information and proposed use:

Servicing of insured mortgages must be performed by a mortgagee that is approved by HUD to service insured mortgages. The Mortgage Record Change information is used by FHA-approved mortgagees to comply with HUD requirements for reporting the sale of a mortgage between investors and/or the transfer of the mortgage servicing responsibility, as appropriate.

Respondents: (Affected public): Not-for-profit institutions.

Estimated Number of Respondents: 7,000.

Estimated Number of Responses: 4,000,000.

Frequency of Response: On occasion at sale or transfer.

Average Hours per Response: 0.1.

Total Estimated Burdens: 400,000.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following: (1) 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) The accuracy of the agency's estimate of the burden 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 those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 9, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017-14629 Filed 7-11-17; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6001-N-20]

60-Day Notice of Proposed Information Collection: Rehabilitation Mortgage Insurance Underwriting Program Section 203(K)

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* September 11, 2017.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Room 4176, Washington, DC 20410-5000; telephone 202-402-3400 (this is not a toll-free number) or email at Colette.Pollard@hud.gov for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

FOR FURTHER INFORMATION CONTACT:

Kevin Stevens, Director, HMID, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Kevin Stevens at Kevin.L.Stevens@Hud.gov or telephone 202-402-4317. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Rehabilitation Mortgage Insurance Underwriting Program Section 203(K).

OMB Approval Number: 2502-0527.

Type of Request: Extension of currently approved collection.

Form Number: HUD-92700-A, HUD-9746-A, HUD-92577.

Description of the need for the information and proposed use: This request for OMB review involves an extension request for information collected under OMB approval 2502-0527 for lenders that originate and service Section 203(k) mortgages. The information collection specifically focuses on documenting rehabilitation loan expenses, maintaining the repair escrow accounts and the use of FHA approved 203(k) consultants. This program does not operate independent of FHA's established process. The loan origination process and underwriting follows the same standards and systems as all 203(b) loans as documented in OMB Control Numbers 2502-0059 & 2502-0556. Per the existing collection 15,871 respondents are borrowers and lenders, including approximately 20 nonprofits, who annually apply for Standard 203(k) and Limited 203(k) loans the 203(k) program. Also, 1,939 consultants are on FHA's 203(k) Consultant Roster.

Respondents (i.e. affected public): Business or other for-profit.

Estimated Number of Respondents: 15,871.

Estimated Number of Responses: 222,222.

Frequency of Response: Once per loan.

Average Hours per Response: .94.

Total Estimated Burdens: 7,107,425.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following: (1) 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) The accuracy of the agency's estimate of the burden 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 those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: June 9, 2017.

Genger Charles,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2017-14627 Filed 7-11-17; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R1-ES-2017-N081;
FXES11130100000-178-FF01E00000]

U.S. Endangered Species; Receipt of Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), invite the public to comment on applications for permits to conduct activities intended for scientific purposes that promote recovery or to enhance the propagation or survival of endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits certain activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA also requires that we invite public comment before issuing these permits.

DATES: To ensure consideration, we must receive your written comments by August 11, 2017.

ADDRESSES: Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and the Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: Program Manager, Restoration and Endangered Species Classification, Ecological Services, U.S. Fish and Wildlife Service, Pacific Regional Office, 911 NE 11th Avenue, Portland, OR 97232-4181.

Submitting Comments: You may submit comments by one of the following methods. Please specify the applicant name(s) and permit number(s) to which your comments pertain (*e.g.*, TE-25955C).

- **Email:** permitsR1ES@fws.gov. Please refer to the respective permit number (*e.g.*, TE-25955C) in the subject line of your email message.

- **U.S. Mail:** Program Manager, Restoration and Endangered Species Classification, Ecological Services, U.S.

Fish and Wildlife Service, Pacific Regional Office, 911 NE 11th Avenue, Portland, OR 97232-4181.

FOR FURTHER INFORMATION CONTACT: Colleen Henson, Recovery Permits Coordinator, Ecological Services, (503) 231-6131 (phone); permitsR1ES@fws.gov (email).

SUPPLEMENTARY INFORMATION:

Background

The ESA prohibits certain activities with endangered and threatened species unless authorized by a Federal permit. The ESA and our implementing regulations in part 17 of title 50 of the Code of Federal Regulations (CFR) provide for the issuance of such permits and require that we invite public comment before issuing permits for activities involving endangered species.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species.

Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

In accordance with section 10(c) of the ESA; 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; January 26, 2009), all of which call on 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.

Permit Applications Available for Review and Comment

We invite local, county, State, and Federal agencies, Tribes, and the public to comment on the following applications.

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
TE-702631	U.S. Fish and Wildlife Service, Pacific Regional Office, Portland, Oregon.	Refer to the following Web site for a list of species associated with this application: http://www.fws.gov/pacific/ecoservices/endangered/recovery/Region_1_All_Listed_Species_20170501.pdf .	Throughout the range of the species within Hawaii, Idaho, Oregon, Washington, American Samoa, Commonwealth of the Northern Mariana Islands, Guam, and the Pacific Trust Territories.	Ecological studies and recovery actions.	Animals: Various activities including survey, capture, handle, mark, monitor, propagate, and release. Plants: Various activities including survey, collect, propagate, and outplant.	Amend.
TE-40123A	U.S. Army Garrison, Pohakuloa Training Area, Hilo, Hawaii.	<i>Sicyos macrophyllus</i> ('anunu), <i>Festuca hawaiiensis</i> (no common name), <i>Portulaca villosa</i> (ihi), <i>Schiedea hawaiiensis</i> (ma'oli'oli), <i>Exocarpos menziesii</i> (heau).	Hawaii	Propagation and outplanting.	Remove and reduce to possession, propagation, outplanting.	Amend.
TE-19806C	Environmental Solutions & Innovations, Inc., Cincinnati, Ohio.	yellow-faced bees (<i>Hylaeus anthracinus</i> , <i>H. assimulans</i> , <i>H. facilis</i> , <i>H. kuakea</i> , <i>H. longiceps</i> , <i>H. mana</i> , and <i>H. hilaris</i>).	Hawaii	Population and genetic studies.	Survey, capture, collect, collect DNA samples.	New.
TE-25955C	Melissa Price, University of Hawaii—Manoa, Honolulu, Hawaii.	Band-rumped storm-petrel (<i>Oceanodroma castro</i>), Hawaiian stilt (<i>Himantopus mexicanus knudseni</i>).	Island of Oahu	Population and genetic studies.	Survey for stilts; Survey, capture, handle, band, bio-sample, release petrels.	New.

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
TE-018078	Hawaii Volcanoes National Park.	<i>Exocarpos menziesii</i> , <i>Joinvillea ascendens</i> ssp. <i>ascendens</i> , <i>Ochrosia</i> <i>haleakalae</i> , <i>Phyllostegia</i> <i>stachyoides</i> , <i>Portu-</i> <i>laca villosa</i> , <i>Ranunculus</i> <i>hawaiensis</i> , <i>Sanicula</i> <i>sandwicensis</i> , and <i>Sicyos macrophyllus</i> .	Island of Hawaii	Propagation and outplanting.	Remove and reduce to possession, propagation, outplanting.	Amend.

Public Availability of Comments

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. 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.

Contents of Public Comments

Please make your 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.

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**.

Authority: Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)

Dated: May 26, 2017.

Jason Holm,

Acting Deputy Regional Director, Pacific Region, U.S. Fish and Wildlife Service.

[FR Doc. 2017-14581 Filed 7-11-17; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS-HQ-IA-2017-0037; FXIA16710900000-156-FF09A30000]

Foreign Endangered Species; Issuance of Permits

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of issuance of permits.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have issued the following permits to conduct certain activities with endangered species, marine mammals, or both. We issue these permits under the Endangered Species Act (ESA).

ADDRESSES: Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the U.S. Fish and Wildlife Service, Division of Management Authority, Branch of Permits, MS: IA, 5275 Leesburg Pike, Falls Church, VA 22041; fax (703) 358-2281. To locate the **Federal Register** notice that announced our receipt of the application for each permit listed in this document, go to www.regulations.gov and search on the permit number provided in the tables in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT:

Joyce Russell, (703) 358-2023 (telephone); (703) 358-2281 (fax); or DMAFR@fws.gov (email).

SUPPLEMENTARY INFORMATION: On the dates below, as authorized by the provisions of the ESA, as amended (16 U.S.C. 1531 *et seq.*), we issued requested permits subject to certain conditions set forth therein. For each permit for an endangered species, we found that (1) the application was filed in good faith, (2) the granted permit would not operate to the disadvantage of the endangered species, and (3) the granted permit would be consistent with the purposes and policy set forth in section 2 of the ESA.

ENDANGERED SPECIES

Permit No.	Applicant	Receipt of application Federal Register notice	Permit issuance date
12500C	Charles Waibel	82 FR 4914; January 17, 2017	4/13/2017
06382C	Richard Killion	82 FR 4914; January 17, 2017	4/13/2017
15671C	New Mexico State University/Timothy F. Wright.	82 FR 4914; January 17, 2017	3/27/2017
93065B	University of South Carolina	81 FR 63788; September 16, 2016	1/12/2017
209142	Adalgisa Caccone	82 FR 14742; March 22, 2017	4/25/2017
13615C	Stevens Forest Ranch	82 FR 13486; March 13, 2017	05/01/17

Authority: We issue this notice under the authority of the ESA, as amended (16 U.S.C. 1531 *et seq.*).

Joyce Russell,
Government Information Specialist, Branch
of Permits, Division of Management
Authority.

[FR Doc. 2017-14535 Filed 7-11-17; 8:45 am]

BILLING CODE 4333-15-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1062]

Certain Backpack Chairs; Institution of Investigation

AGENCY: U.S. International Trade
Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on June 8, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Rio Brands, LLC of West Conshohocken, Pennsylvania. A supplement to the complaint was filed on June 23, 2017. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain backpack chairs by reason of infringement of a claim of U.S. Patent No. RE 39,022 ("the '022 patent"). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and a cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. 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. General information concerning the Commission may also be obtained by accessing its internet server at <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>.

FOR FURTHER INFORMATION CONTACT: The Office of the Secretary, Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2017).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on July 6, 2017, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain backpack chairs by reason of infringement of claim 10 of the '022 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: Rio Brands, LLC, 100 Front Street, Suite 1350, West Conshohocken, PA 19428.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: GCI Outdoor, Inc., 66 Killingworth Road, Higganum, CT 06441.

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of

investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: July 7, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017-14585 Filed 7-11-17; 8:45 am]

BILLING CODE 7020-02-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 Mobile Electronic Devices and Radio Frequency and Processing Components Thereof DN 3235*; 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 Qualcomm Incorporated on July 07, 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 mobile electronic devices and radio frequency and processing components thereof. The complaint names as a respondent, Apple Inc. of Cupertino, CA. The complainant requests that the Commission issue a limited exclusion order, a cease and desist order, 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. 3235") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures¹). 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: July 7, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017-14586 Filed 7-11-17; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Sassan Bassiri, D.D.S.; Decision and Order

On February 7, 2017, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Sassan Bassiri, D.D.S. (Applicant), of King, North Carolina. The Show Cause Order proposed the denial of his application for a DEA Certificate of Registration on the ground that he has "been excluded from participation in a program pursuant to 42 U.S.C. 1320a-7(a)." Government Exhibit (GX) H, at 1 (citing 21 U.S.C. 824(a)(5)).

With respect to the Agency's jurisdiction, the Show Cause Order alleged that on February 9, 2016, Applicant "applied for a DEA [Certificate of Registration] as a practitioner in Schedules II-V" at the registered address of 226 Kirby Road, King, North Carolina. *Id.* at 2.

Regarding the substantive ground for the proceeding, the Show Cause Order alleged that on February 28, 2014, the Office of the Inspector General for the U.S. Department of Health and Human Services (HHS) notified Applicant that, effective March 20, 2014, he would be excluded from participation in any capacity in the Medicare, Medicaid, and all Federal health care programs for five years because he was convicted of a

² All contract personnel will sign appropriate nondisclosure agreements.

³ Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

¹ Handbook for Electronic Filing Procedures: https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.

program-related offense pursuant to § 1128(i) of the Social Security Act (SSA). *Id.* (citing 42 U.S.C. 1320a–7(a) and (i)). As a result, the Order stated that Applicant's exclusion from participation in federal health care programs "constitutes grounds to deny [his] application under 21 U.S.C. 824(a)(5)." *Id.* at 3.

The Show Cause Order notified Applicant of (1) his right to request a hearing on the allegations or to submit a written statement in lieu of a hearing, (2) the procedure for electing either option, and (3) the consequence for failing to elect either option. *Id.* (citing 21 CFR 1301.43). The Show Cause Order also notified Applicant of his right to submit a corrective action plan. *Id.* at 3–4 (citing 21 U.S.C. 824(c)(2)(C)).

From February 7, 2017 through February 18, 2017, the Government states that it attempted to serve the Show Cause Order on Applicant by U.S. Mail, electronic mail, Federal Express, U.S. Postal Service Certified Mail, and in-person. Government Request for Final Agency Action (Request or RFFA), at 4. As evidenced by the signed return receipt card, on February 18, 2017, the Government accomplished service. GX I.

On April 17, 2017, the Government forwarded its Request for Final Agency Action and evidentiary record to my Office. In its Request, the Government represents that Applicant neither requested a hearing nor "filed any written statement in lieu of a hearing or requested a Corrective Action Plan (CAP)." RFFA, at 4. Based on the Government's representation and the record, I find that more than 30 days have passed since the Order to Show Cause was served on Applicant, and he has neither requested a hearing nor submitted a written statement in lieu of a hearing. *Id.* (citing 21 CFR 1301.43(d)). Accordingly, I find that Applicant has waived his right to a hearing or to submit a written statement and issue this Decision and Order based on relevant evidence submitted by the Government. I make the following findings.

Findings of Fact

Applicant is a doctor of dental surgery. Applicant was previously registered with the DEA as a practitioner in schedules II–V pursuant to Certificate of Registration BB8537738. However, he surrendered this Registration to DEA on May 10, 2011. GX A. On February 9, 2016, Applicant applied for a DEA Certificate of Registration as a practitioner in schedules II–V with a registered address at 226 Kirby Road, King, North Carolina. GX G.

On March 17, 2011, the North Carolina State Board of Dental Examiners found that Applicant had intentionally defrauded the North Carolina Division of Medical Assistance (Medicaid), which led to the revocation of his dental license starting in April 2011. GX F, at 2–3. On January 2, 2013, Applicant entered a guilty plea in the United States District Court for the Middle District of North Carolina to three charges of health care fraud in connection with a scheme to defraud the North Carolina State Medicaid program, in violation of 18 U.S.C. 1347. GX C. On May 10, 2013, a federal court entered judgment and sentenced Applicant to a term of imprisonment of five months on each count, but provided that the sentences would "run concurrently with each other," followed by five months of home confinement. GX D, at 2, 4. The sentencing judge also ordered Applicant to pay a \$10,000 statutory fine and \$68,795.65 in restitution to the Medicaid program, and further ordered that Applicant be on supervised release for two years after the conclusion of his sentence. *Id.* at 3, 5.

The record also includes a February 28, 2014 letter from HHS notifying Applicant that he was "being excluded from participation in any capacity in the Medicare, Medicaid, and all Federal health care programs as defined in section 1128B(f)" of the SSA "for the minimum statutory period of five years." GX E, at 1 (emphasis in original). The letter explained that Applicant was being excluded "due to [his] conviction . . . in the United States District Court for the Middle District of North Carolina, of a criminal offense related to the delivery of an item or service under the Medicare or a State health care program." *Id.* The letter states that "[t]his action is being taken under section 1128(a)(1) of the [SSA] ¹ and is effective" on March 20, 2014. *Id.* (citing 42 U.S.C. 1320a–7(a)).²

On February 3, 2016, the North Carolina State Board of Dental Examiners issued an order placing Applicant under a restricted license allowing him to resume practicing dentistry subject to certain limitations,

including that he practice for one year "under the supervision of a [North Carolina licensed] dentist" and only practice (with the Board's prior approval) at an institution like a hospital or sanatorium, a non-profit health care facility servicing low-income patients, or for a State of North Carolina government agency or entity. GX F, at 7–8. After one year, the Board also stated that Applicant may either renew his restricted license or seek an unrestricted dental license. *Id.* at 9.

Discussion

Pursuant to 21 U.S.C. 824(a)(5), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of Title 21, "upon a finding that the registrant . . . has been excluded . . . from participation in a program pursuant to section 1320a–7(a) of Title 42." "It is well established that the various grounds for revocation or suspension of an existing registration that Congress enumerated in [§ 824(a)] are also properly considered in deciding whether to grant or deny an application under [§ 823]." *Arthur H. Bell*, 80 FR 50035, 50037 (2015) (citing *The Lawsons, Inc.*, 72 FR 74334, 74337 (2007); *Anthony D. Funches*, 64 FR 14267, 14268 (1999); *Alan R. Shankman*, 63 FR 45260 (1998); *Kuen H. Chen*, 58 FR 65401, 65402 (1993); see also *Serling Drug Co. and Detroit Prescription Wholesaler, Inc.*, 40 FR 11918 (1975) (holding that the CSA does not require the Agency to indulge in the useless act of granting a license on one day only to withdraw it on the next). Thus, the allegation that Applicant has been excluded from participation in a program pursuant to 42 U.S.C. 1320a–7(a) is properly considered in this proceeding. See *Bell*, 80 FR at 50037 (finding that the allegation that Respondent had materially falsified his application pursuant to § 824(a)(1) was properly considered in application denial proceeding).

Under § 1320a–7(a)(1), HHS is required to exclude from participation in any Federal health care program any individual who has been convicted of a criminal offense "related to the delivery of an item or service under [42 U.S.C. 1395 *et seq.*] or under any State health care program." Based on the 2014 letter, I find that the evidence shows that HHS excluded Applicant from participation in any federal health care program based on his federal convictions for health care fraud. Applicant has thus been excluded pursuant to the mandatory exclusion provisions of 42 U.S.C. 1320a–7(a). Accordingly, I will order that his application be denied.

¹ Section 1128(a)(1) of the SSA is codified at 42 U.S.C. 1320a–7(a)(1).

² The letter also notes that "[w]e are aware that you are currently excluded from participation in the Medicare and State health care programs under section 1128(b)(4)" of the SSA based on a February 29, 2012 letter from HHS to Applicant because North Carolina revoked his dental license starting in April 2011. *Id.*; GX B, at 1 (citing 42 U.S.C. 1320a–7(b)); GX F, at 3. HHS specified that the exclusion set forth in its 2014 letter was "in addition to that [2012 exclusion] action and will run concurrently with it." GX E, at 1.

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f), as well as 28 CFR 0.100(b), I order that the application of Sassan Bassiri, D.D.S., for a DEA Certificate of Registration as a practitioner be, and it hereby is, denied. The Order is effective immediately.

Dated: July 2, 2017.

Chuck Rosenberg,
Acting Administrator.

[FR Doc. 2017-14597 Filed 7-11-17; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE**National Institute of Justice**

[OMB Number 1121-NEW]

Agency Information Collection

Activities: Proposed New Information Collection Activity; Comment Request, Proposed Study Entitled "Tribal Youth Victimization Methods Study"

AGENCY: National Institute of Justice, U.S. Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, National Institute of Justice, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for an additional 30 days until August 11, 2017.

FOR FURTHER INFORMATION CONTACT:

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to Christine Crossland, National Institute of Justice, Office of Research and Evaluation, 810 Seventh Street NW., Washington, DC 20531 (overnight 20001) or via email at christine.crossland@ojp.usdoj.gov. Written comments and/or suggestions can also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to OIRA_submissions@omb.eop.gov.

SUPPLEMENTARY INFORMATION: This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

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

Overview of This Information Collection

1. *Type of Information Collection:* Survey development; Cognitive testing; Pilot testing of survey.

2. *The Title of the Form/Collection:* Tribal Youth Victimization Methods Study.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The applicable component within the U.S. Department of Justice is the National Institute of Justice in the Office of Justice Programs.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* There has never been a national study of tribal youth regarding their victimization experiences that provides reliable, valid estimates of the scope of the problem. As a result, the incidence, prevalence, and nature of victimization experienced by American Indian and Alaska Native youth living in tribal communities is unknown. As a result, NIJ, in partnership with the Office of Juvenile Justice and Delinquency Prevention and the Office for Victims of Crime has funded this methods study that involves developing and testing a survey instrument, testing different modes of administration that can effectively assess exposure to violence and victimization, and determining the feasibility of using these procedures in tribal communities and settings.

The sample includes tribal youth 12 to 20 years of age. Cognitive testing will be conducted in four tribal settings with between 12-15 youth at each site. The pilot test involves the use of at least two but no more than three different modes

of administration modes [e.g., face-to-face interviews, self-administered questionnaire in paper and pencil format, audio computer assisted self-administered interviews (required), computer assisted telephone interviews]. The target sample is 375 completed interviews from three tribal settings (one in Alaska and two in the lower 48).

Among the key outcomes that will be examined are the response and refusal rates, missing data, interview length, willingness to disclose sensitive information, respondent comfort, cost, ability to provide assistance to respondents, and the ease and adequacy of the human subjects' protocol.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated range of burden for respondents participating in the cognitive interview is 90 minutes. Approximately 48 youth will be recruited to complete a cognitive interview. The estimated range of burden for respondents completing the survey in the pilot phase is expected to be 60 minutes for completion. The following factors were considered when creating the burden estimate: The estimated total number of sites (i.e., 4 cognitive sites and 3 pilot sites), respondents (i.e., 48 cognitive interviews and 375 pilot interviews for a total of 423 respondents), and parental and youth informed consent procedures for each phase.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 447 hours. It is estimated that each of the cognitive interviews will take 90 minutes to complete (48 respondents × 1.5 hour = 72 hours). Lastly, it is estimated that each pilot survey will take 60 minutes to complete (375 respondents × 1 hour = 375 hours). We estimate a 12-month data collection period, with all cognitive and pilot testing completed in one year.

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

Dated: July 6, 2017.

Melody Braswell,
Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017-14529 Filed 7-11-17; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF JUSTICE**National Institute of Justice****[OMB Number--1121--NEW]****Agency Information Collection Activities: Proposed New Information Collection Activity; Comment Request, Proposed Study Entitled "Historically Black Colleges and Universities (HBCU) Sexual Violence Climate Survey Project"****AGENCY:** National Institute of Justice, U.S. Department of Justice.**ACTION:** 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, National Institute of Justice, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for an additional 30 days until August 11, 2017.

FOR FURTHER INFORMATION CONTACT:

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to Christine Crossland, National Institute of Justice, Office of Research and Evaluation, 810 Seventh Street NW., Washington, DC 20531 (overnight 20001) or via email at christine.crossland@ojp.usdoj.gov. Written comments and/or suggestions can also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to OIRA_submissions@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- 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;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to

respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Modification of the Bureau of Justice Statistics' (BJS) campus climate survey; Cognitive testing; Pilot testing of modified survey.

(2) *Title of the Form/Collection:* Historically Black Colleges and Universities (HBCU) Sexual Violence Climate Survey Project.

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:* The applicable component within the U.S. Department of Justice is the National Institute of Justice in the Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* In early 2014, the White House established the Task Force to Protect Students from Sexual Assault. Representatives to the Task Force were from several federal departments and agencies, including the Centers for Disease Control and Prevention (CDC), the Office on Violence Against Women (OVW), and the National Institute of Justice (NIJ). The task force put forth a mandate to strengthen federal enforcement efforts and provide schools with additional tools to help prevent sexual violence on campuses. One such tool is the campus climate survey designed to help schools understand the magnitude and nature of sexual victimization experienced by students. As such, in 2014 OVW funded the Bureau of Justice Statistics (BJS), within the U.S. Department of Justice, to develop and test a pilot campus climate survey. The current project builds on the work of BJS by modifying their campus climate survey for use at HBCUs.

(5) NIJ, in collaboration with the Rutgers Violence Against Women Research Consortium, will begin by engaging in cognitive testing to determine if the BJS campus climate survey is relevant to students from HBCUs. The methods for cognitive testing are based on the methods used in the BJS Validation Study. Two forms of cognitive testing will be used. First, crowdsourcing will be used to test the instrument online. Approximately 240 crowdsourced surveys will be piloted with participants who are 18–25 years old, with a high school degree and

matching the racial/ethnic demographics of HBCUs over approximately 2 months. Second, cognitive interviewing will then be used to further test the BJS campus climate survey with 30 African-American students (potentially to be recruited from the Rutgers-Newark campus). The BJS survey instrument will then be modified based on the findings from the crowdsourced surveys and cognitive interviews for use at HBCUs. Lastly, the modified BJS survey will be tested at three to six HBCUs; the survey will be offered to a random sample of 3,300 students over a period of approximately 2 months. At the end of this study, results from the survey will assist with the validation of a campus climate survey tool for HBCUs as well as information on the sexual violence rates at HBCUs.

(6) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* The estimated range of burden for respondents completing the crowdsourcing survey is 30 minutes. Approximately 240 participants will be recruited to complete the survey. The estimated range of burden for respondents participating in the cognitive interviewing is 60 minutes. Approximately 30 students will be recruited to complete a cognitive interview. Lastly, the estimated range of burden for respondents completing the HBCU campus climate survey is expected to be between 15 minutes to 30 minutes for completion. The following factors were considered when creating the burden estimate: The estimated total number of sites (3 HBCUs plus 1 cognitive testing site) and students within sites (240 for crowd sourced surveys, 30 for cognitive interviews, and 3,300 at HBCUs), in the sampling plan for a total of 3,570 expected respondents.

(7) *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 1,800 hours. It is estimated that each of the 240 crowd sourced surveys will take 30 minutes to complete (240 respondents × 30 minutes = 120 hours). It is estimated that each of the cognitive interviews will take 60 minutes to complete (30 respondents × 1 hour = 30 hours). Lastly, it is estimated that each campus climate survey will take 30 minutes to complete (3,300 respondents × 30 minutes = 1,650 hours). We estimate a 24-month data collection period, with all cognitive testing completed in year 1 for an annualized burden of 150 hours and all surveys administered in year 2,

or an annualized burden of 1,650 hours for year 2.

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

Dated: July 6, 2017.

Melody Braswell,

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

[FR Doc. 2017-14528 Filed 7-11-17; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Evaluation of Strategies Used in America's Promise Job Driven Grant Program Evaluation

AGENCY: Office of the Assistant Secretary for Policy, Chief Evaluation Office, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (DOL), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents is properly assessed.

Currently, the Department of Labor is soliciting comments concerning the collection of data about the Evaluation of Strategies Used in America's Promise Job Driven Grant Program Evaluation. A copy of the proposed Information Collection Request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before September 11, 2017.

ADDRESSES: You may submit comments by either one of the following methods:

Email: ChiefEvaluationOffice@dol.gov; Mail or Courier: Megan Lizik, Chief Evaluation Office, OASP, U.S. Department of Labor, Room S-2312, 200 Constitution Avenue NW., Washington, DC 20210. Instructions: Please submit one copy of your comments by only one method. All submissions received must include the agency name and OMB Control Number identified above for this information collection. Because we continue to experience delays in receiving mail in the Washington, DC area, commenters are strongly encouraged to transmit their comments electronically via email or to submit them by mail early. Comments, including any personal information provided, become a matter of public record. They will also be summarized and/or included in the request for OMB approval of the information collection request.

FOR FURTHER INFORMATION CONTACT:

Megan Lizik by email at *ChiefEvaluationOffice@dol.gov*.

SUPPLEMENTARY INFORMATION:

I. Background: The Chief Evaluation Office (CEO) of the U.S. Department of Labor (DOL) intends to design and conduct an evaluation to assess the success of the America's Promise Job Driven Grant Program (America's Promise). The goal of this project is to build knowledge about the effectiveness and implementation of the program.

The evaluation will include two components, an implementation study and an impact study. The goal of the impact evaluation is to understand how programs and strategies funded under America's Promise affect the outcomes of participants using an experimental or quasi-experimental design in a subset of three sites. The goal of the implementation evaluation is to understand program design and implementation for all 23 grantees, including more detailed focus on implementation in 12 grantees and a measurement of partnerships and systems change in six grantees.

This **Federal Register** Notice provides the opportunity to comment on proposed data collection instruments that will be used in the evaluation:

* *Grantee survey.* To understand early implementation experiences, the project will field a web-based survey to all America's Promise grantees promptly after the receipt of OMB clearance, likely in spring 2018. This survey will gather information about grantee characteristics, services and operations, partner recruitment methods, partners' characteristics, strategies for engaging

employers, employer participation by sector, and early implementation challenges.

* *Partner network survey.* To measure partnership development and resulting systems change, the project will select up to six grantees to participate in two rounds of a web-based partner network survey with up to 25 primary partners. The survey will be fielded in spring 2018 and early 2020.

* *Baseline information forms (BIFs).*

In sites selected for the impact study, applicants will complete a BIF prior to random assignment. The BIF will collect demographics, education history, work history, and contact information. Whenever possible, BIFs will be collected electronically through the study's web-based random assignment system (RAS).

* *Study random assignment system (RAS).* The study RAS will be a web-based system used by program staff to enter an initial record for each applicant and initiate the baseline information form for the applicant to complete. The system will then conduct random assignment and monitor the integrity of random assignment.

* *Text survey.* Between completion of the baseline information form and a follow-up survey (which will be included in a future information request), the evaluation will use texting to ask a short series of questions of study participants who were part of random assignment. Questions will include employment status, hours worked in the current week, if any training has recently been completed or is ongoing, and satisfaction with a training program or activity that was recently completed by participants at that site.

A future information collection request will include site visit and telephone interview protocols as well as a follow-up survey of members of the treatment and control groups.

II. Desired Focus of Comments:

Currently, the Department of Labor is soliciting comments concerning the above data collection for the Evaluation of Strategies Used in the America's Promise Job Driven Grant Program Evaluation. DOL is particularly interested in comments that do the following:

* Evaluate whether the proposed collection of information is necessary for the proper performance functions of the agency, including whether the information will have practical utility;

* Evaluate the accuracy of the agency's burden estimate of the proposed information collection, including the validity of the methodology and assumptions;

* Enhance the quality, utility, and clarity of the information to be collected; and

* Minimize the burden of the collection of information on those who

are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology—for example, permitting electronic submissions of responses.

III. Current Actions: At this time, the Department of Labor is requesting clearance for the grantee survey, partner

network survey, baseline information forms, study random assignment system, and text survey.

Type of Review: New information collection request.

OMB Control Number: 1290–0NEW.

Affected Public: America's Promise Job Driven Grant Program Evaluation applicants, grantees, and partners.

ESTIMATED TOTAL BURDEN HOURS

Respondents	Total number respondents	Annual number of respondents	Number of responses per respondent	Average burden time per response (hours)	Annual estimated burden	Estimated total burden (hours)
Implementation Study						
Web-based survey of grantees	23	7.67	1	.50	3.84	11.5
Web-based survey of partners	* 150	50	2	.33	33	100
Impact Study						
Baseline Information Form	3,000	1,000	1	0.25	250	750
Grantee staff RAS data entry	3	1	1,000	.08	80	240
Text Survey	12,400	800	1	0.25	200	600
Total	23,176				566.84	1,701.5

* Assumes 25 partners per 6 grantees.

¹ Assumes a sample of 3000 with an 80 percent response rate.

² So as not to double-count participants who complete the baseline intake form and then also complete the text survey, this total only counts the 3000 from the baseline intake form. However, all hours are calculated for the total burden.

Comments submitted in response to this request will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: June 30, 2017.

Molly Irwin,

Chief Evaluation Officer, U.S. Department of Labor.

[FR Doc. 2017–14607 Filed 7–11–17; 8:45 am]

BILLING CODE 4510–HX–P

LEGAL SERVICES CORPORATION

Sunshine Act Meeting

DATE AND TIME: The Legal Services Corporation's Board of Directors and its six committees will meet July 20–22, 2017. On Thursday, July 20, the first meeting will commence at 1:30 p.m., Eastern Daylight Time (EDT), with the meeting thereafter commencing promptly upon adjournment of the immediately preceding meeting. On Friday, July 21, the first meeting will commence at 3:00 p.m., EDT, with the next meeting commencing promptly upon adjournment of the immediately preceding meeting. On Saturday, July 22, the first meeting will commence at 8:30 a.m., EDT, and will be followed by the closed session meeting of the Board

of Directors which will commence promptly upon adjournment of the prior meeting.

LOCATION: The Cleveland Marriott Downtown at Key Center, 127 Public Square, Cleveland, Ohio 44114.

PUBLIC OBSERVATION: Unless otherwise noted herein, the Board and all committee meetings will be open to public observation. Members of the public who are unable to attend in person but wish to listen to the public proceedings may do so by following the telephone call-in directions provided below.

CALL-IN DIRECTIONS FOR OPEN SESSIONS:

- Call toll-free number: 1–866–451–4981;
- When prompted, enter the following numeric pass code: 5907707348
- When connected to the call, please immediately “MUTE” your telephone.

Members of the public are asked to keep their telephones muted to eliminate background noises. To avoid disrupting the meeting, please refrain from placing the call on hold if doing so will trigger recorded music or other sound. From time to time, the presiding Chair may solicit comments from the public.

MEETING SCHEDULE

	Time *
Thursday, July 20, 2017:	
1. Audit Committee	1:30 p.m.
2. Governance and Performance Committee Meeting	
3. Delivery of Legal Services Committee Meeting	
Friday, July 21, 2017:	
1. Institutional Advancement Committee.	3:00 p.m.
2. Communications Subcommittee Meeting	
3. Finance Committee Meeting	
4. Operations & Regulations Committee	
Saturday, July 22, 2017:	
1. Board of Directors	8:30 a.m.

STATUS OF MEETING: Open, except as noted below.

Board of Directors—Open, except that, upon a vote of the Board of Directors, a portion of the meeting may be closed to the public to hear briefings by management and LSC's Inspector General, and to consider and act on the General Counsel's report on potential and pending litigation involving LSC,

* Please note that all times in this notice are in Eastern Daylight Time.

and on a list of prospective funders.**

Audit Committee—Open, except that the meeting may be closed to the public to hear a briefing on the Office of Compliance and Enforcement's active enforcement matters, and a report on the integrity of electronic data.**

Institutional Advancement

Committee—Open, except that the meeting may be closed to the public to discuss recommendation of new prospective donors.**

A verbatim written transcript will be made of the closed session of the Board, Institutional Advancement Committee, and Audit Committee. The transcript of any portions of the closed sessions falling within the relevant provisions of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(6) and (10), will not be available for public inspection. A copy of the General Counsel's Certification that, in his opinion, the closing is authorized by law will be available upon request.

MATTERS TO BE CONSIDERED:

July 20, 2017

Audit Committee

Open Session

1. Approval of agenda
2. Approval of minutes of the Committee's meeting on April 24, 2017
3. Update about Office of Inspector General Audit
 - John Seeba, Assistant Inspector General for Audits
4. Management update regarding risk management
 - Ron Flagg, General Counsel
5. Briefing regarding follow-up by Office of Compliance and Enforcement on referrals by the Office of Inspector General regarding audit reports and annual Independent Public audits of grantees
 - Lora Rath, Director of Compliance and Enforcement
 - John Seeba, Assistant Inspector General for Audits
6. Public comment
7. Consider and act on other business

Closed Session

8. Approval of minutes of the Committee's Closed Session meeting of April 24, 2017
9. Briefing by the Office of Compliance and Enforcement on active enforcement matter(s) and follow-

up to open investigation referrals from the Office of Inspector

- Lora Rath, Director of Compliance and Enforcement

10. Consider and act on motion to adjourn the meeting

July 20, 2017

Governance and Performance Review Committee

Open Session

1. Approval of agenda
2. Approval of minutes of the Committee's Open Session meeting of April 23, 2017
3. Report on foundation grants and LSC's research agenda
 - Jim Sandman, President
4. Report on transition planning
 - Ron Flagg, Vice President & General Counsel
 - Carol Bergman, Vice President for Government Relations & Public Affairs
5. Other business
6. Public Comment
7. Consider and act on motion to adjourn meeting

July 20, 2017

Delivery of Legal Services Committee

Open Session

1. Approval of agenda
2. Approval of minutes of the Committee's meeting on April 24, 2017
3. Panel Presentation on best practices for language access and serving clients with limited English proficiency (LEP)
 - Silvia Argueta, Executive Director, Legal Aid Foundation of Los Angeles
 - Colleen Cotter, Executive Director, Legal Aid Society of Cleveland
 - Kristi Cruz, Staff Attorney, Northwest Justice Project
 - Teri Ross., Program Director, Illinois Legal Aid Online
 - Lynn Jennings, Vice President for Grants Management
4. Public comment
5. Consider and act on other business
6. Consider and act on motion to adjourn the meeting

July 21, 2017

Institutional Advancement Committee

1. Approval of agenda
2. Approval of minutes of the Committee's meeting on January 27, 2017
3. Approval of minutes of the Combined Institutional Advancement Committee and the Communications Sub-Committee's

Open Session telephonic meeting of April 10, 2017

4. Approval of minutes of the Committee's Open Session meeting of April 24, 2017
5. Update on Leaders Council
 - John G. Levi, Chairman
6. Development report
 - Nadia Elguindy, Director of Institutional Advancement
7. Public Comment
8. Consider and act on other business
9. Consider and act on motion to adjourn open session meeting and proceed to a closed session

Closed Session

10. Approval of the minutes of the Combined Institutional Advancement Committee and Communications Sub-Committee's Closed Session telephonic meeting on April 10, 2017
11. Approval of the minutes of the Committee's Closed Session meeting of April 24, 2017
12. Development activities report
13. Consider and act on motion to approve Leaders Council invitees list
14. Consider and act on other business
15. Consider and act on motion to adjourn the meeting

July 21, 2017

Communications Subcommittee of the Institutional Advancement Committee

Open Session

1. Approval of agenda
2. Approval of minutes of the Subcommittee's meeting on April 24, 2017
3. Communications analytics update
 - Carl Rauscher, Director of Communications and Media Relations
4. Public comment
5. Consider and act on other business
6. Consider and act on motion to adjourn the meeting

Finance Committee

Open Session

1. Approval of agenda
2. Approval of minutes of the Committee's Open Session meeting of April 24, 2017
3. Presentation of LSC's Financial Report for the first eight months of FY 2017
 - David Richardson, Treasurer/Comptroller
4. Review of internal budgetary adjustments for FY 2017 Consolidated Operating Budget, *Resolution 2017-XXX*
 - David Richardson, Treasurer/

** Any portion of the closed session consisting solely of briefings does not fall within the Sunshine Act's definition of the term "meeting" and, therefore, the requirements of the Sunshine Act do not apply to such portion of the closed session. 5 U.S.C. 552b (a) (2) and (b). See also 45 CFR 1622.2 & 1622.3.

- Comptroller
5. Report on the FY 2018 appropriations process
 - Carol Bergman, Vice President for Government Relations & Public Affairs
 6. Consider and act on Temporary Operating Authority for FY 2018 Resolution 2017–XXX
 - David Richardson, Treasurer/Comptroller
 7. Public Comment
 8. Consider and act on other business
 9. Consider and act on adjournment of meeting

July 21, 2017*Operations & Regulations Committee*

Open Session

1. Approval of agenda
2. Approval of minutes of the Committee's Open Session meeting on April 23, 2017
3. Approval of minutes of the Committee's Open Session telephonic meeting of May 23, 2017
4. Consider and act on a Final Rule for 45 CFR parts 1600, 1630 and 1631—Costs and Property
 - Ron Flagg, Vice President for Legal Affairs, General Counsel and Corporate Secretary
 - Mark Freedman, Senior Associate General Counsel
5. Consider and act on a Final Rule for 45 CFR part 1629—Bonding
 - Ron Flagg, Vice President for Legal Affairs, General Counsel and Corporate Secretary
 - Tyler Ellis, Law Fellow
6. Consider and act on the 2017–2018 Rulemaking Timeline
 - Ron Flagg, Vice President for Legal Affairs, General Counsel and Corporate Secretary
7. Report on revised 2018 Grant Terms and Conditions
 - Ron Flagg, Vice President for Legal Affairs, General Counsel and Corporate Secretary
 - Mark Freedman, Senior Associate General Counsel
8. Public comment
9. Consider and act on other business
10. Consider and act on motion to adjourn meeting

July 22, 2017*Board of Directors*

Open Session

1. Pledge of Allegiance
2. Approval of agenda
3. Approval of minutes of the Board's Open Session meeting of April 24, and April 25, 2017
4. Approval of minutes of the Board's Open Session telephonic meeting of May 23, 2017

5. Chairman's Report
6. Members' Report
7. President's Report
8. Inspector General's Report
9. Consider and act on the report of the Audit Committee
10. Consider and act on the report of the Governance and Performance Review Committee
11. Consider and act on the report of the Delivery of Legal Services Committee
12. Consider and act on the report of the Institutional Advancement Committee
13. Consider and act on the report of the Finance Committee
14. Consider and act on the report of the Operations and Regulations Committee
15. Consider and act on *Resolution 2017–XXX*, in Recognition and Profound Appreciation of Charles N.W. Keckler's Distinguished Service
16. Public Comment
17. Consider and act on other business
18. Consider and act on motion to adjourn the open session meeting and proceed to a closed session

Closed Session

1. Approval of minutes of the Board's Closed Session meeting of April 25, 2017
2. Management briefing
3. Inspector General briefing
4. Consider and act on list of prospective Leaders Council members
5. Consider and act on General Counsel's briefing on potential and pending litigation involving LSC
6. Consider and act on motion to adjourn meeting

CONTACT PERSON FOR INFORMATION:

Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295–1500. Questions may be sent by electronic mail to FR_NOTICE_QUESTIONS@lsc.gov.

NON-CONFIDENTIAL MEETING MATERIALS:

Non-confidential meeting materials will be made available in electronic format at least 24 hours in advance of the meeting on the LSC Web site, at <http://www.lsc.gov/board-directors/meetings/board-meeting-notices/non-confidential-materials-be-considered-open-session>.

ACCESSIBILITY: LSC complies with the American's with Disabilities Act and Section 504 of the 1973 Rehabilitation Act. Upon request, meeting notices and materials will be made available in alternative formats to accommodate individuals with disabilities.

Individuals who need other accommodations due to disability in

order to attend the meeting in person or telephonically should contact Katherine Ward, at (202) 295–1500 or FR_NOTICE_QUESTIONS@lsc.gov, at least 2 business days in advance of the meeting. If a request is made without advance notice, LSC will make every effort to accommodate the request but cannot guarantee that all requests can be fulfilled.

Dated: July 10, 2017.

Katherine Ward,

Executive Assistant to the Vice President for Legal Affairs, General Counsel & Corporate Secretary.

[FR Doc. 2017–14767 Filed 7–10–17; 4:15 pm]

BILLING CODE 7050–01–P

LEGAL SERVICES CORPORATION**Sunshine Act Meeting: Finance Committee; Postponed**

AGENCY: Legal Services Corporation.

ACTION: Postponement notice.

SUMMARY: On June 26, 2017, the Legal Services Corporation (LSC) published a notice in the **Federal Register** (82 FR 28910) titled “Finance Committee Telephonic Meeting on July 10, 2017 at 3:00 p.m., EDT.” The meeting has been postponed, and the agenda will be covered at a later date. This document announces the postponement of the meeting.

DATES: This postponement is effective July 10, 2017.

FOR FURTHER INFORMATION CONTACT:

Katherine Ward, Executive Assistant to the Vice President for Legal Affairs and General Counsel, Legal Services Corporation, 3333 K Street NW., Washington, DC 20007; (202) 295–1500; kward@lsc.gov.

Dated: July 10, 2017.

Katherine Ward,

Executive Assistant to the Vice President for Legal Affairs and General Counsel.

[FR Doc. 2017–14685 Filed 7–10–17; 11:15 am]

BILLING CODE 7050–01–P

NUCLEAR REGULATORY COMMISSION**Advisory Committee on the Medical Uses of Isotopes: Meeting Notice**

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: The U.S. Nuclear Regulatory Commission will convene a meeting of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) on September

11–12, 2017. A sample of agenda items to be discussed during the public session includes: An update on medical-related events; a discussion on medical event reporting and impact on safety culture; an update on the licensing guidance for yttrium-90 microsphere brachytherapy; a discussion on the training and experience requirements for authorized individuals for various modalities; an update on the patient release project; an update on Category 3 source security and accountability evaluation initiatives; a discussion on the nursing mother guidelines for exposure to diagnostic and therapeutic radiopharmaceuticals; and a discussion on the physical presence requirements for the Leksell Gamma Knife® Icon™. The agenda is subject to change. The current agenda and any updates will be available at <http://www.nrc.gov/reading-rm/doc-collections/acmui/meetings/2017.html> or by emailing Ms. Sophie Holiday at the contact information below.

Purpose: Discuss issues related to title 10 of the *Code of Federal Regulations* (10 CFR) part 35 Medical Use of Byproduct Material.

Date and Time for Open Sessions: September 11, 2017, from 8:00 a.m. to 3:30 p.m. and September 12, 2017, from 8:00 a.m. to 4:00 p.m.

Data and Time for Closed Sessions: September 11, 2017, from 7:00 a.m. to 8:00 a.m. and from 3:30 p.m. to 5:00 p.m. These sessions will be closed on September 11, 2017, for badging and enrollment for new members to the ACMUI and for annual required training, respectively.

Address for Public Meeting: U.S. Nuclear Regulatory Commission, Two White Flint North Building, Room T2–B3, 11545 Rockville Pike, Rockville, Maryland 20852.

Public Participation: Any member of the public who wishes to participate in the meeting in person or via phone should contact Ms. Holiday using the information below. The meeting will also be webcast live: video.nrc.gov.

Contact Information: Ms. Sophie Holiday, email: sophie.holiday@nrc.gov, telephone: (301) 415–7865.

Conduct of the Meeting

Philip O. Alderson, M.D., will chair the meeting. Dr. Alderson will conduct the meeting in a manner that will facilitate the orderly conduct of business. The following procedures apply to public participation in the meeting:

1. Persons who wish to provide a written statement should submit an electronic copy to Ms. Holiday using the contact information listed above. All

submittals must be received by September 6, 2017, and must pertain to the topic on the agenda for the meeting.

2. Questions and comments from members of the public will be permitted during the meeting, at the discretion of the Chairman.

3. The draft transcript and meeting summary will be available on ACMUI's Web site <http://www.nrc.gov/reading-rm/doc-collections/acmui/meetings/2017.html> on or about October 24, 2017.

4. Persons who require special services, such as those for the hearing impaired, should notify Ms. Holiday of their planned attendance.

This meeting will be held in accordance with the Atomic Energy Act of 1954, as amended (primarily Section 161a); the Federal Advisory Committee Act (5 U.S.C. App); and the Commission's regulations in 10 CFR part 7.

Dated at Rockville, Maryland this 6th day of July, 2017.

For the U.S. Nuclear Regulatory Commission.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 2017–14543 Filed 7–11–17; 8:45 am]

BILLING CODE 7590–01–P

PEACE CORPS

Information Collection Request; Submission for OMB Review

AGENCY: Peace Corps.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

DATES: Submit comments on or before September 11, 2017.

ADDRESSES: Comments should be addressed to Denora Miller, FOIA/Privacy Act Officer. Denora Miller can be contacted by telephone at 202–692–1236 or email at pcf@peacecorps.gov. Email comments must be made in text and not in attachments.

FOR FURTHER INFORMATION CONTACT: Denora Miller at Peace Corps address above or at 202–692–1236.

SUPPLEMENTARY INFORMATION:

Title: Peace Corps Response Reference Forms.

OMB Control Number: 0420–0548.

Type of Request: Revision of a currently approved collection.

Affected Public: Individuals.

Respondents Obligation to Reply: Voluntary.

Burden to the Public:

Estimated burden (hours) of the collection of information:

a. Number of interviewed applicants: * 1,000.

b. Number of references required per interviewed applicant: 2.

c. Estimated number of reference forms received: 2,000.

d. Frequency of response: One time.

e. Completion time: 10 minutes.

f. Annual burden hours: 333 hours.

* Reference information is collected only if an applicant is contacted for an interview.

General Description of Collection:

Peace Corps Response uses the staff, personal and professional reference forms to learn from someone who knows the applicant and his or her background whether the applicant possesses the necessary characteristics and skills to serve as Peace Corps Response Volunteer.

Request for Comment: Peace Corps invites comments on whether the proposed collections of information are necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice is issued in Washington, DC, on July 6, 2017.

Denora Miller,

FOIA/Privacy Act Officer, Management.

[FR Doc. 2017–14534 Filed 7–11–17; 8:45 am]

BILLING CODE 6051–01–P

PEACE CORPS

Information Collection Request; Submission for OMB Review

AGENCY: Peace Corps.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval. The purpose of

this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

DATES: Submit comments on or before September 11, 2017.

ADDRESSES: Comments should be addressed to Denora Miller, FOIA/Privacy Act Officer. Denora Miller can be contacted by telephone at 202-692-1236 or email at pcf@peacecorps.gov. Email comments must be made in text and not in attachments.

FOR FURTHER INFORMATION CONTACT: Denora Miller at Peace Corps address above.

SUPPLEMENTARY INFORMATION:

Title: Peace Corps Response Interview Assessment.

OMB Control Number: 0420-0556.

Type of Request: Revision of a currently approved collection.

Affected Public: Individuals.

Respondents Obligation to Reply: Voluntary.

Respondents: Potential Volunteers. *Burden to the Public:*

Estimated burden (hours) of the collection of information:

- a. Number of respondents: 1,000.
- b. Frequency of response: one time.
- c. Completion time: 60 minutes.
- d. Annual burden hours: 1,000 hours.

General Description of Collection: The Peace Corps Response interview is necessary to assess applicants' qualifications and eligibility to serve in Peace Corps Response. The interview is a critical point in the recruitment process, as it is the point when the applicant and the recruitment and placement specialist verbally discuss the nature of the Volunteer assignment.

Request for Comment: Peace Corps invites comments on whether the proposed collections of information are necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice is issued in Washington, DC, on July 5, 2017.

Denora Miller,

FOIA/Privacy Act Officer, Management.

[FR Doc. 2017-14533 Filed 7-11-17; 8:45 am]

BILLING CODE 6051-01-P

PEACE CORPS

Information Collection Request; Submission for OMB Review

AGENCY: Peace Corps.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Peace Corps will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

DATES: Submit comments on or before September 11, 2017.

ADDRESSES: Comments should be addressed to Denora Miller, FOIA/Privacy Act Officer. Denora Miller can be contacted by telephone at 202-692-1236 or email at pcf@peacecorps.gov. Email comments must be made in text and not in attachments.

FOR FURTHER INFORMATION CONTACT: Denora Miller at Peace Corps address above.

SUPPLEMENTARY INFORMATION:

Title: Peace Corps Response Application.

OMB Control Number: 0420-0547.

Type of Request: Revision of a currently approved collection.

Affected Public: Individuals.

Respondents Obligation to Reply: Voluntary.

Respondents: Potential Volunteers.

Burden to the Public

Estimated burden (hours) of the collection of information:

- a. Number of respondents: 3,500.
- b. Frequency of response: one time.
- c. Completion time: 60 minutes.
- d. Annual burden hours: 3,500 hours.

General Description of Collection: The Peace Corps Response Application (hereinafter "the Application") is necessary to recruit qualified volunteers to serve in Peace Corps Response, which sends Volunteers throughout the world to work in specialized short term projects. Applicants are selected based on their qualifications for a specific Volunteer assignment.

Request for Comment: Peace Corps invites comments on whether the proposed collections of information are necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the

proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice is issued in Washington, DC, on July 6, 2017.

Denora Miller,

FOIA/Privacy Act Officer, Management.

[FR Doc. 2017-14532 Filed 7-11-17; 8:45 am]

BILLING CODE 6051-01-P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2017-155 and CP2017-219]

New Postal Products

AGENCY: Postal Regulatory Commission.
ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* July 14, 2017.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal

Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's Web site (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.40.

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s)*: MC2017–155 and CP2017–219; *Filing Title*: Request of the United States Postal Service to Add Parcel Select Contract 22 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date*: July 6, 2017; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Christopher C. Mohr; *Comments Due*: July 14, 2017.

This notice will be published in the **Federal Register**.

Ruth Ann Abrams,
Acting Secretary.

[FR Doc. 2017–14564 Filed 7–11–17; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81085; File No. SR–CBOE–2017–054]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Rule 6.47A, Automated Improvement Mechanism

July 6, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b–4 thereunder,² notice is hereby given that on June 30, 2017, Chicago Board Options Exchange, Incorporated (the “Exchange” or “CBOE”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a “non-controversial” proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b–4(f)(6) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange seeks to amend its rules related to Automated Improvement Mechanism (“AIM”) auctions.

(additions are *italicized*; deletions are [bracketed])

* * * * *

Chicago Board Options Exchange, Incorporated Rules

* * * * *

Rule 6.47A. Automated Improvement Mechanism (“AIM”)

Notwithstanding the provisions of Rule 6.74, a Trading Permit Holder that represents agency orders may electronically execute an order it represents as agent (“Agency Order”) against principal interest or against a solicited order provided it submits the Agency Order for electronic execution into the AIM auction (“Auction”) pursuant to this Rule.

(a) No change.

(b) Auction Process. Only one Auction may be ongoing at any given time in a series and Auctions in the

same series may not queue or overlap in any manner. The Auction may not be cancelled and shall proceed as follows:

(1) Auction Period and request for Responses (RFRs).

(A)–(C) No change.

(D) Each Market-Maker with an appointment in the relevant option class may submit responses to the RFR (specifying prices and sizes). [Such responses cannot cross the disseminated Exchange quote on the opposite side of the market.] *Responses that cross the opposite side of the Exchange's disseminated quote that exists at the conclusion of the Auction will be priced at the Exchange's disseminated quote on the opposite side of the market.*

(E) Trading Permit Holders acting as agent for orders resting at the top of the Exchange's book opposite the Agency Order may submit responses to the RFR (specifying prices and sizes) on behalf such orders. Such responses [cannot cross the disseminated Exchange quote on the opposite side of the market, and] may not exceed the size of the booked order being represented. *Responses that cross the opposite side of the Exchange's disseminated quote that exists at the conclusion of the Auction will be priced at the Exchange's disseminated quote on the opposite side of the market.*

(F)–(I) No change.

(2) Conclusion of Auction. The Auction shall conclude at the sooner of (A) through (F) below with the Agency Order executing pursuant to paragraph (3) below.

(A)–(C) No change.

(D) *Reserved*[Any time an RFR response matches the Exchange's disseminated quote on the opposite side of the market from the RFR responses];

(E)–(F) No change.

(3) No change.

. . . Interpretations and Policies:

.01–.09 No change.

* * * * *

The text of the proposed rule change is also available on the Exchange's Web site (<http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx>), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b–4(f)(6).

places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange seeks to amend its rules related to Automated Improvement Mechanism ("AIM") auctions. Specifically, the Exchange seeks to amend Rule 6.74A(b)(2)(D) to allow AIM auctions to continue for the full auction exposure period (no less than 100 milliseconds and no more than 1 second)⁵ when an auction response matches the Exchange's disseminated quote on the opposite side of the market from the auction response.

An AIM auction consists of an Agency Order and a contra-side order. A Trading Permit Holder ("TPH") may initiate an AIM auction provided that the Agency Order is in a class and of sufficient size as determined by the Exchange. An Agency Order must also be stopped at: (1) The better of the NBBO or the Agency Order's limit price (if the Agency Order is for 50 standard option contracts or more) or (2) the better of the NBBO price improved by one minimum price improvement increment or the Agency Order's limit price (if the Agency Order is for less than 50 standard option contracts).⁶

Additionally, an AIM auction will currently conclude at the sooner of: The end of the auction period; upon receipt by the Hybrid System of an unrelated order (in the same series as the Agency Order) that is marketable against either the Exchange's disseminated quote (when such quote is the NBBO) or the auction responses; upon receipt by the Hybrid System of an unrelated limit order (in the same series as the Agency Order and on the opposite side of the market as the Agency Order) that improves any auction response; any time an auction response matches the Exchange's disseminated quote on the opposite side of the market from the auction response; any time there is a quote lock on the Exchange pursuant to Rule 6.45(c); or any time there is a trading halt in the series on the Exchange.

As noted above, AIM auctions end when an auction response matches the Exchange's disseminated quote on the opposite side of the market from the auction response.⁷ For example, assume the NBBO and the Exchange's BBO are 1.00–1.20 when an auction is initiated. If the Agency Order is an order to buy and an auction response is to sell at 1.00, the auction will end early (*i.e.*, prior to the full duration of the auction exposure period). An individual auction response may not exceed the size of the Agency Order.⁸ A response to sell at 1.00 will end the auction early and necessarily does not have sufficient size to execute both the Agency Order and all priority customer interest in the book at 1.00. Thus, with priority customer interest in the book at 1.00 the Agency Order will execute against the auction response at one minimum auction response increment worse than the final auction price (1.01 in the above example).⁹

When an auction ends early because an auction response matches the Exchange's disseminated quote on the opposite side of the market from the auction response, the auction's termination prevents the Exchange from receiving more auction responses. More auction responses increase the opportunity that the auction responses, in the aggregate, will have enough size to allow the Exchange to execute both the Agency Order and priority customer interest in the book against the auction responses. In cases where there is sufficient auction response interest to satisfy both the Agency Order and all priority customer interest in the book, then the Agency Order receives an execution price that is one minimum price increment better than would occur without this change (*i.e.*, the Agency Order in the above example is executed at 1.00 instead of 1.01). Thus, the Exchange seeks to amend subparagraph (D) of Rule 6.74A(b)(2) to allow an AIM auction to continue for the full duration of the auction exposure period any time an auction response matches the Exchange's disseminated quote on the opposite side of the market from the auction response.

Furthermore, the Exchange also seeks to amend subparagraphs (D) and (E) of Rule 6.74A(b)(1) to provide further clarity as to how the Exchange's systems will function. Subparagraphs (D) and (E) of Rule 6.74A(b)(1) provide that auction responses cannot cross the disseminated Exchange quote on the opposite side of the market. Currently, the Exchange

does not reject responses that cross the disseminated Exchange quote on the opposite side of the market but instead systematically enforces the restriction in subparagraphs (D) and (E) by treating all responses that cross the disseminated Exchange quote on the opposite side of the market as a response at the disseminated price, which, in accordance with subparagraph (D) of Rule 6.74A(b)(2) described above, currently ends the auction early because such a response is marketable with the Exchange's disseminated quote on the opposite side of the market from the auction response. Since auctions will no longer conclude early upon the receipt of a marketable response, the Exchange seeks to amend subparagraphs (D) and (E) to specify that responses that cross the opposite side of the Exchange's disseminated quote that exists at the conclusion of the Auction will be priced at the Exchange's disseminated quote on the opposite side of the market.

The below examples describe the manner in which the current rule operates as well as how the proposed rule will operate.

Example #1 (current rule):

- The disseminated Exchange quote prior to the initiation of an auction is 1.00–1.20.
- The Agency Order is an order to buy and is stopped at 1.19.
- The Exchange receives an auction response priced at .99 or lower.
- An auction response priced at .99 or lower when the Exchange's quote is 1.00–1.20 is marketable against the Exchange's disseminated quote on the opposite side of the market from the auction responses. Thus, pursuant to Rule 6.74A(b)(2) the auction is terminated.
- At the conclusion of the auction the Exchange's market is 1.00–1.20.
- An auction response at .99 or lower is treated as a response at 1.00, and the Agency Order is allocated in accordance with Rule 6.74A(b)(3). If the 1.00 bid in the book is a public customer and there are not enough responses priced at 1.00 to allow the booked public customer order and the Agency Order to be executed, the Agency Order is executed at 1.01 pursuant to subparagraph (I) of Rule 6.74A(b)(3).

Example #2 (proposed rule):

- The disseminated Exchange quote prior to the initiation of an auction is 1.00–1.20.
- The Agency Order is an order to buy and is stopped at 1.19.
- The Exchange receives an auction response priced at .99 or lower.
- The Exchange does not end the auction early. The auction will instead last for the full auction exposure period,

⁵ See Rule 6.74A(b)(1)(C). See also SR-CBOE-2017-029, which amended Rule 6.74A(b)(1)(C) to allow the Exchange to designate the auction exposure period to last no less than 100 milliseconds and no more than 1 second.

⁶ See Rule 6.74A(a).

⁷ See Rule 6.74A(b)(2)(D).

⁸ See Rule 6.74A(b)(1)(H).

⁹ See Rule 6.74A(b)(3)(I).

which, again, allows for the possibility of more auction responses. As described above, more auction responses increases the opportunity that the auction responses, in the aggregate, will have enough size to allow the Exchange to execute both the Agency Order and priority customer interest in the book against the auction responses.

- At the conclusion of the auction the Exchange's market is 1.00–1.20.

- An auction response priced at .99 or lower is treated as a response at 1.00, and the Agency Order is allocated in accordance with Rule 6.74A(b)(3). If the 1.00 bid in the book is a public customer and there are not enough responses priced at 1.00 to allow the booked public customer order and the Agency Order to be executed, the Agency Order is executed at 1.01 pursuant to subparagraph (I) of Rule 6.74A(b)(3).

Example #3 (proposed rule):

- The disseminated Exchange quote prior to the initiation of an auction is 1.00–1.20.

- The Agency Order is an order to buy and is stopped at 1.19.

- The Exchange's disseminated bid is updated to 1.05 during the auction so the market is now 1.05–1.20.

- The Exchange receives an auction response priced at 1.04 or lower.

- The Exchange does not end the auction early. The auction will instead last for the full auction exposure period, which, again, allows for the possibility of more auction responses. As described above, more auction responses increases the opportunity that the auction responses, in the aggregate, will have enough size to allow the Exchange to execute both the Agency Order and priority customer interest in the book against the auction responses.

- At the conclusion of the auction the Exchange's market is 1.05–1.20.

- An auction response priced at 1.04 or lower is treated as a response at 1.05, and the Agency Order is allocated in accordance with Rule 6.74A(b)(3). If the 1.05 bid in the book is a public customer and there are not enough responses priced at 1.05 to allow the booked public customer order and the Agency Order to be executed, the Agency Order is executed at 1.06 pursuant to subparagraph (I) of Rule 6.74A(b)(3).

Example #4 (proposed rule):

- The disseminated Exchange quote prior to the initiation of an auction is 1.00–1.20.

- The Agency Order is an order to buy and is stopped at 1.19.

- The Exchange's disseminated bid is updated to 1.05 during the auction so the market is now 1.05–1.20.

- The Exchange receives an auction response priced at 1.04.

- The Exchange does not end the auction early. The auction will instead last for the full auction exposure period, which, again, allows for the possibility of more auction responses. As described above, more auction responses increases the opportunity that the auction responses, in the aggregate, will have enough size to allow the Exchange to execute both the Agency Order and priority customer interest in the book against the auction responses.

- The 1.05 bid is cancelled prior to the end of the auction and the market returns to 1.00–1.20.

- At the conclusion of the auction the Exchange's market is 1.00–1.20.

- At the conclusion of the auction the auction response priced at 1.04 remains a response at 1.04 because the market is 1.00–1.20 at the conclusion of the auction (*i.e.*, the response priced at 1.04 does not cross the disseminated quote on the opposite side of the market from the auction response), and the Agency Order is allocated in accordance with Rule 6.74A(b)(3).

The Exchange notes that if the Exchange's systems were designed to reject the 1.04 in example #4 the Agency Order would not have received price improvement beyond the stop price of 1.19.

Allowing an AIM auction to continue for the full duration of the auction exposure period any time an auction response matches the Exchange's disseminated quote on the opposite side of the market from the auction response provides more opportunity for the Exchange to receive auction responses that satisfy priority interest in the book as well as the Agency Order. The Exchange is not amending the manner in which orders are allocated at the conclusion of an AIM auction. Orders will continue to be allocated in accordance with Rule 6.74A(b)(3). The Exchange notes that other exchanges with similar auctions allow the auctions to continue for the full duration when an auction response matches the disseminated quote on the opposite of the market from the auction response.¹⁰

The Exchange will announce the implementation date of the proposed rule change in a Regulatory Circular to be published no later than 90 days following the effective date. The implementation date will be no later than 180 days following the effective date.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act") and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.¹¹ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹² requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating 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. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹³ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes allowing an AIM auction to continue for the full duration of the auction exposure period any time an auction response matches the Exchange's disseminated quote on the opposite side of the market from the auction response will provide increased opportunities for the Agency Order and priority interest in the book to be executed, which helps to perfect the mechanism of a free and open market and, in general, helps to protect investors and the public interest. The Exchange notes that other exchanges with similar auctions allow the auctions to continue for the full duration when an auction response matches the disseminated quote on the opposite of the market from the auction response.¹⁴ The Exchange also notes that the proposal helps protect the public interest by treating responses that cross the opposite side of the Exchange's disseminated quote as responses priced at the Exchange's disseminated quote because doing so allows Agency Orders to receive price improvement beyond the stopped price.

B. Self-Regulatory Organization's Statement on Burden on Competition

CBOE does not believe that the proposed rule change will impose any

¹⁰ See Bats EDGX Exchange, Inc. ("EDGX") Rule 21.19(b)(2); Nasdaq BX, Inc. ("Nasdaq") Rules, Section 9; Nasdaq PHLX LLC ("Phlx") [sic] Rule 1080(n); and International Securities Exchange, LLC ("ISE") Rule 723.

¹¹ 15 U.S.C. 78f(b).

¹² 15 U.S.C. 78f(b)(5).

¹³ *Id.*

¹⁴ See EDGX Rule 21.19(b)(2); Nasdaq Rules, Section 9; Phlx Rule 1080(n); and ISE Rule 723.

burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposal simply provides more opportunity for Agency Orders and priority interest in the book to be executed in full when an auction response matches the Exchange's disseminated quote on the opposite of the market from the auction response. The Exchange notes that another exchange with a similar auction allows the auction to continue for its full duration when an auction response matches the disseminated quote on the opposite of the market from the auction response. The Exchange also notes that the proposal helps protect the public interest by treating responses that cross the opposite side of the Exchange's disseminated quote as responses priced at the Exchange's disseminated quote because doing so allows Agency Orders to receive price improvement beyond the stopped price.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. Significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁵ and Rule 19b-4(f)(6)¹⁶ thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and

arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. 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-CBOE-2017-054 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 Number SR-CBOE-2017-054. 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 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 the filing 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-CBOE-2017-054 and should be submitted on or before August 2, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁷

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14557 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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-11
SEC File No. 270-064, OMB Control No. 3235-0067

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") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Form S-11 (17 CFR 239.18) is the registration statement form used to register securities issued in real estate investment trusts by issuers whose business is primarily that of acquiring and holding investment interest in real estate under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information filed with the Commission permits verifications of compliance with securities law requirements and assures public availability. We estimate that Form S-11 takes approximately 779.04 hours per response and is filed by approximately 64 issuers annually. In addition, we estimate that 25% of the 779.04 hours per response (194.76 hours) is prepared by the issuer for annual reporting burden of 12,465 hours (194.76 hours per response x 64 responses).

Written comments are invited on: (a) Whether this proposed 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 collection information; (c) ways to enhance the quality, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information

¹⁵ 15 U.S.C. 78s(b)(3)(A).

¹⁶ 17 CFR 240.19b-4(f)(6).

¹⁷ 17 CFR 200.30-3(a)(12).

unless it displays a currently valid control number.

Please direct your written comment to 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.

Dated: July 7, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14571 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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 433

SEC File No. 270-558, OMB Control No. 3235-0617

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") is soliciting comments on the collections of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 433 (17 CFR 230.433) governs the use and filing of free writing prospectuses under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The purpose of Rule 433 is to reduce the restrictions on communications that a company can make to investors during a registered offering of its securities, while maintaining a high level of investor protection. A free writing prospectus meeting the conditions of Rule 433(d)(1) must be filed with the Commission and is publicly available. We estimate that it takes approximately 1.3 burden hours per response to prepare a free writing prospectus and that the information is filed by 3,633 respondents approximately 1.25 times a year for a total of 3,633 responses. We estimate that 25% of the 1.3 burden hours per response (0.32 hours) is prepared by the company for total annual reporting burden of 1,163 hours (0.32 hours x 3,633 responses).

Written comments are invited on: (a) Whether this proposed collection of information is necessary for the

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 imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comment to 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.

Dated: July 7, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14574 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 32727; 812-14751]

Nationwide Fund Advisors, et al.

July 6, 2017.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Notice.

Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the "Act") for an exemption from sections 2(a)(32), 5(a)(1), 22(d), and 22(e) of the Act and rule 22c-1 under the Act, under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and 17(a)(2) of the Act, and under section 12(d)(1)(J) for an exemption from sections 12(d)(1)(A) and 12(d)(1)(B) of the Act. The requested order would permit (a) index-based series of certain open-end management investment companies ("Funds") to issue shares redeemable in large aggregations only ("Creation Units"); (b) secondary market transactions in Fund shares to occur at negotiated market prices rather than at net asset value ("NAV"); (c) certain Funds to pay redemption proceeds,

under certain circumstances, more than seven days after the tender of shares for redemption; (d) certain affiliated persons of a Fund to deposit securities into, and receive securities from, the Fund in connection with the purchase and redemption of Creation Units; and (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the Funds ("Funds of Funds") to acquire shares of the Funds.

APPLICANTS: Nationwide Fund Advisors (the "Initial Adviser"), a Delaware statutory trust that is registered as an investment adviser under the Investment Advisers Act of 1940, ETF Series Solutions (the "Trust"), a Delaware statutory trust registered under the Act as an open-end management investment company with multiple series, and Quasar Distributors, LLC (the "Distributor"), a Delaware limited liability company and broker-dealer registered under the Securities Exchange Act of 1934 ("Exchange Act").

FILING DATES: The application was filed on March 3, 2017 and amended on June 14, 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 July 31, 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 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, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090; Applicants: W. John McGuire, Esq., Morgan, Lewis & Bockius LLP, 1111 Pennsylvania Avenue NW., Washington DC 20004-2541 and Michael D. Barolsky, Esq., U.S. Bancorp Fund Services, LLC, 615 E. Michigan Street, Milwaukee, WI 53202.

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.

Summary of the Application

1. Applicants request an order that would allow Funds to operate as index exchange traded funds ("ETFs").¹ Fund shares will be purchased and redeemed at their NAV in Creation Units only. All orders to purchase Creation Units and all redemption requests will be placed by or through an "Authorized Participant", which will have signed a participant agreement with the Distributor. Shares will be listed and traded individually on a national securities exchange, where share prices will be based on the current bid/offer market. Any order granting the requested relief would be subject to the terms and conditions stated in the application.

2. Each Fund will hold investment positions selected to correspond generally to the performance of an Underlying Index. In the case of Self-Indexing Funds, an affiliated person, as defined in section 2(a)(3) of the Act ("Affiliated Person"), or an affiliated person of an Affiliated Person ("Second-Tier Affiliate"), of the Trust or a Fund, of the Adviser, of any sub-adviser to or promoter of a Fund, or of the Distributor will compile, create, sponsor or maintain the Underlying Index.²

3. Shares will be purchased and redeemed in Creation Units and generally on an in-kind basis. Except where the purchase or redemption will include cash under the limited circumstances specified in the application, purchasers will be required to purchase Creation Units by depositing specified instruments

("Deposit Instruments"), and shareholders redeeming their shares will receive specified instruments ("Redemption Instruments"). The Deposit Instruments and the Redemption Instruments will each correspond pro rata to the positions in the Fund's portfolio (including cash positions) except as specified in the application.

4. Because shares will not be individually redeemable, applicants request an exemption from section 5(a)(1) and section 2(a)(32) of the Act that would permit the Funds to register as open-end management investment companies and issue shares that are redeemable in Creation Units only.

5. Applicants also request an exemption from section 22(d) of the Act and rule 22c-1 under the Act as secondary market trading in shares will take place at negotiated prices, not at a current offering price described in a Fund's prospectus, and not at a price based on NAV. Applicants state that (a) secondary market trading in shares does not involve a Fund as a party and will not result in dilution of an investment in shares, and (b) to the extent different prices exist during a given trading day, or from day to day, such variances occur as a result of third-party market forces, such as supply and demand. Therefore, applicants assert that secondary market transactions in shares will not lead to discrimination or preferential treatment among purchasers. Finally, applicants represent that share market prices will be disciplined by arbitrage opportunities, which should prevent shares from trading at a material discount or premium from NAV.

6. With respect to Funds that effect creations and redemptions of Creation Units in kind and that are based on certain Underlying Indexes that include foreign securities, applicants request relief from the requirement imposed by section 22(e) in order to allow such Funds to pay redemption proceeds within fifteen calendar days following the tender of Creation Units for redemption. Applicants assert that the requested relief would not be inconsistent with the spirit and intent of section 22(e) to prevent unreasonable, undisclosed or unforeseen delays in the actual payment of redemption proceeds.

7. Applicants request an exemption to permit Funds of Funds to acquire Fund shares beyond the limits of section 12(d)(1)(A) of the Act; and the Funds, and any principal underwriter for the Funds, and/or any broker or dealer registered under the Exchange Act, to sell shares to Funds of Funds beyond the limits of section 12(d)(1)(B) of the Act. The application's terms and

conditions are designed to, among other things, help prevent any potential (i) undue influence over a Fund through control or voting power, or in connection with certain services, transactions, and underwritings, (ii) excessive layering of fees, and (iii) overly complex fund structures, which are the concerns underlying the limits in sections 12(d)(1)(A) and (B) of the Act.

8. Applicants request an exemption from sections 17(a)(1) and 17(a)(2) of the Act to permit persons that are Affiliated Persons, or Second-Tier Affiliates, of the Funds, solely by virtue of certain ownership interests, to effectuate purchases and redemptions in-kind. The deposit procedures for in-kind purchases of Creation Units and the redemption procedures for in-kind redemptions of Creation Units will be the same for all purchases and redemptions and Deposit Instruments and Redemption Instruments will be valued in the same manner as those investment positions currently held by the Funds. Applicants also seek relief from the prohibitions on affiliated transactions in section 17(a) to permit a Fund to sell its shares to and redeem its shares from a Fund of Funds, and to engage in the accompanying in-kind transactions with the Fund of Funds.³ The purchase of Creation Units by a Fund of Funds directly from a Fund will be accomplished in accordance with the policies of the Fund of Funds and will be based on the NAVs of the Funds.

9. Section 6(c) of the Act permits the Commission to exempt any persons or transactions from any provision of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 12(d)(1)(J) of the Act provides that the Commission may exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision of section 12(d)(1) if the exemption is consistent with the public interest and the protection of investors. Section 17(b) of the Act authorizes the Commission to grant an order permitting a transaction otherwise prohibited by section 17(a) if it finds

¹ Applicants request that the order apply to the new series of the Trust and any additional series of the Trust, and any other open-end management investment company or series thereof (each, included in the term "Fund"), each of which will operate as an ETF and will track a specified index comprised of domestic or foreign equity and/or fixed income securities (each, an "Underlying Index"). Any Fund will (a) be advised by the Initial Adviser or an entity controlling, controlled by, or under common control with the Initial Adviser (each, an "Adviser") and (b) comply with the terms and conditions of the application.

² Each Self-Indexing Fund will post on its Web site the identities and quantities of the investment positions that will form the basis for the Fund's calculation of its NAV at the end of the day. Applicants believe that requiring Self-Indexing Funds to maintain full portfolio transparency will help address, together with other protections, conflicts of interest with respect to such Funds.

³ The requested relief would apply to direct sales of shares in Creation Units by a Fund to a Fund of Funds and redemptions of those shares. Applicants, moreover, are not seeking relief from section 17(a) for, and the requested relief will not apply to, transactions where a Fund could be deemed an Affiliated Person, or a Second-Tier Affiliate, of a Fund of Funds because an Adviser or an entity controlling, controlled by or under common control with an Adviser provides investment advisory services to that Fund of Funds.

that (a) the terms of the proposed transaction are fair and reasonable and do not involve overreaching on the part of any person concerned; (b) the proposed transaction is consistent with the policies of each registered investment company involved; and (c) the proposed transaction is consistent with the general purposes of the Act.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14558 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-81084; File No. SR-BatsBZX-2017-35]

Self-Regulatory Organizations; Bats BZX Exchange, Inc.; Order Granting Approval of a Proposed Rule Change To Amend Rule 20.6, Nullification and Adjustment of Options Transactions Including Obvious Errors, and Rule 20.3, Trading Halts

July 6, 2017.

I. Introduction

On May 5, 2017, Bats BZX Exchange, Inc. (the “Exchange” or “BZX”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b-4 thereunder,² a proposed rule change to amend Exchange Rule 20.6 (“Rule 20.6”), relating to the adjustment and nullification of transactions that occur on the Exchange’s equity options platform, and Exchange Rule 20.3 (“Rule 20.3”), relating to trading halts. The proposed rule change was published for comment in the **Federal Register** on May 23, 2017.³ The Commission received no comments regarding the proposal. This order approves the proposed rule change.

II. Description of the Proposed Rule Change

The Exchange proposes to amend Rule 20.6, entitled “Nullification and Adjustment of Options Transactions including Obvious Errors,” to: (i) Adopt procedures to determine Theoretical Price in the event a reliable national best bid or offer (“NBBO”) is not available; and (ii) expand the category of

invalid quotes. The Exchange also proposes to amend Rule 20.3, entitled “Trading Halts,” to require the Exchange to nullify any transaction that occurs during a regulatory halt on the primary listing market for the underlying security.

A. Background

The Exchange and other options exchanges previously adopted new, harmonized rules related to the adjustment and nullification of erroneous options transactions.⁴ The Exchange believes that the changes the options exchanges implemented with the new, harmonized rules have led to increased transparency and finality with respect to the adjustment and nullification of erroneous options transactions.⁵ However, as part of the initial initiative, the Exchange and other options exchanges deferred a few specific matters for further discussion, including the calculation of Theoretical Price in the event a reliable NBBO is not available and the handling of erroneous complex orders and stock-option orders.⁶ The calculation of Theoretical Price is used in determining whether an options transaction is potentially erroneous and subject to a nullification or adjustment under Rule 20.6.

B. Calculation of Theoretical Price Using a Third Party Provider

Pursuant to Rule 20.6, when reviewing a transaction as potentially erroneous, the Exchange needs to first determine the “Theoretical Price” of the option, *i.e.*, the Exchange’s estimate of the correct market price for the option. If the applicable option series is traded on at least one other options exchange, then the Theoretical Price of an option series is generally the last national best bid (“NBB”) just prior to the trade in question with respect to an erroneous sell transaction or the last national best offer (“NBO”) just prior to the trade in question with respect to an erroneous buy transaction. However, there may be situations where the NBB or NBO is not

available or may not be reliable. Specifically, under sub-paragraphs (b)(1)–(3) of Rule 20.6, these situations occur when there are no quotes or no valid quotes for comparison purposes, when the NBBO is determined to be too wide to be reliable, and at the open of each trading day. In each of these circumstances, because the NBB or NBO is not available or is deemed to be unreliable, the Exchange determines Theoretical Price.⁷ The Exchange notes that the process for determining Theoretical Price in such situations could be subjective and lead to disparate results for a transaction that spans multiple options exchanges.⁸

Accordingly, the Exchange proposes to adopt Interpretation and Policy .03 to Rule 20.6 to specify how the Exchange would determine Theoretical Price when required by sub-paragraphs (b)(1)–(3) of Rule 20.6.⁹ In particular, the Exchange worked with other options exchanges to identify and select a reliable third party vendor (“TP Provider”) that would provide Theoretical Price to the Exchange whenever one or more transactions is under review pursuant to Rule 20.6 and the NBBO is unavailable or deemed unreliable pursuant to Rule 20.6(b).¹⁰ The Exchange and other options exchanges selected CBOE Livevol, LLC (“Livevol”) as the TP Provider.¹¹ According to the Exchange, Livevol will develop a new tool in connection with this proposal based on its existing technology and services that would supply Theoretical Price to the Exchange and other options exchanges upon request.¹² Accordingly, pursuant to proposed Interpretation and Policy .03 of Rule 20.6, when the Exchange must determine Theoretical Price pursuant to sub-paragraphs (b)(1)–(3) of

⁷ The Exchange states that when determining Theoretical Price under the current Rule, Exchange personnel generally consult and refer to data such as the prices of related series (especially the closest strikes in the option in question), the price of the underlying security, volatility characteristics of the option, and historical pricing of the option and/or similar options. See Notice, *supra* note 3, at 23685.

⁸ See *id.*

⁹ The Exchange has further proposed to modify paragraph (b) to Rule 20.6 to state that the Exchange will rely on paragraph (b) and Interpretation and Policy .03 when determining Theoretical Price.

¹⁰ See Notice, *supra* note 3, at 23685.

¹¹ See *id.* The Exchange proposes to codify the selection of Livevol in proposed paragraph (d) to Interpretation and Policy .03 of Rule 20.6. See *id.*

¹² See *id.* The Exchange states that the Theoretical Price tool would leverage current market data and surrounding strikes to assist in a relative value pricing approach to generating a Theoretical Price. See *id.* When relative value methods are incapable of generating a valid Theoretical Price, the Theoretical Price tool will utilize historical trade and quote data to calculate Theoretical Price. See *id.*

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 80709 (May 17, 2017), 82 FR 23684 (“Notice”).

⁴ See Securities Exchange Act Release No. 74556 (March 20, 2015), 80 FR 16031 (March 26, 2015) (order approving SR-BATS-2014-067); see also Securities and Exchange Act Release No. 73884 (December 18, 2014), 79 FR 77557 (December 24, 2014) (notice of filing of SR-BATS-2014-067).

⁵ See Notice, *supra* note 3, at 23684.

⁶ Since adopting the initial harmonized rule, the exchanges that offer complex orders and/or stock-option orders have addressed the handling of erroneous options transactions that result from the execution of complex orders and stock-option orders. See, *e.g.*, Securities Exchange Act Release No. 80040 (February 14, 2017), 82 FR 11248 (February 21, 2017) (SR-CBOE-2016-088) (granting approval of a proposal related to the nullification and adjustment of erroneous complex order and stock-option order transactions).

Rule 20.6, the Exchange would request Theoretical Price from the same TP Provider as other options exchanges that have adopted the new harmonized provision in their rules.¹³

In addition, the Exchange proposes that if an Official¹⁴ of the Exchange believes that the Theoretical Price provided by the TP Provider is fundamentally incorrect and cannot be used consistent with the maintenance of a fair and orderly market, the Official shall contact the TP Provider to notify the TP Provider of the reason the Official believes such Theoretical Price is inaccurate and to request a review and correction of the calculated Theoretical Price.¹⁵ The Exchange notes that it does not anticipate needing to rely on this provision frequently, if at all, but believes the provision would allow the Exchange to prepare for all potential circumstances.¹⁶ The Exchange has also proposed to promptly provide electronic notice to other options exchanges if the TP Provider has been contacted to review and correct the calculated Theoretical Price at issue and to include a brief explanation of the reason for the request.¹⁷

The Exchange also proposes that if the TP Provider experiences a systems issue that renders its services unavailable to accurately calculate Theoretical Price and such issue cannot be corrected in a timely manner, an Official of the Exchange may determine the Theoretical Price.¹⁸ The Exchange expects that it would await the TP Provider's services becoming available again if the Exchange was able to obtain

information regarding the issue and the TP Provider had a reasonable expectation of being able to resume normal operations within the next several hours based on communications with the TP Provider.¹⁹ The Exchange also notes that if a wide-scale event occurred, even if such event did not qualify as a "Significant Market Event" pursuant to Rule 20.6(e), and the TP Provider was unavailable or otherwise experiencing difficulty, the Exchange believes that it and other options exchanges would seek to coordinate to the extent possible.²⁰ In particular, the Exchange and other options exchanges have a process, administered by the Options Clearing Corporation, to invoke a discussion amongst all options exchanges in the event of any widespread or significant market events.²¹ The Exchange believes that this process could be used in the event necessary if there were an issue with the TP Provider.²²

The Exchange also proposes to adopt language in paragraph (d) of Interpretation and Policy .03 to Rule 20.6 to state that neither the Exchange, the TP Provider, nor any affiliate of the TP Provider, makes any warranty, express or implied, as to the results to be obtained by any person or entity from the use of the TP Provider pursuant to Interpretation and Policy .03 to Rule 20.6. The proposed rule would further state that the TP Provider does not guarantee the accuracy or completeness of the calculated Theoretical Price and that the TP Provider disclaims all warranties of merchantability or fitness for a particular purpose or use with respect to such Theoretical Price. Finally, proposed paragraph (d) of Interpretation and Policy .03 to Rule 20.6 would state that neither the Exchange nor the TP Provider shall have any liability for any damages, claims, losses (including any indirect or consequential losses), expenses, or delays, whether direct or indirect, foreseen or unforeseen, suffered by any person arising out of any circumstance or occurrence relating to the use of such Theoretical Price or arising out of any errors or delays in calculating such Theoretical Price.²³

C. No Valid Quotes—Market Participant Quoting on Multiple Exchanges

As described above, one of the times where the NBB or NBO is deemed to be unreliable for purposes of calculating the Theoretical Price is when there are no quotes or no valid quotes for the affected series. In addition to when there are no quotes, the Exchange does not consider the following to be valid quotes: (i) All quotes in the applicable option series published at a time where the last NBB is higher than the last NBO in such series; (ii) quotes published by the Exchange that were submitted by either party to the transaction in question; and (iii) quotes published by another options exchange against which the Exchange has declared self-help.²⁴

The Exchange proposes to add an additional category of invalid quotes in order to avoid a situation where a market participant has established the market at an erroneous price on multiple exchanges.²⁵ In particular, the Exchange proposes to also consider as invalid the quotes in a series published by another options exchange if either party to the transaction in question submitted the quotes in the series representing such options exchange's best bid or offer.²⁶ The Exchange, however, has proposed to only consider quotes invalid on other options exchanges in up to twenty-five total options series (*i.e.*, whether such series all relate to the same underlying security or multiple underlying securities), which the Exchange states would allow it to apply the proposed rule in a timely and organized fashion.²⁷ The Exchange believes its proposal to limit the proposed rule to twenty-five total options series is necessary because the application of the proposal will take considerable coordination with other options exchanges to confirm that the quotations in question on an away options exchange were indeed submitted by a party to a transaction on the Exchange.²⁸ The Exchange also proposes to require the party that believes it established the best bid or offer on one or more other options exchanges to identify to the Exchange, in up to twenty-five total options series, the quotes which were submitted by such party and published by the other

¹³ See *id.*

¹⁴ For purposes of Rule 20.6, an Official is an Officer of the Exchange or such other employee designee of the Exchange that is trained in the application of Rule 20.6.

¹⁵ See proposed paragraph (b) to Interpretation and Policy .03 of Rule 20.6. If the TP Provider reviews the Theoretical Price, but disagrees that there has been any error, then the Exchange would be bound to use the Theoretical Price provided by the TP Provider. See Notice, *supra* note 3, at 23686 n.10.

¹⁶ See Notice, *supra* note 3, at 23686.

¹⁷ See proposed paragraph (b) to Interpretation and Policy .03 of Rule 20.6. According to the Exchange, it expects that all other options exchanges, once in receipt of this notification, would await the determination of the TP Provider and would use the corrected price as soon as it becomes available. See Notice, *supra* note 3, at 23686. The Exchange further notes that it expects the TP Provider to cooperate with, but to be independent of, the Exchange and other options exchanges. See *id.*

¹⁸ See proposed paragraph (c) to Interpretation and Policy .03 of Rule 20.6. The Exchange states that it does not anticipate needing to rely on this provision frequently, if at all, but believes the provision would allow the Exchange to prepare for all potential circumstances. See Notice, *supra* note 3, at 23686.

¹⁹ See Notice, *supra* note 3, at 23686. The Exchange states that Livevol has business continuity and disaster recovery procedures that would help to ensure that the Theoretical Price tool remains available or, in the event of an outage, that service is restored in a timely manner. See *id.*

²⁰ See *id.*

²¹ See *id.*

²² See *id.*

²³ The Exchange states that proposed paragraph (d) of Interpretation and Policy .03 to Rule 20.6 is modeled after existing language in Exchange Rules regarding "reporting authorities" that calculate

indices. See *id.* at 23687. See also, *e.g.*, BZX Rule 29.13, which relates to index options potentially listed and traded on the Exchange and disclaims liability for a reporting authority and their affiliates.

²⁴ See Rule 20.6(b).

²⁵ See Notice, *supra* note 3, at 23687.

²⁶ See proposed Rule 20.6(b)(2)(C). The Exchange also proposes to renumber current Rule 20.6(b)(2)(C) as Rule 20.6(b)(2)(D).

²⁷ See Notice, *supra* note 3, at 23687.

²⁸ See *id.*

options exchanges.²⁹ In turn, the Exchange would verify with such other options exchanges that such quotations were indeed submitted by such party.³⁰

D. Trading Halts

Rule 20.3 describes the Exchange's authority to declare trading halts in one or more options traded on the Exchange. Currently, Rule 20.3 states that the Exchange shall nullify any transaction that occurs during a trading halt in the affected option on the Exchange or, with respect to equity options, during a trading halt on the primary listing market for the underlying security. The Exchange proposes to nullify any equity options transaction that occurs during a regulatory halt as declared by the primary listing market for the underlying security.³¹ The Exchange believes this change is necessary to distinguish a declared regulatory halt, where the underlying security should not be actively trading on any venue, from an operational issue on the primary listing exchange where the security continues to safely trade on other trading venues.³²

E. Implementation Date

In order to ensure that other options exchanges are able to adopt rules consistent with this proposal and to coordinate the effectiveness of such harmonized rules, the Exchange proposes to delay the effectiveness of this proposal to a date within ninety days following this approval.³³

III. Discussion and Commission Findings

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.³⁴ In particular, the Commission finds that the proposed rule change is consistent with the requirements of Section 6(b) of the Act³⁵ and with Section 6(b)(5) of the Act,³⁶ which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to

promote just and equitable principles of trade, 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.

The Commission believes that the proposal to amend Rule 20.6 will help assure greater objectivity, transparency, and clarity with respect to the adjustment and nullification of erroneous options transactions. The Commission notes that the proposal is designed to achieve more consistent results for participants across U.S. options exchanges than under the initial harmonized rules, while maintaining a fair and orderly market, protecting investors, and protecting the public interest. In particular, the proposal is designed to increase the consistency and transparency in the handling of erroneous options transactions in situations where the NBBO is unavailable or deemed unreliable pursuant to Rule 20.6(b).

The Commission also believes that the Exchange's proposed change to its no valid quotes provision, as described in greater detail above, is consistent with the Act and would further the goal of providing increased transparency and uniformity in the handling of erroneous options transactions in a timely and organized fashion. Finally, the Commission believes that the Exchange's proposed change to Rule 20.3 would provide increased transparency to its trading halt rule.

Based on the foregoing, the Commission believes that the proposed rule change is consistent with Section 6(b)(5) of the Act³⁷ in that proposed Rules 20.3 and 20.6 will foster cooperation and coordination with persons engaged in regulating and facilitating transactions.

The Commission notes that the proposed rule change will become operative within ninety days following its approval, on a date to be announced in a Regulatory Circular made available by the Exchange to its Members. This delayed implementation is to ensure that other options exchanges will have sufficient time to adopt rules consistent with this proposal and to coordinate the date of implementation of such harmonized rules.³⁸

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,³⁹ that the

proposed rule change (SR-BatsBZX-2017-35) be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴⁰

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14556 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-81081; File No. SR-NYSEArca-2017-54]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend the Generic Listing Criteria Applicable to Index-Linked Securities

July 6, 2017.

On May 4, 2017, NYSE Arca, Inc. ("Exchange") 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 the generic listing criteria applicable to Equity Index-Linked Securities.³ The proposed rule change was published for comment in the **Federal Register** on May 23, 2017.⁴ The Commission has received no comments on the proposed rule change.

Section 19(b)(2) of the Act⁵ provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is July 7, 2017.

⁴⁰ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Equity Index-Linked Securities are securities that provide for the payment at maturity (or earlier redemption) based on the performance of an underlying index or indexes of equity securities, securities of closed-end management investment companies registered under the Investment Company Act of 1940 and/or Investment Company Units. See NYSE Arca Equities Rule 5.2(j)(6)(B)(i)(1).

⁴ See Securities Exchange Act Release No. 80707 (May 17, 2017), 82 FR 23636.

⁵ 15 U.S.C. 78s(b)(2).

²⁹ See *id.* at 23688.

³⁰ See *id.*

³¹ See proposed paragraph (b) of Interpretation and Policy .01 to Rule 20.3.

³² See Notice, *supra* note 3, at 23688.

³³ See *id.* The Exchange will announce the operative date in a Regulatory Circular made available to its Members. See *id.*

³⁴ In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

³⁵ 15 U.S.C. 78f(b).

³⁶ 15 U.S.C. 78f(b)(5).

³⁷ 15 U.S.C. 78f(b)(5).

³⁸ See Notice, *supra* note 3, at 23688.

³⁹ 15 U.S.C. 78s(b)(2).

The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,⁶ designates August 21, 2017, as the date by which the Commission should either approve or disapprove or institute proceedings to determine whether to disapprove the proposed rule change (File Number SR–NYSEArca–2017–54).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017–14554 Filed 7–11–17; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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 F–10
SEC File No. 270–334, OMB Control No. 3235–0380

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”) is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Form F–10 (17 CFR 239.40) is a registration statement under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) that may be used by a foreign private issuer that: Is incorporated or organized in Canada; has been subject to, and in compliance with, Canadian reporting requirements for at least 12 months; and has an aggregate market value of common stock held by non-affiliates of at least \$75 million. The purpose of this information collection is to permit verification of compliance with securities law requirements and assure the public availability of such information. We estimate that Form F–

10 takes 25 hours per response and is filed by 77 respondents. We further estimate that 25% of the 25 hours per response (6.25 hours) is prepared by the issuer for an annual reporting burden of 481 hours (6.25 hours per response × 77 responses).

Written comments are invited on: (a) Whether this proposed collections 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 imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comment to 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.

Dated: July 7, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017–14568 Filed 7–11–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81083; File No. SR–CBOE–2017–051]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Extend the Credit Option Margin Pilot Program Through July 18, 2018

July 6, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b–4 thereunder,² notice is hereby given that on June 22, 2017, Chicago Board Options Exchange, Incorporated (the “Exchange” or

“CBOE”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a “non-controversial” proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b–4(f)(6) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

CBOE proposes to amend Rule 12.3 by extending the Credit Option Margin Pilot Program through July 18, 2018.

The text of the proposed rule change is available on the Exchange’s Web site (<http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx>), at the Exchange’s Office of the Secretary, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

On February 2, 2011, the Commission approved the Exchange’s proposal to establish a Credit Option Margin Pilot Program (“Program”).⁵ The proposal became effective on a pilot basis to run on a parallel track with Financial

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b–4(f)(6).

⁵ See Securities Exchange Act Release No. 63819 (February 2, 2011), 76 FR 6838 (February 8, 2011) order approving (SR–CBOE–2010–106). To implement the Program, the Exchange amended Rule 12.3(l), *Margin Requirements*, to make CBOE’s margin requirements for Credit Options consistent with Financial Industry Regulatory Authority (“FINRA”) Rule 4240, *Margin Requirements for Credit Default Swaps*. CBOE’s Credit Options (i.e., Credit Default Options and Credit Default Basket Options) are analogous to credit default swaps.

⁶ *Id.*

⁷ 17 CFR 200.30–3(a)(31).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b–4.

Industry Regulatory Authority ("FINRA") Rule 4240 that similarly operates on an interim pilot basis.⁶

On January 17, 2012, the Exchange filed a rule change to, among other things, decouple the Program with the FINRA program and to extend the expiration date of the Program to January 17, 2013.⁷ The Program, however, continues to be substantially similar to the provisions of the FINRA program. Subsequently, the Exchange filed rule changes to extend the program until January 17, 2014, January 16, 2015, January 15, 2016, January 17, 2017, and July 18, 2017, respectively.⁸ The Exchange believes that extending the expiration date of the Program further will allow for further analysis of the Program and a determination of how the Program should be structured in the future. Thus, the Exchange is now currently proposing to extend the duration of the Program for an additional year until July 18, 2018.

Additionally, the Exchange believes that it is in the public interest to extend the expiration date of the Program because it will continue to allow the Exchange to list Credit Options for trading. As a result, the Exchange will remain competitive with the Over-the-Counter Market with respect to swaps and security-based swaps. In the future, if the Exchange proposes an additional extension of the Credit Option Margin Pilot Program or proposes to make the Program permanent, then the Exchange will submit a filing proposing such amendments to the Program.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.⁹ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹⁰ requirements that the rules of an exchange be designed to prevent

fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitation 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. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)¹¹ requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the Exchange believes that the proposed rule change will further the purposes of the Act because, consistent with the goals of the Commission at the initial adoption of the program, the margin requirements set forth by the proposed rule change will help to stabilize the financial markets. In addition, the proposed rule change is substantially similar to existing FINRA Rule 4240.

B. Self-Regulatory Organization's Statement on Burden on Competition

CBOE does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Specifically, the Exchange believes that, by extending the expiration of the Program, the proposed rule change will allow for further analysis of the Program and a determination of how the Program shall be structured in the future. In doing so, the proposed rule change will also serve to promote regulatory clarity and consistency, thereby reducing burdens on the marketplace and facilitating investor protection.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. Significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹² and Rule 19b-4(f)(6)¹³ thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. 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-CBOE-2017-051 on the subject line.

Paper Comments

- Send paper comments in triplicate to Robert W. Errett, Deputy Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-CBOE-2017-051. 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 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

⁶ See Securities Exchange Act Release No. 59955 (May 22, 2009), 74 FR 25586 (May 28, 2009) (Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change; SR-FINRA-2009-012).

⁷ See Securities Exchange Act Release No. 66163 (January 17, 2012), 77 FR 3318 (January 23, 2012) (SR-CBOE-2012-007).

⁸ See Securities Exchange Act Release Nos. 68539 (December 27, 2012), 78 FR 138 (January 2, 2013) (SR-CBOE-2012-125), 71124 (December 18, 2013), 78 FR 77754 (December 24, 2013) (SR-CBOE-2013-123), 73837 (December 15, 2014), 79 FR 75850 (December 19, 2014) (SR-CBOE-2014-091), 76824 (January 5, 2016), 81 FR 1255 (January 11, 2016) (SR-CBOE-2015-118), and 79621 (December 14, 2016) 81 FR 95236 (December 27, 2016) (SR-CBOE-2016-089).

⁹ 15 U.S.C. 78f(b).

¹⁰ 15 U.S.C. 78f(b)(5).

¹¹ *Id.*

¹² 15 U.S.C. 78s(b)(3)(A).

¹³ 17 CFR 240.19b-4(f)(6).

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 the filing 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-CBOE-2017-051 and should be submitted on or before August 2, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14555 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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 173, SEC File No. 270-557, OMB Control No. 3235-0618.

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") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Securities Act Rule 173 (17 CFR 230.173) provides a notice of registration to investors who purchased securities in a registered offering under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). A Rule 173 notice must be provided by underwriter or dealer to each investor who purchased securities from the underwriter or dealer. The Rule 173 notice is not publicly available. We estimate that it takes approximately 0.0167 hour per response to provide the information required under Rule 173 and that the information is filed by approximately 5,338

respondents approximately 43,546 times a year for a total of 232,448,548 responses. We estimate that the total annual reporting burden for Rule 173 is 3,881,891 hours (0.0167 hours per response \times 232,448,548 responses).

Written comments are invited on: (a) Whether this proposed collection of information is necessary for the 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 imposed by the collections of information; (c) ways to enhance the quality, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comment to 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.

Dated: July 7, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14572 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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 15g-9

SEC File No. 270-325, OMB Control No. 3235-0385

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") is soliciting comment on the collection of information described below. The Commission plans to submit this existing collection of information to the Office of

Management and Budget (OMB) for extension and approval.

Section 15(c)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (the "Exchange Act") authorizes the Commission to promulgate rules that prescribe means reasonably designed to prevent fraudulent, deceptive, or manipulative practices in connection with over-the-counter ("OTC") securities transactions. Pursuant to this authority, the Commission in 1989 adopted Rule 15a-6, which was subsequently redesignated as Rule 15g-9, 17 CFR 240.15g-9 (the "Rule"). The Rule requires broker-dealers to produce a written suitability determination for, and to obtain a written customer agreement to, certain recommended transactions in penny stocks that are not registered on a national securities exchange, and whose issuers do not meet certain minimum financial standards. The Rule is intended to prevent the indiscriminate use by broker-dealers of fraudulent, high pressure telephone sales campaigns to sell penny stocks to unsophisticated customers.

The Commission staff estimates that there are approximately 198 broker-dealers subject to the Rule. The burden of the Rule on a respondent varies widely depending on the frequency with which new customers are solicited. On the average for all respondents, the staff has estimated that respondents process three new customers per week, or approximately 156 new customer suitability determinations per year. We also estimate that a broker-dealer would expend approximately one-half hour per new customer in obtaining, reviewing, and processing (including transmitting to the customer) the information required by Rule 15g-9, and each respondent would consequently spend 78 hours annually (156 customers \times .5 hours) obtaining the information required in the rule. We determined, based on the estimate of 198 broker-dealer respondents, that the current annual burden of Rule 15g-9 is 15,444 hours (198 respondents \times 78 hours).

Written 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 estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information on respondents; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or

¹⁴ 17 CFR 200.30-3(a)(12).

other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comments to: Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549; or comments may be sent by email to: PRA_Mailbox@sec.gov.

Dated: July 6, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14567 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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 F-3
SEC File No. 270-251, OMB Control No. 3235-0256

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") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Form F-3 (17 CFR 239.33) is used by foreign issuers to register securities pursuant to the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information collected is intended to ensure that the information required to be filed by the Commission permits verification of compliance with securities law requirements and assures the public availability of such information. Form F-3 takes approximately 167 hours per response and is filed by approximately 112 respondents. We estimate that 25% of the 167 hours per response (41.757 hours) is prepared by the registrant for a total annual reporting burden of 4,677 hours (41.757 hours per response × 112 responses).

Written comments are invited on: (a) Whether this proposed 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 imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comment to 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.

Dated: July 7, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14570 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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 236
SEC File No. 270-118, OMB Control No. 3235-0095

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") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Securities Act Rule 236 (17 CFR 230.236) provides an exemption from registration under the Securities Act for the offering of shares of stock or similar securities to provide funds to be

distributed to security holders in lieu of fractional shares, scrip certificates or order forms, in connection with a stock dividend, stock split, reverse stock split, conversion, merger or similar transaction. Issuers wishing to rely upon the exemption are required to furnish specified information to the Commission at least 10 days prior to the offering. The information is needed to provide notice that the issuer is relying on the exemption. Approximately 10 respondents file the information required by Rule 236 at an estimated 1.5 hours per response for a total annual reporting burden of 15 hours (1.5 hours per response × 10 responses).

Written comments are invited on: (a) Whether this proposed 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 imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comment to 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.

Dated: July 7, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14573 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; 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 CB
SEC File No. 270-457, OMB Control No. 3235-0518

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") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Form CB (17 CFR 239.800) is a Document filed in connection with a tender offer for a foreign private issuer. This form is used to report an issuer tender offer conducted in compliance with Exchange Act Rule 13e-4(h)(8) (17 CFR 240.13e-4(h)(8)) and a third-party tender offer conducted in compliance with Exchange Act Rule 14d-1(c) (17 CFR 240.14d-1(c)). Form CB takes approximately 0.5 hours per response to prepare and is filed by approximately 111 respondents annually. We estimate that 25% of the 0.5 hours per response (0.125 hours) is prepared by the respondent for an annual reporting burden of 14 hours (0.125 hours per response x 111 responses).

Written comments are invited on: (a) Whether this proposed collection of information is necessary for the 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 imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information 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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

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.

Please direct your written comment to 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.

Dated: July 7, 2017.

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-14569 Filed 7-11-17; 8:45 am]

BILLING CODE 8011-01-P

TRADE AND DEVELOPMENT AGENCY

Notice of Request for Extension of a Currently Approved Information Collection

AGENCY: United States Trade and Development.

ACTION: Request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the U.S. Trade and Development Agency's intention to request an extension for a currently approved information collection for Evaluation of USTDA Performance. USTDA invites general public and other Federal agencies to take this opportunity to comment on the following proposed information collection. Comments may be sent to Carolyn Hum, *Administrative Officer*. All comments received will be available for public inspection during regular business hours at the same address.

DATES: Comments on this notice must be received by September 11, 2017 to be assured of consideration.

ADDRESSES: To access and review all of the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the agency name. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> or via postal mail, commercial delivery, or hand delivery. All submissions received must include the agency name. *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 Administrative Officer, U.S. Trade and Development Agency, 1000 Wilson Blvd., Suite 1600, Arlington, VA 22209-3901.

FOR FURTHER INFORMATION CONTACT:

Carolyn Hum, Administrative Officer, Attn: PRA, U.S. Trade and Development Agency, 1000 Wilson Blvd., Suite 1600, Arlington, VA 22209-3901; Tel.: (703) 875-4357, Fax: (703) 875-4009; Email: PRA@ustda.gov.

SUPPLEMENTARY INFORMATION: Comments are invited on: (1) 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) 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) 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 those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Summary Collection Under Review

Type of Request: Extension of a currently approved information collection.

Expiration Date of Previous Approval: 11/30/2017.

Title: Evaluation of USTDA Performance.

Form Number: USTDA 1000E-2011a.

Frequency of Use: annually for duration of project.

Type of Respondents: Business or other for profit; Not-for-profit institutions; Farms; Federal Government.

Estimated Number of Responses: 1,440 to 1,800 per year.

Estimated Total Annual Burden on Respondents: 480 to 600 hours per year.

Federal Cost: \$324,453.

Authority for Information Collection: Government Performance and Results Act of 1993 103 Pub. L. 62; 107 Stat. 285.

Abstract: USTDA and contractors will collect information from various stakeholders on USTDA-funded activities regarding development impact and/or commercial objectives as well as evaluate success regarding GPRA objectives.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: June 26, 2017.

Carolyn Hum,

Administrative Officer.

[FR Doc. 2017-13800 Filed 7-11-17; 8:45 am]

BILLING CODE 8040-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection

Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Air Traffic Slots Management

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval of a new information collection. The FAA collects information to allocate slots and maintain accurate records of slot transfers at slot-controlled and schedule-facilitated airports. The information is provided by air carriers and other operators at all impacted airports.

DATES: Written comments should be submitted by August 11, 2017.

ADDRESSES: 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/FAA, 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: Ronda Thompson, (202) 267-1416, or by email at: Ronda.Thompson@faa.gov.

SUPPLEMENTARY INFORMATION:

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

OMB Control Number: 2120-xxxx.

Title: Air Traffic Slots Management.

Form Numbers: No FAA forms associated with this collection.

Type of Review: New information collection.

Background: The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published under 2120-0524 on October 13, 2016 (81 FR 70736). There were no comments. The FAA has implemented several initiatives to address congestion and delay issues within the National Airspace System. The FAA has issued Orders limiting operations at John F. Kennedy International Airport (JFK),

Newark Liberty International Airport (EWR), and LaGuardia Airport (LGA). These Orders resulted in part from increasing congestion and delays at the airports requiring the FAA to allocate arrival and departure slots at JFK, EWR, and LGA. On April 6, 2016, the FAA announced a reduction in slot controls at EWR and designation of EWR as a Level 2, schedule-facilitated airport under the International Air Transport Association (IATA) Worldwide Slot Guidelines (WSG) based on an updated demand and capacity analysis of the airport. This change was effective from the Winter 2016 scheduling season, which began on October 30, 2016. The FAA also has designated O'Hare International Airport (ORD), San Francisco International Airport (SFO), and Los Angeles International Airport (LAX) as Level 2 airports under the IATA WSG. These Level 2 designations resulted in part from increasing congestion and delays at the airports requiring FAA to implement a voluntary process to manage operational growth at ORD and SFO. The Level 2 designation was made at LAX due to a long-term construction project expected to reduce runway capacity; therefore, the designation is not expected to continue beyond the completion of the planned construction at LAX. The information is reported to the FAA by carriers holding a slot at JFK or LGA; by carriers operating at EWR, LAX, ORD, or SFO; and by operators conducting unscheduled operations at LGA. At JFK, carriers must notify the FAA of: (1) Requests for confirmation of transferred slots; (2) requests for seasonal allocation of historic and additional available slots; and (3) usage of slots on a seasonal basis. At LGA, carriers must notify the FAA of: (1) Requests for confirmation of transferred slots; (2) slots required to be returned or slots voluntarily returned; (3) requests to be included in a lottery for available slots; and (4) usage of slots on a bi-monthly basis. At LGA, unscheduled operators must request and obtain a reservation from the FAA prior to conducting an operation. At EWR, LAX, ORD and SFO, carriers are asked to notify the FAA of their intended operating schedules during peak hours on a semiannual basis. The FAA estimates that all information from carriers is submitted electronically from information stored in carrier scheduling databases, and that nearly all requests for unscheduled operation reservations are submitted electronically through either an internet or touch-tone system interface.

Respondents: 200 carriers at various airports; unknown number of

unscheduled operators at LaGuardia Airport.

Frequency: Information is collected as needed; some reporting on bimonthly or semiannual basis.

Estimated Average Burden per Response: 2 minutes per unscheduled operation reservation; 6 minutes per notice of slot transfer; 2 hour per schedule submission or slot request; and 2 hours per slot usage report.

Estimated Total Annual Burden: 5,049.5 hours.

Issued in Washington, DC, on June 28, 2017.

Ronda L. Thompson,

FAA Information Collection Clearance Officer, Performance, Policy & Records Management Branch, ASP-110.

[FR Doc. 2017-14046 Filed 7-11-17; 8:45 am]

BILLING CODE 4910-13-P

U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

Notice of Open Public Roundtable; Correction

AGENCY: U.S.-China Economic and Security Review Commission.

ACTION: Notice of open public roundtable; correction.

SUMMARY: The U.S.-China Commission published a document in the **Federal Register** on July 3, 2017, concerning notice of an open public roundtable to be held in Washington, DC to inform production of the Commission's 2017 Annual Report to Congress. The time for this roundtable has changed.

FOR FURTHER INFORMATION CONTACT: Alexis Brigmon, 202-624-1454.

Corrections:

In the **Federal Register** of July 3, 2017 in FR Doc. 2017-13993, on page 30943-30944, in the third column, correct the **DATES** caption to read:

DATES: The meeting is scheduled for Wednesday, July 12, 2017, from 9:30 a.m. to 12:30 p.m.

Michael Danis,

Executive Director, U.S.-China Economic and Security Review Commission.

[FR Doc. 2017-14508 Filed 7-11-17; 8:45 am]

BILLING CODE 1137-00-P

UNITED STATES INSTITUTE OF PEACE

Notice of Meeting

Agency: United States Institute of Peace.

Date/Time: Friday, July 21, 2017 (10:00 a.m.-1:00 p.m.).

Location: 2301 Constitution Avenue NW., Washington, DC 20037.

Status: Open Session—Portions may be closed pursuant to Subsection (c) of Section 552(b) of Title 5, United States Code, as provided in subsection 1706(h)(3) of the United States Institute of Peace Act, Public Law 98–525.

Agenda: July 21, 2017 Board Meeting; Chairman's Report; Vice Chairman's Report; President's Report; Approval of Minutes of the One Hundred and Sixty Second Meeting (April 21, 2017) of the Board of Directors; Reports from USIP Board Committees; China Program Report; and USIP Global Campus Report.

Contact: Nick Rogacki, Special Assistant to the President, Email: nrogacki@usip.org.

Dated: July 6, 2017.

Nicholas Rogacki,

Special Assistant to the President.

[FR Doc. 2017–14544 Filed 7–11–17; 8:45 am]

BILLING CODE 6820-AR-P

DEPARTMENT OF VETERANS AFFAIRS

Health Services Research and Development Service, Scientific Merit Review Board Amended Notice of Meetings

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. App. 2, that the Health Services Research and Development Service Scientific Merit Review Board will conduct in-person and teleconference meetings of its eight Health Services Research (HSR) subcommittees on the dates below from 8:00 a.m. to approximately 4:30 p.m. (unless otherwise listed) at the VHA National Conference Center, 2011 Crystal Drive, Arlington, VA 22202 (unless otherwise listed):

- HSR 1—Health Care and Clinical Management on August 22–23, 2017;
- HSR 2—Behavioral, Social, and Cultural Determinants of Health and Care on August 22–23, 2017;
- HSR 3—Healthcare Informatics from 8:00 a.m. to 4:30 p.m. on August 24, 2017, and 8:00 a.m. to 12:30 p.m. on August 25, 2017;
- HSR 4—Mental and Behavioral Health on August 24–25, 2017;
- HSR 5—Health Care System Organization and Delivery on August 23–24, 2017;
- HSR 6—Post-acute and Long-term Care on August 23, 2017;
- CDA—Career Development Award Meeting from 8:00 a.m. to 3:30 p.m. on August 24, 2017; and

- NRI—Nursing Research Initiative from 3:30 p.m. to 4:30 p.m. on August 24, 2017.

The purpose of the Board is to review health services research and development applications involving: The measurement and evaluation of health care services; the testing of new methods of health care delivery and management; and nursing research. Applications are reviewed for scientific and technical merit, mission relevance, and the protection of human and animal subjects. Recommendations regarding funding are submitted to the Chief Research and Development Officer.

Each subcommittee meeting of the Board will be open to the public the first day for approximately one half-hour from 8:00 a.m. to 8:30 a.m. at the start of the meeting on August 22 (HSR 1, 2), August 23 (HSR 1, 2, 6), August 23–24 (HSR 5), August 24 (CDA, NRI), and August 24–25 (HSR 3, 4) to cover administrative matters and to discuss the general status of the program. Members of the public who wish to attend the open portion of the subcommittee meetings may dial 1–800–767–1750, participant code 10443#.

The remaining portion of each subcommittee meeting will be closed for the discussion, examination, reference to, and oral review of the intramural research proposals and critiques. During the closed portion of each subcommittee meeting, discussion and recommendations will include qualifications of the personnel conducting the studies (the disclosure of which would constitute a clearly unwarranted invasion of personal privacy), as well as research information (the premature disclosure of which would likely compromise significantly the implementation of proposed agency action regarding such research projects). As provided by subsection 10(d) of

Public Law 92–463, as amended by Public Law 94–409, closing the meeting is in accordance with 5 U.S.C. 552b(c)(6) and (9)(B).

No oral or written comments will be accepted from the public for either portion of the meetings. Those who plan to participate during the open portion of a subcommittee meeting should contact Ms. Liza Catucci, Administrative Officer, Department of Veterans Affairs, Health Services Research and Development Service (10P9H), 810 Vermont Avenue NW., Washington, DC 20420, or by email at Liza.Catucci@va.gov. For further information, please call Ms. Catucci at (202) 443–5797.

Dated: July 7, 2017.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2017–14618 Filed 7–11–17; 8:45 am]

BILLING CODE 8320-01-P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0075]

Agency Information Collection Activity Under OMB Review: Statement in Support of Claim

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration, Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Comments must be submitted on or before August 11, 2017.

ADDRESSES: Submit written comments on the collection of information through www.Regulations.gov, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW., Washington, DC 20503 or sent through electronic mail to oira_submission@omb.eop.gov. Please refer to “OMB Control No. 2900–0075” in any correspondence.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 461–5870 or email cynthia.harvey-pryor@va.gov. Please refer to “OMB Control No. 2900–0075” in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: 44 U.S.C. 3501–21.

Title: Statement in Support of Claim (VA Form 21–4138).

OMB Control Number: 2900–0075.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21–4138 is used by claimants to provide self-certified statements in support of various types of claims processed by the agency. VA compensation and pension programs

require that statements submitted by or on behalf of a claimant contain certification by the respondent that the information provided is true and correct. This form is designed to facilitate claims processing by providing a uniform format for the certification statement.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 82 FR 84 on May 3, 2017, page 20687.

Affected Public: Individuals or Households.

Estimated Annual Burden: 188,000.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 752,000.

By direction of the Secretary.

Cynthia Harvey-Pryor,

Department Clearance Officer, Office of Privacy and Records Management, Department of Veterans Affairs.

[FR Doc. 2017-14561 Filed 7-11-17; 8:45 am]

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CFR Checklist. Effective January 1, 2009, the CFR Checklist no longer appears in the Federal Register. This information can be found online at <http://bookstore.gpo.gov/>.

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