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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 922

[Doc. No. AMS–SC–17–0033; SC17–922–1 IR]

Apricots Grown in Designated Counties in Washington; Decreased Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim rule with request for comments.

SUMMARY: This rule implements a recommendation from the Washington Apricot Marketing Committee (Committee) for a decrease in the assessment rate established for the 2017–2018 and subsequent fiscal periods from $1.40 to $1.00 per ton of apricots handled. The Committee locally administers the marketing order and is comprised of growers and handlers of apricots operating within the area of production. Assessments upon apricot handlers are used by the Committee to fund reasonable and necessary expenses of the program. The fiscal period begins April 1 and ends March 31. The assessment rate will remain in effect indefinitely unless modified, suspended, or terminated.

DATES: Effective September 18, 2017. Comments received by November 14, 2017, will be considered prior to issuance of a final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this rule. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or Internet: *http://www.regulations.gov.* Comments should reference the document number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.regulations.gov.* All comments submitted in response to this rule will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Dale Novotny, Marketing Specialist, or Gary D. Olson, Regional Director, Northwest Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, Telephone: (503) 326–2724, Fax: (503) 326–7440, or Email: *DaleJ.Novotny@ams.usda.gov* or *GaryD.Olson@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Richard Lower, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW., STOP 0237, Washington, DC 20250–0237, Telephone: (202) 720–2491, Fax: (202) 720–8938, or Email: *Richard.Lower@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Agreement and Order No. 922, both as amended (7 CFR part 922), regulating the handling of apricots grown in designated counties in Washington, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (USDA) is issuing this rule in conformance with Executive Orders 13563, and 13175.

This rule does not meet the definition of a significant regulatory action contained in section 3(f) of Executive Order, and is not subject to review by the Office of Management and Budget (OMB). Additionally, because this rule does not meet the definition of a significant regulatory action it does not trigger the requirements contained in Executive Order 13771. *See* OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017, titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the marketing order now in effect, Washington apricot handlers are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rate as issued herein will be applicable to all assessable apricots beginning April 1, 2017, and continue until amended, suspended, or terminated.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

This rule decreases the assessment rate established under the order for the 2017–2018 and subsequent fiscal periods from $1.40 to $1.00 per ton of apricots handled.

The order provides authority for the Committee, with the approval of USDA, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are growers and handlers of Washington apricots. They are familiar with the Committee's needs and with the costs for goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

For the 2016–2017 and subsequent fiscal periods, the Committee recommended, and USDA approved, an assessment rate of $1.40 per ton of apricots handled, that would continue

in effect from fiscal period to fiscal period unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Committee or other information available to USDA.

The Committee met on May 3, 2017, and unanimously recommended 2017–2018 fiscal period expenditures of $8,225 and a decreased assessment rate of $1.00 per ton of apricots handled. In comparison, 2016–2017 fiscal period's budgeted expenditures were $7,160. The assessment rate of $1.00 per ton is $0.40 lower than the rate currently in effect.

Favorable growing conditions led to a 2016 crop which was 1,028 tons higher than estimated by the Committee. The extra revenue from the larger than anticipated crop during the 2016–2017 fiscal period, combined with lower than anticipated expenses, resulted in a $3,064 increase in the Committee's financial reserve.

The major expenditures recommended by the Committee for the 2017–2018 fiscal period include $4,000 in management contract services; $2,000 for the annual audit; $1,300 for Committee travel expenses; $500 for technological services, software, and equipment; and $425 in miscellaneous office expenses. Budgeted expenses for these items in the 2016–2017 fiscal period were $3,000, $2,000, $1,200, $500, and $460, respectively.

The assessment rate recommended by the Committee was derived by dividing anticipated expenses by expected shipments of Washington apricots. After an open discussion with growers, handlers, and industry personnel, the Committee established a crop estimate for the 2017–2018 fiscal period of 6,000 tons. The Committee considered the crop estimate, the recommended 2017–2018 fiscal period expenses, and the Committee's financial reserve when it recommended the assessment rate decrease.

The estimated 6,000 tons of apricot shipments should provide $6,000 in assessment income at the $1.00 per ton assessment rate. Income derived from handler assessments, along with interest income and funds from the Committee's authorized reserve, will be adequate to cover budgeted expenses.

Sections 922.42(a)(2) and 922.142 of the order authorize the Committee to carry over excess funds into subsequent marketing years as a reserve, provided that funds do not exceed approximately one year's operational expenses. The Committee's financial reserve balance was $10,365 on March 31, 2017, the end of the 2016–2017 fiscal period. The Committee anticipates a reserve balance of $8,140 at the end of the 2017–2018 fiscal period, a level which would be within the maximum permitted by the order.

The assessment rate established in this rule will continue in effect indefinitely unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Committee or other available information.

Although this assessment rate is effective for an indefinite period, the Committee will continue to meet prior to or during each fiscal period to recommend a budget of expenses and consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or USDA. Committee meetings are open to the public and interested persons may express their views at these meetings. USDA will evaluate Committee recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking will be undertaken as necessary. The Committee's 2017–2018 budget, and those for subsequent fiscal periods, will be reviewed and, as appropriate, approved by USDA.

Regulatory Flexibility Act

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), the Agricultural Marketing Service (AMS) has considered the economic impact of this rule on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 17 Washington apricot handlers subject to regulation under the order and approximately 100 apricot growers in the regulated production area. Small agricultural service firms (handlers) are defined by the Small Business Administration (SBA) as those whose annual receipts are less than $7,500,000, and small agricultural producers (growers) are defined as those having annual receipts less than $750,000 (13 CFR 121.201).

Committee reports indicate that the industry shipped 6,028 tons of Washington apricots over the 2016–2017 fiscal period. Based on information from the USDA's Market News Service, 2016 f.o.b. prices for Washington No. 1 apricots ranged from $18.00 to $23.00 per 24-pound container, for both loose pack and 2-layer tray-pack containers. Using those prices, and the shipment information provided by the Committee, the approximate total value of Washington apricot shipments likely ranged between $9.0 million and $11.6 million, with the average revenue per handler ranging from $532,000 to $680,000. It is therefore determined that most, if not all, of the Washington apricot handlers ship less than $7,500,000 worth of apricots on an annual basis.

In addition, using shipment data from the Committee and the 2016 National Agricultural Statistics Service (NASS) average freight on board (f.o.b.) price of $1,210 per ton for fresh apricots, total revenue for Washington apricot growers for the 2016–2017 fiscal period is estimated to be approximately $7.3 million. Based on these reports and the number of apricot growers within the production area, it is estimated that the average per grower revenue from the sale of apricots in 2016 was approximately $73,000. In view of the foregoing, it is concluded that most of the handlers and growers of Washington apricots may be classified as small entities.

This rule decreases the assessment rate collected from handlers, for the 2017–2018 and subsequent fiscal periods from $1.40 to $1.00 per ton of apricots. The Committee unanimously recommended 2017–2018 expenditures of $8,225. The assessment rate of $1.00 per ton is $0.40 lower than the previously established rate.

The quantity of assessable apricots for the 2017–2018 fiscal period is estimated at 6,000 tons. Thus, the $1.00 per ton rate should provide $6,000 in assessment income. Income derived from handler assessments, along with interest income and funds from the Committee's authorized reserve, will be adequate to cover budgeted expenses.

The major expenditures recommended by the Committee for the 2017–2018 fiscal period include $4,000 in management contract services; $2,000 for the annual audit; $1,300 for Committee travel expenses; $500 for technological services, software, and equipment; and $425 for miscellaneous office expenses. Budgeted expenses for these items in the 2016–2017 fiscal period were $3,000, $2,000, $1,200, $500, and $460, respectively.

The assessment rate recommended by the Committee was derived by dividing anticipated expenses by expected

shipments of Washington apricots. After an open discussion with growers, handlers, and industry personnel, the Committee established a crop estimate for the 2017–2018 fiscal period of 6,000 tons. The Committee considered the crop estimate, the recommended 2017–2018 fiscal period expenses, and the Committee's financial reserve when it recommended the assessment rate decrease.

Prior to arriving at this budget and assessment rate, the Committee considered information from various sources, such as a presentation from representatives of the Washington Stone Fruit Commission and comments from other industry participants. Alternative expenditure levels and assessment rates were discussed by these groups, based upon the relative value of various activities to the apricot industry. The Committee ultimately determined that the recommended budget was appropriate and that assessments at $1.00 per ton, along with interest income and the authorized reserve fund, would generate sufficient revenue to meet those budgeted expenses.

A review of historical information and preliminary information pertaining to the upcoming fiscal period indicates that the grower price for the 2017–2018 season could range between $800 and $1,600 per ton of apricots. Therefore, the estimated assessment revenue for the 2017–2018 fiscal period as a percentage of total grower revenue could range between 0.06 and 0.13 percent.

This action decreases the assessment obligation imposed on handlers. Assessments are applied uniformly on all handlers, and some of the costs may be passed on to growers. However, decreasing the assessment rate reduces the burden on handlers, and may reduce the burden on growers. In addition, the Committee's meeting was widely publicized throughout the Washington apricot industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the May 3, 2017, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this interim rule, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995, (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by OMB and assigned OMB No. 0581–0178; Vegetable and Specialty Crops. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This action imposes no additional reporting or recordkeeping requirements on either small or large Washington apricot handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/rules-regulations/moa/small-businesses.* Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) This action decreases the assessment rate for assessable apricots beginning with the 2017–2018 fiscal period; (2) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (3) this interim rule provides a 60-day comment period, and all comments timely received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 922

Apricots, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 922 is amended as follows:

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

■ 1. The authority citation for part 922 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 922.235 is revised to read as follows:

§ 922.235 Assessment rate.

On and after April 1, 2017, an assessment rate of $1.00 per ton is established for Washington apricots handled in the production area.

Dated: September 11, 2017.

Bruce Summers,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2017–19553 Filed 9–14–17; 8:45 am]

BILLING CODE 3410–02–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Parts 4022 and 4044

Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This final rule amends the Pension Benefit Guaranty Corporation's regulations on Benefits Payable in Terminated Single-Employer Plans and Allocation of Assets in Single-Employer Plans to prescribe interest assumptions under the benefit payments regulation for valuation dates in October 2017 and interest assumptions under the asset allocation regulation for valuation dates in the fourth quarter of 2017. The interest assumptions are used for valuing and paying benefits under terminating single-employer plans covered by the pension insurance system administered by PBGC.

DATES: Effective October 1, 2017.

FOR FURTHER INFORMATION CONTACT: Daniel S. Liebman (*Liebman.daniel@PBGC.gov*), Acting Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, 1200 K

Street NW., Washington, DC 20005, 202–326–4400 ext. 6510. (TTY/TDD users may call the Federal relay service toll free at 1–800–877–8339 and ask to be connected to 202–326–4400 ext. 6510.)

SUPPLEMENTARY INFORMATION: PBGC's regulations on Allocation of Assets in Single-Employer Plans (29 CFR part 4044) and Benefits Payable in Terminated Single-Employer Plans (29 CFR part 4022) prescribe actuarial assumptions—including interest assumptions—for valuing and paying plan benefits under terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions in the regulations are also published on PBGC's Web site (*http://www.pbgc.gov*).

The interest assumptions in Appendix B to Part 4044 are used to value benefits for allocation purposes under ERISA section 4044. PBGC uses the interest assumptions in Appendix B to Part 4022 to determine whether a benefit is payable as a lump sum and to determine the amount to pay. Appendix C to Part 4022 contains interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using PBGC's historical methodology. Currently, the rates in Appendices B and C of the benefit payment regulation are the same.

The interest assumptions are intended to reflect current conditions in the financial and annuity markets. Assumptions under the asset allocation regulation are updated quarterly; assumptions under the benefit payments regulation are updated monthly. This final rule updates the benefit payments interest assumptions for October 2017 and updates the asset allocation interest assumptions for the fourth quarter (October through December) of 2017.

The fourth quarter 2017 interest assumptions under the allocation regulation will be 2.34 percent for the first 20 years following the valuation date and 2.63 percent thereafter. In comparison with the interest assumptions in effect for the third quarter of 2017, these interest assumptions represent no change in the select period (the period during which the select rate, the initial rate, applies), a decrease of 0.10 percent in the select rate, and a decrease of 0.11 percent in the ultimate rate, the final rate.

The October 2017 interest assumptions under the benefit payments regulation will be 0.75 percent for the period during which a benefit is in pay status and 4.00 percent during any years preceding the benefit's placement in pay status. In comparison with the interest assumptions in effect for September 2017, these interest assumptions represent a 0.25 percent decrease in the immediate rate and are otherwise unchanged.

PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This finding is based on the need to determine and issue new interest assumptions promptly so that the assumptions can reflect current market conditions as accurately as possible.

Because of the need to provide immediate guidance for the valuation and payment of benefits under plans with valuation dates during October 2017, PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication.

PBGC has determined that this action is not a ''significant regulatory action'' under the criteria set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

List of Subjects

29 CFR Part 4022

Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements.

29 CFR Part 4044

Employee benefit plans, Pension insurance, Pensions.

In consideration of the foregoing, 29 CFR parts 4022 and 4044 are amended as follows:

PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE–EMPLOYER PLANS

■ 1. The authority citation for part 4022 continues to read as follows:

Authority: 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

■ 2. In appendix B to part 4022, Rate Set 288, as set forth below, is added to the table.

Appendix B to Part 4022—Lump Sum Interest Rates for PBGC Payments

* * * * *

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i_1	i_2	i_3	n_1	n_2
*	*	*	*	*	*	*	*	*
288	10–1–17	11–1–17	0.75	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, Rate Set 288, as set forth below, is added to the table.

Appendix C to Part 4022—Lump Sum Interest Rates for Private-Sector Payments

* * * * *

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		i_1	i_2	i_3	n_1	n_2
*	*	*	*	*	*	*	*	*
288	10–1–17	11–1–17	0.75	4.00	4.00	4.00	7	8

PART 4044—ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS

■ 4. The authority citation for part 4044 continues to read as follows:

Authority: 29 U.S.C. 1301(a), 1302(b)(3), 1341, 1344, 1362.

■ 5. In appendix B to part 4044, a new entry for October–December 2017, as set forth below, is added to the table.

Appendix B to Part 4044—Interest Rates Used To Value Benefits

* * * * *

For valuation dates occurring in the months—	The values of i_t are:					
	i_t	for t =	i_t	for t =	i_t	for t =
* * *		*	*	*		*
October–December 2017	0.0234	1–20	0.0263	>20	N/A	N/A

Issued in Washington, DC.

Daniel S. Liebman,

Acting Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation.

[FR Doc. 2017–19525 Filed 9–14–17; 8:45 am]

BILLING CODE 7709–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2017–0786]

RIN 1625–AA00

Safety Zone; Tombigbee River, Demopolis, AL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for all navigable waters of the Tombigbee River from mile marker (MM) 215.5 to MM 216.5, near Demopolis, AL. This action is necessary to protect persons and property on navigable waters during a fireworks display taking place on or over the waterway. Entry into or transiting in this zone is prohibited to all vessels, mariners, and persons unless specifically authorized by the Captain of the Port Sector Mobile (COTP) or a designated representative.

DATES: This rule is effective from 8 p.m. through 10 p.m. on September 16, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2017–0786 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 on this rule, call or email LT Kyle D. Berry, Sector Mobile, Waterways Management Division, U.S. Coast Guard; telephone 251–441–5940, email *Kyle.D.Berry@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Acronyms

CFR Code of Federal Regulations
COTP Captain of the Port Sector Mobile
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 final 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 the public interest.'' Under 5 U.S.C. 553(b)(3)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. It is impracticable to publish an NPRM because we must establish this safety zone by September 16, 2017 and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

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 rule effective less than 30 days after publication in the **Federal Register.** Delaying the effective date to provide a full 30 days' notice is contrary to public interest because immediate action is needed to protect persons and vessels from safety hazards associated with the fireworks display over this navigable waterway.

III. Legal Authority and Need for Rule

The legal basis and authorities for this rule are found in 33 U.S.C. 1231. The Marengo County Historical Society plans to conduct a fireworks display launched from shore on the Tombigbee River located near mile marker (MM) 216.0, in Demopolis, AL on September 16, 2017. Therefore, the Coast Guard has determined that a safety zone is needed to protect the public, mariners, and vessels from the potential hazards associated with a barge-based fireworks display on and over the waterway.

IV. Discussion of the Rule

The Coast Guard is establishing a temporary safety zone encompassing all waters extending the entire width of the Tombigbee River from MM 215.5 to MM 216.5, near Demopolis, AL from 8 p.m. through 10 p.m. on September 16, 2017. The location and duration of this safety zone is intended to protect persons and vessels during the fireworks display taking place over this navigable waterway. No person or vessel will be permitted to enter or transit within the safety zone, unless specifically authorized by the Captain of the Port Sector Mobile (COTP) or a designated representative. The COTP may be contacted by telephone at 251–441–5976.

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.

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 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and

pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory determination is based on the duration, location, and size of the safety zone. This safety zone will restrict vessel traffic from entering or transiting in a one mile portion of the Tombigbee River, in Demopolis, AL for a duration of two hours. Additionally, notifications to the marine community will be made through BNMs. These notifications will allow the public to plan operations around the affected area and vessels may request permission from the COTP to transit through the safety zone.

B. 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.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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 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 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 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.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined 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 rule involves a safety zone on a one mile section of the Tombigbee River during a firework display and is not expected to result in any significant adverse environmental impact as described in NEPA. This rule is categorically excluded from further review under paragraph (34)(g) of Figure 2–1 of the Commandant Instruction. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

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 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.T08–0786 to read as follows:

§ 165.T08–0786 Safety Zone; Tombigbee River, Demopolis, AL

(a) *Location.* The following area is a safety zone: All navigable waters of the Tombigbee River from mile marker (MM) 215.5 to MM 216.5 near Demopolis, AL.

(b) *Enforcement period.* This section will be enforced from 8 p.m. through 10 p.m. on September 16, 2017.

(c) *Regulations.* (1) The general regulations contained in § 165.23 as well as the regulations in this section apply to the regulated area.

(2) Entry into this zone is prohibited unless authorized by the Captain of the Port Sector Mobile (COTP) or a designated representative.

(3) Persons or vessels seeking to enter into or transit through the zone must request permission from the COTP or a designated representative. They may be

contacted on VHF–FM channels 16 or by telephone at 251–441–5976.

(4) If permission is granted, all persons and vessels must comply with the instructions of the COTP or designated representative.

(d) *Informational broadcasts.* The COTP or a designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zone.

Dated: August 24, 2017.

M.R. McLellan,

Captain, U.S. Coast Guard, Captain of the Port Mobile.

[FR Doc. 2017–19663 Filed 9–14–17; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52, 62, and 70

[EPA–R07–OAR–2017–0470; FRL–9967–52–Region 7]

State of Iowa; Approval and Promulgation of the State Implementation Plan, the 111(d) Plan, and the Operating Permits Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the Iowa State Implementation Plan (SIP), the 111(d) plan, and the Operating Permits Program. These revisions update and clarify rules and make minor revisions and corrections. Approval of these revisions will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's revised air program rules. EPA is taking direct final action because we view this as a noncontroversial action and anticipate no relevant adverse comment. We have explained our reasons for these actions in the Technical Support Document (TSD) that is included in this docket.

DATES: This direct final rule is effective November 14, 2017, without further notice, unless EPA receives adverse comment by October 16, 2017. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2017–0470, to *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at 913–551–7039, or by email at *hamilton.heather@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document ''we,'' ''us,'' and ''our'' refer to EPA. This section provides additional information by addressing the following:

I. What is being addressed in this document?

EPA is taking direct final action to approve revisions to the Iowa SIP, the 111(d) plan, and the Operating Permits Program. These revisions update and clarify rules and make minor revisions and corrections. Approval of these revisions will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's revised air program rules. Chapters with revisions are as follows:

- Chapter 20—Scope of Title—Definitions
- Chapter 21—Compliance
- Chapter 22—Controlling Pollution*
- Chapter 23—Emission Standards for Contaminants
- Chapter 25—Measurement of Emissions
- Chapter 26—Prevention of Emergency Pollution Episodes
- Chapter 27—Certificate of Acceptance
- Chapter 28—Ambient Air Quality Standards
- Chapter 31—Nonattainment Areas
- Chapter 33—Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD) of Air Quality

* Title V Operating Permit Program rules are included in Chapter 22 starting at 22.100.

II. What SIP revisions are being approved by EPA?

EPA is approving SIP revisions submitted by the state of Iowa to update and clarify rules, and make minor revisions and corrections. EPA analyzed the SIP revisions and determined that air quality will not be impacted, and revisions are consistent with Federal regulations. Revisions to the SIP are as follows:

The title to chapter 20 is revised to ''Scope of Title—Definitions,'' which more accurately describes what is included in the Chapter. With the chapter title revision, the summaries of each chapter of the air quality rules are revised at 20.1. The definition of EPA reference method (20.2) is revised to adopt the most current Federal revisions to EPA methods for measuring air pollutant emissions.

Subrule 21.1(4) of the SIP is rescinded. This subrule applied to the emission inventory requirements for the Clean Air Interstate Rule which was rescinded by EPA. The rescission of this rule does not impact air quality.

With regard to chapter 22 which addresses permitting requirements for existing sources, a revision is made to 22.1(1)''b'' to remove the Federal amendment date for the referenced Federal regulation, and adds language to refer to the state rule in which the Federal regulation is adopted by reference. This revision removes redundancy from the state rules. A revision is made to 22.1(1)''c''(2) to adopt the most recent changes to Federal air quality control strategies for lead.

Subrule 22.1(2) revisions update exemptions from construction permitting in the introductory paragraph to clarify that facilities applying for plantwide applicability limitations as specified in rule 33.9, are eligible to use construction permitting exemptions. The fuel-burning

equipment exemption (22.1(2)''b'') is revised to add ''indirect'' cooling to be consistent with Federal regulations. The air compressors and vacuum pumps exemption (22.1(2)''x'') are revised to remove a misplaced comma; the production welding exemption (22.1(2)''ff'') is revised to correct an error in a technical equation, and the non-road diesel fuel engines with a brake horsepower rating of less than 1,100 at full load exemption, (22.1(2)''oo'') is updated to correct grammar and to revise the reference to Federal regulations. The revisions to exemptions to construction permitting do not impact air quality.

Revisions are being made to 22.1(3) to revise the number of copies of construction permit applications. Clarification with regard to new or modified anaerobic lagoon construction permits directs the reader to 567—chapter 65, which are regulations for animal feeding operating and are not subject to the air permitting rules in 567—chapter 22. Paragraph 22.1(3)''b'' is revised to include instructions for submitting applications on forms available from the Web site.

Subrule 23.3(1) (Specific contaminants—general) is revised to clarify that facility operations subject to new source performance standards are not subject to the emission standards specified in rule 23.3.

Chapter 25—Measurement of Emissions—is revised at 25.1(9) to adopt revised Federal methods for emissions testing and monitoring, and adds language to clarify the alternative methodology for performance test (stack test) and continuous monitoring systems. This revision insures that only current Federal test methods are used to demonstrate compliance with permit conditions and that required test methods are no more stringent than Federal methods.

Revisions to chapter 26—Prevention of Air Pollution Emergency Episodes—reflect the current Federal levels and terminology for air pollution emergency episodes for ozone and particulate matter that are used in making determinations for the declaration of an emergency episode condition. A punctuation correction is being made to ''Declarations.'' The revisions are consistent with Federal regulations and do not impact air quality.

Chapter 27 applies to political subdivisions. Revisions are being made to 27.1(2), to correct the reference to the Iowa Administrative Code (455B.139) as it applies to emergency orders. Revisions to 27.3(4)''c'' ensure the local programs variance procedures and rules are consistent with the state's, which were approved in to the SIP in 1972 and revised through 2007.

Revisions to chapter 28—State-wide standards—adopt by reference revisions to the National Ambient Air Quality Standards (NAAQS) for $PM_{2.5}$. The $PM_{2.5}$ standard was revised in 2012 to increase protection to public health and the environment. Iowa determined that no other changes to air quality rules are needed to implement the revised NAAQS for $PM_{2.5}$.

The general conformity rule at 31.2 is rescinded and reserved. The requirement for states to include general conformity requirements in any SIP submitted for a nonattainment area was eliminated in 2005. The rescission of this rule does not impact air quality.

Chapter 33 applies to special regulations and construction permit requirements for major stationary sources—prevention of significant deterioration (PSD) of air quality. The introductory paragraph to 33.1, the definition of ''subject to regulation'' (33.3(1)), ''exemptions'' (33.3(9)), and ''source impact analysis'' (33.3(11)) are revised to reflect Federal revisions to the PSD program. ''Subject to regulation'' (33.3(1)) is also revised to remove thresholds as related to greenhouse gases. This revision is identical to the changes EPA made to Federal PSD regulations on August 19, 2015. An inaccurate table title is removed at 33.3(20), (''Conditions for permit issuance'').

Subrule 33.3(22)—Permit Rescission—is revised to allow for rescission of PSD permits that are no longer required for a source classified as a major for PSD solely because of the source's greenhouse gas emissions, or for a source emitting major levels of other pollutants that underwent a modification resulting in an increase of only greenhouse gas emissions above the levels specified for a major modification. This revision is consistent with Federal revisions to the PSD program in 40 CFR 52.21(w) published on May 7, 2015 and August 19, 2015.

III. What 111(d) plan revisions are being approved by EPA?

EPA is approving a revision to Iowa's 111(d) plan for municipal solid waste landfill emissions to correct an error in the emission guidelines to clarify that landfills must meet both the size and weight requirements indicated in 23.1(5)''a''(3)''1''.

IV. What operating permit plan revisions are being approved by EPA?

EPA is approving revisions to Iowa's operating permits program submitted by the state of Iowa to update and clarify rules, and make minor revisions and corrections.

The following definitions (22.100) are revised to update references to current Federal regulations: ''Designated representative,'' ''EPA reference method,'' and ''Subject to regulation.'' In addition to revising the updated reference to Federal regulations, ''Existing hazardous air pollutant source,'' and ''High-risk pollutant'' are revised to remove the Federal amendment dates and add cross-references to state rules that are adopted by reference. ''Major source'' is revised to add ''or treated as classified'' to major stationary sources in nonattainment areas.

Subrule 22.103(2)''b'' which refers to insignificant activities under the operating permits program, is revised to add indirect cooling to the description of fuel-burning equipment that may be classified as an insignificant activity, and updates the references to Federal regulations for burning used oil.

Rule 22.105—Title V permit applications—is revised to update the address of the EPA Region 7 regional office, and adds that facilities that submitted a Title V application with a previously-submitted annual emissions inventory need not resubmit the emissions inventory.

Rule 22.108—Permit content—is revised to include the most recent reference to Federal regulations.

V. Have the requirements for approval of the SIP, 111(d) plan, and operating permit plan revisions been met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained previously and in more detail in the TSD which is part of this docket, these revisions meet the substantive SIP requirements of the CAA, including section 110 and implementing regulations. These revisions are also consistent with applicable EPA requirements of the 111(d) plan submission and Title V of the CAA and 40 CFR part 70.

VI. What action is EPA taking?

EPA is taking direct final action to approve revisions to the Iowa State Implementation Plan (SIP), the 111(d) plan, and the Operating Permits Program. These revisions update and clarify rules and makes minor revisions and corrections. Approval of these revisions will ensure consistency between the state and Federally-approved rules, and ensure Federal

enforceability of the state's revised air program rules. EPA is taking direct final action because we view this as a noncontroversial action and anticipate no relevant adverse comment. We have explained our reasons for these actions in the TSD that is included with this docket.

However, in the ''Proposed Rules'' section of this **Federal Register**, we are publishing a separate document that will serve as the proposed rule to approve the SIP revision if adverse comments are received on this direct final rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, see the **ADDRESSES** section of this document. If EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule will not take effect. We will address all public comments in any subsequent final rule based on the proposed rule.

VII. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the Iowa Regulations described in the direct final amendments to 40 CFR part 52 set forth below. Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by reference by EPA into that plan, are fully Federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference by the Director of the Federal Register in the next update to the SIP compilation.[1] EPA has made, and will continue to make, these materials generally available through *https://www.regulations.gov* and/or at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT**; section of this preamble for more information).

VIII. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

The SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 14, 2017. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

40 CFR Part 62

Environmental protection, Air pollution control, Administrative practice and procedure, Reporting and recordkeeping requirements.

40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: August 24, 2017.

Edward H. Chu,

Acting Regional Administrator, Region 7.

For the reasons stated in the preamble, EPA amends 40 CFR parts 52, 62, and 70 as set forth below:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

[1] 62 FR 27968 (May 22, 1997).

Subpart—Q Iowa

■ 2. Section 52.820(c) is amended by:

■ a. Revising the table heading for ''Chapter 20''; and

■ b. Revising the table entries for ''567–20.1'', ''567–20.2'', ''567–21.1'', ''567–22.1'', ''567–23.3'', ''567–25.1'', ''567–26.2'', ''567–27.1'', ''567–27.3,'' ''567–28.1'', ''567–31.2'', ''567–33.1'', and ''567–33.3''.

The revisions read as follows:

§ 52.820 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED IOWA REGULATIONS

Iowa citation	Title	State effective date	EPA approval date	Explanation
Iowa Department of Natural Resources Environmental Protection Commission [567]				
Chapter 20—Scope of Title—Definitions				
567–20.1	Scope of Title—Definitions	3/22/2017	9/15/2017, [Insert **Federal Register** citation].	This rule is a non-substantive description of the Chapters contained in the Iowa rules. EPA has not approved all of the Chapters to which this rule refers.
567–20.2	Definitions	3/22/2017	9/15/2017, [Insert **Federal Register** citation].	The definitions for ''anaerobic lagoon,'' ''odor,'' ''odorous substance,'' ''odorous substance source'' are not SIP approved.
*	*	*	*	* * *
Chapter 21—Compliance				
567–21.1	Compliance Schedule	3/22/17	9/15/2017, [Insert **Federal Register** citation].	
*	*	*	*	* * *
Chapter 22—Controlling Pollution				
567–22.1	Stationary Sources	3/22/17	9/15/2017, [Insert **Federal Register** citation].	In 22.1(3) the following sentence regarding electronic submission is not SIP approved. The sentence is: ''Alternatively, the owner or operator may apply for a construction permit for a new or modified stationary source through the electronic submittal format specified by the department.''
*	*	*	*	* * *
Chapter 23—Emission Standards for Contaminants				
*	*	*	*	* * *
567–23.3	Specific Contaminants	3/22/17	9/15/2017, [Insert **Federal Register** citation].	Subrule 23.3(3) ''(d)'' is not SIP approved.
*	*	*	*	* * *
Chapter 25—Measurement of Emissions				
567–25.1	Testing and Sampling of New and Existing Equipment.	3/22/17	9/15/2017, [Insert **Federal Register** citation].	
Chapter 26—Prevention of Air Pollution Emergency Episodes				
*	*	*	*	* * *
567–26.2	Episode Criteria	3/22/17	9/15/2017, [Insert **Federal Register** citation].	
*	*	*	*	* * *
Chapter 27—Certificate of Acceptance				
567–27.1	General	3/22/17	9/15/2017, [Insert **Federal Register** citation].	

EPA-APPROVED IOWA REGULATIONS—Continued

Iowa citation	Title	State effective date	EPA approval date	Explanation
*	*	*	*	* * *
567–27.3	Ordinance or Regulations	3/22/17	9/15/2017, [Insert **Federal Register** citation].	
*	*	*	*	* * *
Chapter 28—Ambient Air Quality Standards				
567–28.1	Statewide standards	3/22/17	9/15/2017, [Insert **Federal Register** citation].	
*	*	*	*	* * *
Chapter 31—Nonattainment Areas				
*	*	*	*	* * *
567–31.2	Rescinded	3/22/17	9/15/2017, [Insert **Federal Register** citation].	Rescinded and reserved.
*	*	*	*	* * *
Chapter 33—Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD) of Air Quality				
567–33.1	Purpose	3/22/17	9/15/2017, [Insert **Federal Register** citation].	
567–33.3	Special Construction Permit Requirements for Major Stationary Sources in Areas Designated Attainment or Unclassified (PSD).	3/22/17	9/15/2017, [Insert **Federal Register** citation].	Provisions of the 2010 $PM_{2.5}$ PSD—Increments, SILs and SMCs rule (October 20, 2010) relating to SILs and SMCs that were affected by the January 22, 2013, U.S. Court of Appeals decision are not SIP approved. Iowa's rule incorporating EPA's 2007 revision of the definition of ''chemical processing plants'' (the ''Ethanol Rule,'' (May 1, 2007) or EPA's 2008 ''fugitive emissions rule,'' (December 19, 2008) are not SIP-approved.
*	*	*	*	* * *

* * * * *

PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

■ 3. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart Q—Iowa

■ 4. Amend § 62.3913 by adding paragraph (e) to read as follows:

§ 62.3913 Identification of plan.

* * * * *

(e) Grammatical revision to the plan for the control of air emissions from municipal solid waste landfills submitted by the Iowa Department of Natural Resources, on April 13, 2017. The state effective date of the revision was March 22, 2017. The effective date of the amended plan is November 14, 2017.

PART 70—STATE OPERATING PERMIT PROGRAMS

■ 5. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

■ 6. Amend appendix A to part 70 by adding paragraph (r) under the heading ''Iowa'' to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Iowa

* * * * *

(r) The Iowa Department of Natural Resources submitted for program approval revisions to rules 567–22.100, 567–22.103, 567–22.105, and 567–22.108. The state effective date is March 22, 2017. This revision is effective November 14, 2017.

* * * * *

[FR Doc. 2017–19347 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R02–OAR–2017–0338; FRL–9967–42–Region 2]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; United States Virgin Islands; Other Solid Waste Incineration Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve the Clean Air Act (CAA) section 111(d)/129 negative declaration for the United States Virgin Islands, for other solid waste incineration units. Other solid waste incineration (OSWI) unit. which is either a very small municipal waste combustion unit or an institutional

waste incineration unit. This negative declaration certifies that OSWI units subject to sections 111(d) and 129 of the CAA do not exist within the jurisdiction of the United States Virgin Islands. The EPA is accepting the negative declaration in accordance with the requirements of the CAA.

DATES: This direct final rule will be effective November 14, 2017, without further notice, unless the EPA receives adverse comment by October 16, 2017. If EPA receives adverse comment, we will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R02–OAR–2017–0338), to *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make.

The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Edward J. Linky, Environmental Protection Agency, Air Programs Branch, 290 Broadway, New York, New York 10007–1866 at 212–637–3764 or by email at *Linky.Edward@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document ''we,'' ''us,'' or ''our'' refer to the EPA. This section provides additional information by addressing the following:

I. Background

The Clean Air Act (CAA) requires that state [1] regulatory agencies implement the emission guidelines and compliance times using a state plan developed under sections 111(d) and 129 of the CAA.

The general provisions for the submittal and approval of state plans are codified in 40 CFR part 60, subpart B and 40 CFR part 62, subpart A. Section 111(d) establishes general requirements and procedures on state plan submittals for the control of designated pollutants.

Section 129 requires emission guidelines to be promulgated for all categories of solid waste incineration units, which includes Other Solid Waste Incineration (OSWI) units (see 40 CFR 60–3078). Section 129 mandates that all plan requirements be at least as protective as the promulgated emission guidelines. This includes fixed final compliance dates, fixed compliance schedules, and Title V permitting requirements for all affected sources. Section 129 also requires that state plans be submitted to EPA within one year after EPA's promulgation of the emission guidelines and compliance times.

States have options other than submitting a state plan in order to fulfill their obligations under CAA sections 111(d) and 129. If a state does not have any existing OSWI units for the relevant emission guidelines, a letter can be submitted certifying that no such units exist within the state (*i.e.,* negative declaration) in lieu of a state plan. The negative declaration exempts the state from the requirements of subpart B that would otherwise require the submittal of a CAA section 111(d)/129 plan.

On December 16, 2005 (70 FR 74907), the EPA established emission guidelines and compliance times for existing OSWI units. The emission guidelines and compliance times are codified at 40 CFR part 60, subpart FFFF.

In order to fulfill obligations under CAA sections 111(d) and 129, the Department of Planning and Natural Resources of the Government of the United States Virgin Islands submitted a negative declaration letter to the EPA on April 18, 2017.

The submittal of these declarations exempts the United States Virgin Islands from the requirement to submit a state plan for existing OSWI units.

II. Analysis of State Submittal

In this direct final action, the EPA is amending part 62 to reflect receipt of the negative declaration letter from the United States Virgin Islands, certifying that there are no existing OSWI units subject to 40 CFR part 60, subpart FFFF, in accordance with section 111(d) of the CAA.

The EPA is publishing this direct final rule without a prior proposed rule because we view this as a noncontroversial action and anticipate no adverse comment. However, in the ''Proposed Rules'' section of this issue of the **Federal Register**, we are publishing a separate document that will serve as the proposed rule to approve the negative declaration if adverse comments are received on this direct final rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, see the **ADDRESSES** section of this document. If the EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule will not take effect. We will address all public comments in any subsequent final rule based on the proposed rule.

III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a 111(d)/129 plan submission that complies with the provisions of the Act and applicable Federal regulations. 40 CFR 62.04.

Thus, in reviewing 111(d)/129 plan submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA.

Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law.

For that reason, this action:

- Is not a ''significant regulatory action'' subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

[1] Section 302(d) of the CAA includes the United States Virgin Islands in the definition of the term ''State.''

• does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

• is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

• is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

• is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

• does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this action does not have tribal implications as specified by Executive Order 13175 because the section 111(d)/129 plan is not approved to apply in Indian country located in the state, and EPA notes will not impose substantial direct costs on tribal governments or preempt tribal law. Thus, Executive Order 13175 does not apply to this section.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 14, 2017.

Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Administrative practice and procedure, Intergovernmental relations, Reporting and recordkeeping requirements, Other Solid Waste Incineration units.

Dated: August 18, 2017.

Catherine R. McCabe,

Acting Regional Administrator, Region 2.

For the reasons stated in the preamble, EPA amends 40 CFR part 62 as set forth below:

PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

■ 1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C.7401 *et seq.*

■ 2. Subpart CCC is amended by adding an undesignated center heading and § 62.13358 to read as follows:

Air Emissions From Other Solid Waste Incineration (OSWI) Units Constructed on or Before December 16, 2005

§ 62.13358 Identification of plan—negative declaration.

Letter from the Virgin Islands Department of Planning and Natural Resources submitted April 04, 2017 to Acting Regional Administrator Catherine R. Mc Cabe, certifying that the United States Virgin Islands has no existing unites pursuant to 40 CFR 60 Subpart FFFF, Emissions Guidelines and Compliaince Times for Other Solid Waste Incineration Units that commenced construction on or before December 9, 2004.

[FR Doc. 2017–19706 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 312

[EPA–HQ–OLEM–2016–0786; FRL–9967–47–OLEM]

RIN 2050–AG94

Amendment to Standards and Practices for All Appropriate Inquiries Under CERCLA

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: On June 20, 2017, the U.S. Environmental Protection Agency (EPA or the agency) took direct final action to amend the All Appropriate Inquiries Rule to reference ASTM International's E2247–16 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property'' and allow for its use to satisfy the statutory requirements for conducting all appropriate inquiries under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The direct final rule was scheduled to be effective on September 18, 2017, unless EPA received adverse written comment. Because EPA received adverse comment, we are withdrawing the direct final rule for the Amendment to Standards and Practices for All Appropriate Inquiries published on June 20, 2017.

DATES: The direct final rule published on June 20, 2017 at 82 FR 28009 is withdrawn effective September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Patricia Overmeyer, Office of Brownfields and Land Revitalization (5105T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460–0002, 202–566–2774, or *overmeyer.patricia@epa.gov.*

SUPPLEMENTARY INFORMATION: Because EPA received adverse comment, we are withdrawing the direct final rule for the Amendment to Standards and Practices for All Appropriate Inquiries published on June 20, 2017 (82 FR 28009). We stated in that direct final rule that if we received adverse comment by July 20, 2017, the direct final rule would not take effect and we would publish a timely withdrawal in the **Federal Register**. We subsequently received adverse comment on that direct final rule. We addressed the comments received in the final action, which is published in the ''Final Rules'' section of this **Federal Register**. As stated in the direct final rule and the parallel proposed rule, we will not institute a second comment period on the parallel proposed rule published on June 20, 2017 (82 FR 28040).

List of Subjects in 40 CFR Part 312

Environmental protection, Administrative practice and procedure, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements, Superfund.

Dated: August 31, 2017.

Barry N. Breen,

Acting Assistant Administrator, Office of Land and Emergency Management.

■ Accordingly, EPA withdraws the amendment to 40 CFR 312.11(a), published in the **Federal Register** on June 20, 2017 (82 FR 28009), as of September 15, 2017.

[FR Doc. 2017–19594 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 312

[EPA–HQ–OLEM–2016–0786; FRL–9967–46–OLEM]

RIN 2050–AG94

Amendment to Standards and Practices for All Appropriate Inquiries Under CERCLA

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA or the agency) is taking final action to amend the Standards and Practices for All Appropriate Inquiries to update an existing reference to a standard practice revised by ASTM International, a widely recognized standards development organization. Specifically, this final rule amends the All Appropriate Inquiries Rule to reference ASTM International's E2247–16 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property'' and allow for its use to satisfy the statutory requirements for conducting all appropriate inquires under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

DATES: This final rule is effective on March 14, 2018.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–HQ–OLEM–2016–0786. All documents in the docket are listed on the *https://www.regulations.gov* Web site. Docket materials are also available in hard copy at the EPA Docket Center Reading Room. Please see *https://www.epa.gov/dockets/epa-docket-center-reading-room* or call (202) 566–1744 for more information on the Docket Center Reading Room.

FOR FURTHER INFORMATION CONTACT: For general information, contact the CERCLA Call Center at 800–424–9346 or TDD 800–553–7672 (hearing impaired). In the Washington, DC metropolitan area, call 703–412–9810 or TDD 703–412–3323. For more detailed information on specific aspects of this rule, contact Patricia Overmeyer, Office of Brownfields and Land Revitalization (5105T), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460–0002, 202–566–2774, or *overmeyer.patricia@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Purpose of This Regulatory Action

EPA is publishing this final rule to revise an existing reference in 40 CFR part 312 to include the updated version of a standard practice recently made available by ASTM International (E2247–16).

B. Does this action apply to me?

This action offers certain parties the option of using an available industry standard to conduct all appropriate inquiries at certain properties. Parties purchasing large tracts of forested land and parties purchasing large rural properties may use the ASTM E2247–16 standard practice to comply with the all appropriate inquiries requirements of CERCLA. This rule does not require any entity to use this standard. Any party who wants to claim protection from liability under CERCLA may follow the regulatory requirements of the All Appropriate Inquiries Rule at 40 CFR part 312, use the ASTM E1527–13 Standard Practice for Phase I Environmental Site Assessments to comply with the all appropriate inquiries provision of CERCLA, or use the standard recognized in this final rule, the ASTM E2247–16 standard, as applicable.

Entities potentially affected by this action, or who may choose to use the newly referenced ASTM standard to perform all appropriate inquiries, include public and private parties who, as bona fide prospective purchasers, contiguous property owners, or innocent landowners, are purchasing large tracts of forested lands or large rural properties and intend to claim a limitation on CERCLA liability in conjunction with the property purchase. In addition, any entity conducting a site characterization or assessment on a property that consists of large tracts of forested land or a large rural property with a brownfields grant awarded under CERCLA Section104(k)(2)(B)(ii) may be affected by this action. This includes state, local and Tribal governments that receive brownfields site assessment grants. A summary of the potentially affected industry sectors (by North American Industry Classification System (NAICS) codes) is displayed in the table below.

Industry category	NAICS code
Real Estate	531
Insurance	52412
Banking/Real Estate Credit.	52292
Environmental Consulting Services.	54162
State, Local and Tribal Government.	926110, 925120
Federal Government	925120, 921190, 924120

The list of potentially affected entities in the above table may not be exhaustive. Our aim is to provide a guide for readers regarding those entities that EPA is aware potentially could be affected by this action. However, this action may affect other entities not listed in the table. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding section entitled **FOR FURTHER INFORMATION CONTACT**.

C. Statutory Authority

This final rule amends the All Appropriate Inquiries Rule setting federal standards for the conduct of ''all appropriate inquiries'' at 40 CFR part 312. The All Appropriate Inquiries Rule sets forth standards and practices necessary for fulfilling the requirements of CERCLA section 101(35)(B) as required to obtain CERCLA liability relief and for conducting site characterizations and assessments with the use of brownfields grants per CERCLA section 104(k)(2)(B)(ii).

II. Background

On January 11, 2002, President Bush signed the Small Business Liability Relief and Brownfields Revitalization Act (''the Brownfields Amendments''). In general, the Brownfields Amendments to CERCLA provide funds to assess and clean up brownfields sites; clarify CERCLA liability provisions related to innocent purchasers of contaminated properties; and provide funding to enhance State and Tribal cleanup programs. Subtitle B of the Brownfields Amendments revises some of the provisions of CERCLA section 101(35) and limits Superfund liability under Section 107 for bona fide prospective purchasers and contiguous property owners, in addition to clarifying the requirements necessary to establish the innocent landowner

defense under CERCLA. The Brownfields Amendments clarified the requirement that parties purchasing potentially contaminated property undertake ''all appropriate inquiries'' into prior ownership and use of property prior to purchasing the property to qualify for protection from CERCLA liability.

The Brownfields Amendments required EPA to develop regulations establishing standards and practices for how to conduct all appropriate inquiries. EPA promulgated regulations that set standards and practices for all appropriate inquiries on November 1, 2005 (70 FR 66070). In the final regulation, EPA referenced, and recognized as compliant with the final rule, the ASTM E1527–05 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.'' The regulation was amended in December 2013 to recognize the revised ASTM E1527–13, ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process'' (78 FR 79319). EPA also amended the All Appropriate Inquiries Rule in December 2008 to recognize another ASTM standard as compliant with the final rule, the ASTM E2247–08 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property'' (73 FR 78651). Therefore, the All Appropriate Inquiries Rule (40 CFR part 312) currently allows for the use of both the ASTM E1527–13 and the ASTM E2247–08 standards to conduct all appropriate inquiries, in lieu of following requirements included in the final rule. Note that in October 2014, EPA withdrew the reference to the ASTM E1527–05 standard from the AAI rule (79 FR 60087).

Since EPA promulgated the All Appropriate Inquiries Rule setting standards and practices for the conduct of all appropriate inquiries, ASTM International published a revised Phase I site assessment standard for conducting Phase I environmental site assessments of large tracts of rural and forestland properties. This standard, ASTM E2247–16, ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property,'' was reviewed by EPA, in response to a request for its review by ASTM International, and determined by EPA to be compliant with the requirements of the All Appropriate Inquiries Rule. EPA proposed to amend the All Appropriate Inquiries Rule to recognize the updated ASTM E2247–16 standard on June 20, 2017 (82 FR 28040).

III. Summary of Comments

EPA received one comment on the proposed rule published June 20, 2017. Although the commenter generally supports the Agency's proposed action, the commenter raised a concern regarding the proposed effective date of the action. The commenter offered that parties using the previous version of the ASTM E2247 standard (ASTM E2247–08) would not have sufficient time to transition to the new standard, given that EPA proposed an effective date of 90 days following publication of a direct final rule, which was published on the same day as the proposed rule. Given the concern raised by the commenter, EPA decided to extend the effective date of its action in this final rule. This final rule will become effective 180 days following the publication of this final rule in **Federal Register**. The extended effective date will give parties using the ASTM E2247–08 standard sufficient time to transition to the new standard, ASTM E2247–16. The Agency notes that this action does not require any party to use the ASTM E2247–16 standard. Any party conducting all appropriate inquiries to comply with the CERCLA requirements at section 101(35)(B) for the innocent landowner defense, the contiguous property owner liability protection, or the bona fide prospective purchaser liability protection may continue to follow the provisions of the All Appropriate Inquiries Rule at 40 CFR part 312, use the ASTM E1527–13 Standard or use the ASTM E2247–16 standard, as applicable.

IV. What does this action do?

This final rule amends the All Appropriate Inquiries Rule to allow the use of the recently revised ASTM standard, E2247–16 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property,'' for conducting all appropriate inquiries, as required under CERCLA for establishing the innocent landowner defense, as well as qualifying for the bona fide prospective purchaser and contiguous property owner liability protections.

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (Pub. L. 104–113, section 12(d) (15 U.S.C. 272)) directs agencies to use technical standards that are developed or adopted by voluntary consensus standards bodies, unless their use would be inconsistent with applicable law or otherwise impracticable. ASTM International is an internationally recognized voluntary consensus standard body. The ASTM E2247–16 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property'' includes an environmental site assessment process that EPA finds is not inconsistent with the standards and practices included in the All Appropriate Inquiries Rule.

With this action, EPA is establishing that, parties seeking liability relief under CERCLA's landowner liability protections, as well as recipients of brownfields grants for conducting site assessments, will be considered to be in compliance with the requirements for all appropriate inquiries, as required in the Brownfields Amendments to CERCLA, if such parties satisfy the applicability requirements and comply with the procedures provided in the ASTM E2247–16, ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property.'' EPA made this determination based upon the Agency's finding that the ASTM E2247–16 standard is ''not inconsistent with,'' and compliant with the All Appropriate Inquiries Rule. The Agency notes that this action does not require any party to use the ASTM E2247–16 standard. Any party conducting all appropriate inquiries to comply with the CERCLA requirements at section 101(35)(B) for the innocent landowner defense, the contiguous property owner liability protection, or the bona fide prospective purchaser liability protection may continue to follow the provisions of the All Appropriate Inquiries Rule at 40 CFR part 312, use the ASTM E1527–13 Standard or use the ASTM E2247–16 standard, as applicable.

In taking this action, the Agency is allowing for the use of an additional recognized standard or customary business practice, in complying with a federal regulation. This action does not require any person to use the newly revised standard. This action merely allows for the use of ASTM International's E2247–16 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property'' for those parties purchasing relatively large tracts of rural property or forestlands who want to use the ASTM E2247–16 standard in lieu of the following specific requirements of the All Appropriate Inquiries Rule or the ASTM E1527–13 standard.

The Agency notes that there are no significant differences between the regulatory requirements in the All

Appropriate Inquiries Rule and the standards and practices included in the two ASTM standards (ASTM E1527–13 and ASTM E2247–16). To facilitate an understanding of the revisions to the ASTM E2247–08 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Standard for Forestland or Rural Property, which was recognized by EPA as compliant with the requirements of the all appropriate inquiries regulation in 2013, and the revised ASTM E2247–16 Standard, which replaces the ASTM E2247–08 standard, EPA developed, and placed in the docket for this action, the document ''Summary of Updates and Revisions to ASTM E2247 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property.'' Also in the docket for this action is the document ''Comparison of the All Appropriate Inquiries Regulation, the ASTM E1527–13 Phase I Environmental Site Assessment Process and the ASTM E2247–16 Phase I Environmental Site Assessment Process for Forestland or Rural Property Standard.'' This document provides an overview of the similarities and slight differences between the AAI regulatory requirements and the requirements included in the two ASTM phase I environmental site assessment standards.

This action includes no changes to the All Appropriate Inquiries Rule other than to update the reference in the regulation for the ASTM E2247 standard. This action replaces the reference to the ASTM E2247–08 ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property'' in the All Appropriate Inquiries Rule with the updated ASTM E2247–16 standard of the same name. EPA's only action with this final rule is recognition of the ASTM E2247–16 standard as compliant with the All Appropriate Inquires Rule.

V. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993) and Executive Order 13563 (76 FR 3821, January 21, 2011), this action is not a ''significant regulatory action'' and is therefore not subject to OMB review. Further, this action will not have a significant impact on a substantial number of small entities and, as a result, is not subject to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this action does not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, and tribal governments, in the aggregate or the private sector in any one year, and does not contain regulatory requirements that might significantly or uniquely affect small governments, it is not subject to Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4). This action does not create new binding legal requirements that substantially and directly affect Tribes under Executive Order 13175 (65 FR 67249, November 9, 2000). This action does not have significant Federalism implications under Executive Order 13132 (64 FR 43255, August 10, 1999). Because this final rule was not reviewed under Executive Order 12866, this final rule is not subject to Executive Order 13211, entitled Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.,* nor does it require any special considerations under Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994).

A. National Technology Transfer and Advancement Act (NTTAA)

This action involves technical standards. This action allows for the use of the ASTM International Standard known as Standard E2247–16 and entitled ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property.''

B. Congressional Review Act

This action is subject to the Congressional Review Act (CRA), and the EPA will submit a rule report to each House of Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 312

Environmental protection, Administrative practice and procedure, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements, Superfund.

Dated: August 31, 2017.

Barry N. Breen,

Acting Assistant Administrator, Office of Land and Emergency Management.

For the reasons set out in the preamble, the Environmental Protection Agency amends title 40 chapter I of the Code of Federal Regulations as follows:

PART 312—INNOCENT LANDOWNERS, STANDARDS FOR CONDUCTING ALL APPROPRIATE INQUIRIES

■ 1. The authority citation for part 312 continues to read as follows:

Authority: Section 101(35)(B) of CERCLA, as amended, 42 U.S.C. 9601(35)(B).

■ 2. Amend § 312.11 by revising paragraph (a) to read as follows:

§ 312.11 References.

* * * * *

(a) The procedures of ASTM International Standard E2247–16 entitled ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property.'' This standard is available from ASTM International at *www.astm.org,* 1–610–832–9585.

* * * * *

[FR Doc. 2017–19593 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 97

[ET Docket No. 15–99; FCC 17–33]

WRC–12 Implementation Report and Order

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's *Report and Order,* FCC 17–33. The Commission also announces the effective date of the remaining part 97 Amateur Radio Service rules adopted in FCC 17–33 that had not yet been made effective. These rules do not require OMB approval. This document is consistent with the *Report and Order,* which stated that the Commission would publish a document in the **Federal Register** announcing

OMB approval of the information collection requirement and the relevant effective date of the rules.

DATES: The rule amendments to 47 CFR 97.3, 97.15(c), 97.301(b) through (d), 97.303(g), 97.305(c), and 97.313(k) and (l), published at 82 FR 27178, June 14, 2017, are effective on September 15, 2017.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Cathy Williams by email at *Cathy.Williams@fcc.gov* and telephone at (202) 418–2918.

SUPPLEMENTARY INFORMATION: This document announces that, on August 30, 2017, OMB approved the information collection requirement contained in the Commission's *Report and Order,* FCC 17–33, published at 82 FR 27178, June 14, 2017. The OMB Control Number is 3060–1239. The Commission publishes this document as an announcement of the effective date of the rule. If you have any comments on the burden estimates listed below, or how the Commission can improve the collection and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Room 1–C823, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number 3060–1239 in your correspondence. The Commission will also accept your comments via email at *PRA@fcc.gov*.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the Commission is notifying the public that it received final OMB approval on August 30, 2017, for the information collection requirement contained in 47 CFR 97.303(g)(2), as amended in the Commission's *Report and Order,* FCC 17–33.

Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1239.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507. The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1239.

OMB Approval Date: August 30, 2017.

OMB Expiration Date: August 31, 2020.

Title: Section 97.303(g)(2), Notification Requirement.

Form Number: N/A.

Respondents: Individuals or households.

Number of Respondents and Responses: 1,000 respondents; 1,000 responses.

Estimated Time per Response: 10 minutes (0.167).

Frequency of Response: Third party disclosure requirement.

Obligation to Respond: Required to obtain clearance to operate. Statutory authority for this information collection is contained in 47 U.S.C. 154(i), 161, 301, 302, 303(e), 303(f), 303(r), 304, 307 and 332(b).

Total Annual Burden: 167 hours.

Total Annual Cost: No cost.

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Privacy Act: No impact(s).

Needs and Uses: On March 27, 2017 the Federal Communications Commission adopted the WRC–12 Implementation Report and Order (ET Docket No. 15–99, FCC 17–33, published at 82 FR 27178, June 14, 2017), which, inter alia, amended the Commission's rules for the Amateur Radio Service to provide for frequency sharing requirements in the 135.7–137.8 kHz (2200 m) and 472–479 kHz (630 m) bands. As specified in 47 CFR 97.313(g)(2), prior to commencement of operations in the 135.7–137.8 kHz (2200 m) and/or 472–479 kHz (630 m) bands, amateur operators must notify the Utilities Telecom Council (UTC) of their intent to operate by submitting their call signs, intended band(s) of operation, and the coordinates of their antenna's fixed location. Amateur stations will be permitted to commence operations after a 30-day period unless UTC notifies the station that its fixed location is located within one kilometer of Power Line Carrier (PLC) systems operating on the same or overlapping frequencies. This notification process will ensure that amateur stations seeking to operate in the above noted bands are located beyond a minimum separation distance from PLC transmission lines, which will help ensure the compatibility and co-existence of amateur and PLC operations, and promote shared use of the bands.

Concurrent with announcement of the OMB approval associated with 47 CFR 97.303(g)(2), the Commission is also making effective the rule amendments to 47 CFR 97.3, 97.15(c), 97.301(b) through (d), 97.303(g), 97.305(c), and 97.313(k) and (l). Because none of these amendments require OMB approval, they have not been included in OMB Control Number 3060–1239. By this action, all of the part 97 Amateur Radio Service rules adopted in FCC 17–33 will now be in effect.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2017–19578 Filed 9–14–17; 8:45 am]

BILLING CODE 6712–01–P

Proposed Rules

Federal Register
Vol. 82, No. 178
Friday, September 15, 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 THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–103477–14]

RIN 1545–BL96

Chapter 4 Regulations Relating to Verification and Certification Requirements for Certain Entities and Reporting by Foreign Financial Institutions; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This document contains a correction to a notice of proposed rulemaking (REG–103477–14) that was published in the **Federal Register** on Friday, January 6, 2017 (82 FR 1629). The notice of proposed rulemaking under chapter 4 of the Subtitle A (sections 1471 through 1474) of the Internal Revenue Code of 1986 (Code) relates to verification and certification requirements for certain entities and reporting by foreign financial institutions.

DATES: This correction is effective September 15, 2017 and is applicable beginning January 6, 2017.

FOR FURTHER INFORMATION CONTACT: Kamela Nelan at (202) 317–6942 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking (REG–103477–14) that is the subject of this correction is under sections 1471 through 1474 of the Code.

Need for Correction

As published, the notice of proposed rulemaking (REG–103477–14) contains an omission which may prove to be misleading and needs to be corrected.

Correction of Publication

Accordingly, the notice of proposed rulemaking (82 FR 1629, January 6, 2017) is corrected as follows:

On page 1636, insert the following language after the eighth line from the top of the second column:

''**Withdrawal of Notice of Proposed Rulemaking**

Accordingly, under the authority of 26 U.S.C. 7805, the notice of proposed rulemaking (REG–130967–13) that was published in the **Federal Register** on Thursday, March 6, 2014 (79 FR 12868) is withdrawn.''

Martin V. Franks,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).

[FR Doc. 2017–19540 Filed 9–14–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–134247–16]

RIN 1545–BN73

Revision of Regulations Under Chapter 3 Regarding Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This document contains a correction to a notice of proposed rulemaking (REG–134247–16) that was published in the **Federal Register** on Friday, January 6, 2017 (82 FR 1645). The notice of proposed rulemaking under section 1441 of the Internal Revenue Code of 1986 (Code) relates to withholding of tax on certain U.S. source income paid to foreign persons and requirements for certain claims for refund or credit of income tax made by foreign persons.

DATES: This correction is effective September 15, 2017 and is applicable beginning January 6, 2017.

FOR FURTHER INFORMATION CONTACT: Kamela Nelan at (202) 317–6942 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking (REG–134247–16) that is the subject of this correction is under section 1441 of the Code.

Need for Correction

As published, the notice of proposed rulemaking (REG–134247–16) contains an omission which may prove to be misleading and needs to be corrected.

Correction of Publication

Accordingly, the notice of proposed rulemaking (82 FR 1645, January 6, 2017) is corrected as follows:

On page 1636, insert the following language after the twenty-third line from the top of the third column:

''**Withdrawal of Notice of Proposed Rulemaking**

Accordingly, under the authority of 26 U.S.C. 7805, the notice of proposed rulemaking (REG–134361–12) that was published in the **Federal Register** on Thursday, March 6, 2014 (79 FR 12880) is withdrawn.''

Martin V. Franks,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).

[FR Doc. 2017–19538 Filed 9–14–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

33 CFR Chapter II

36 CFR Parts 312, 327, 328, 330, and 331

[COE–2017–0004]

United States Army, Corps of Engineers; Subgroup to the DoD Regulatory Reform Task Force, Review of Existing Rules

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Extension of comment period.

SUMMARY: On July 20, 2017, the U.S. Army Corps of Engineers (the Corps) published a document in accordance with Executive Order 13777, ''Enforcing

the Regulatory Reform Agenda.'' In that document, the United States Army, Corps of Engineers Subgroup to the DoD Regulatory Reform Task Force said it is seeking input on its existing regulations that may be appropriate for repeal, replacement, or modification. The Corps is extending the comment period by 30 days. The extension of the comment period is a result of requests from a number of entities to allow more time to submit their comments.

DATES: The public comment period for the document published on July 20, 2017 (82 FR 33470), is extended until October 18, 2017.

ADDRESSES: You may submit comments, identified by docket number COE–2017–0004, by any of the following methods:

- *Federal eRulemaking Portal (recommended method of comment submission): http://www.regulations.gov*. Follow the on-line instructions for submitting comments.
- *Email: CorpsRegulatoryReview@usace.army.mil* and include docket number COE–2017–0004 in the subject line of the message.
- *Mail:* Headquarters, U.S. Army Corps of Engineers, Attn: CECW–CO–N (Ms. Mary Coulombe), 441 G Street NW., Washington, DC 20314–1000.
- *Hand Delivery/Courier:* Due to security requirements, we cannot receive comments by hand delivery or courier.

Instructions: Instructions for submitting comments are provided in the document published on July 20, 2017 (82 FR 33470). Consideration will be given to all comments received by October 18, 2017.

FOR FURTHER INFORMATION CONTACT: Mr. Ms. Mary Coulombe, 202–761–1228, *mary.j.coulombe@usace.army.mil.*

SUPPLEMENTARY INFORMATION: In the July 20, 2017, issue of the **Federal Register** (82 FR 33470), the United States Army, Corps of Engineers published a document to solicit input from the public to inform evaluation of the United States Army, Corps of Engineers existing regulations by the Task Force's United States Army, Corps of Engineers Subgroup. Several entities have requested an extension of the comment period. The Corps finds that an extension of the comment period is warranted. Therefore, the comment period for this proposed rule is extended until October 18, 2017.

Dated: September 11, 2017.

Richard L. Hansen,

Colonel, U.S. Army, Chief of Staff.

[FR Doc. 2017–19627 Filed 9–14–17; 8:45 am]

BILLING CODE 3720–58–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52, 62, and 70

[EPA–R07–OAR–2017–0470; FRL–9967–50–Region 7]

State of Iowa; Approval and Promulgation of the State Implementation Plan, the 111(d) Plan, and the Operating Permits Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Iowa the State Implementation Plan (SIP), the 111(d) plan, and the Operating Permits Program. These revisions update and clarify rules and make minor revisions and corrections. Approval of these revisions will ensure consistency between the state and Federally-approved rules, and ensure Federal enforceability of the state's revised air program rules. In the ''Rules and Regulations'' section of this **Federal Register**, we are approving the state's SIP revisions as a direct final rule without a prior proposed rule. EPA is taking direct final action because we view this as a noncontroversial action and anticipate no relevant adverse comment. We have explained our reasons for these actions in the Technical Support Document that is included with this docket. If we receive no adverse comment, we will not take further action on this proposed rule.

DATES: Comments must be received by October 16, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2017–0470, to *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Heather Hamilton, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at 913–551–7039, or by email at *hamilton.heather@epa.gov.*

SUPPLEMENTARY INFORMATION: This document proposes to take action on the Iowa the SIP, the 111(d) plan, and the Operating Permits Program. We have published a direct final rule approving these revisions in the ''Rules and Regulations'' section of this **Federal Register**, because we view this as a noncontroversial action and anticipate no relevant adverse comment. We have explained our reasons for these actions in the Technical Support Document that is included with this docket. If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final rule and it will not take effect. We would address all public comments in any subsequent final rule based on this proposed rule. We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Administrative practice and procedure, Reporting and recordkeeping requirements.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Dated: August 24, 2017.

Edward H. Chu,

Acting Regional Administrator, Region 7.

[FR Doc. 2017–19348 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R02–OAR–2017–0338; FRL 9967–41–Region 2]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; United States Virgin Islands; Other Solid Waste Incineration Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve the Clean Air Act (CAA) section 111(d)/129 negative declaration for the United States Virgin Islands for other solid waste incineration units. Other solid waste incineration (OSWI) unit means either a very small municipal waste combustion unit or an institutional waste incineration unit. This negative declaration certifies that existing OSWI units subject to sections 111(d) and 129 of the CAA do not exist within the jurisdiction of the United States Virgin Islands. The EPA is accepting the negative declaration in accordance with the requirements of the CAA.

DATES: Comments must be received on or before October 16, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R02–OAR–2017–0338 to *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Edward J. Linky, Environmental Protection Agency, Air Programs Branch, 290 Broadway, New York, New York 1007–1866 at 212–637–3764 or by email at *Linky.Edward@epa.gov.*

SUPPLEMENTARY INFORMATION: In the final rules section of this issue of the **Federal Register**, the EPA is approving the United States Virgin Island's negative declaration submitted April 18, 2017, as a direct final rule without prior proposal because the Agency views this as noncontroversial and anticipates no adverse comments to this action.

A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

For additional information, see the direct final rule which is located in the rules section of this issue of the **Federal Register**.

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Administrative practice and procedure, Intergovernmental relations, Reporting and recordkeeping requirements, Sewage sludge incinerators.

Dated: August 18, 2017.

Catherine R. McCabe,

Acting Regional Administrator, Region 2.

[FR Doc. 2017–19705 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[EPA–R05–RCRA–2017–0381; FRL–9967–23–Region 5]

Ohio: Final Authorization of State Hazardous Waste Management Program Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Ohio has applied to EPA for Final Authorization of the changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA has reviewed Ohio's application with regards to federal requirements, and is proposing to authorize the state's changes.

DATES: Comments on this proposed rule must be received on or before October 16, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R05–RCRA–2017–0381 by one of the following methods:

http://www.regulations.gov: Follow the on-line instructions for submitting comments.

Email: westefer.gary@epa.gov.

Mail: Gary Westefer, Ohio Regulatory Specialist, LR–17J, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Hand Delivery: Gary Westefer, LR–17J, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the normal business hours of operation; special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID Number EPA–R05–RCRA–2017–0381. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *www.regulations.gov* or email. The *www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters or any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at *http://www.epagov/epahome/dockets.htm.*

Docket: All documents in the docket are listed in the *www.regulations.gov* index. Although listed in the index, some of the information is not publicly available; *e.g.,* CBI or other information for which disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy. You may view and copy Ohio's application from 9:00 a.m. to 4:00 p.m. at the following addresses: U.S. EPA Region 5, LR–17J, 77 West Jackson Boulevard, Chicago, Illinois, contact: Gary Westefer (312) 886–7450; or Ohio Environmental Protection Agency, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio, contact: Katherine (Kit) Arthur (614) 644–2932.

FOR FURTHER INFORMATION CONTACT: Gary Westefer, Ohio Regulatory Specialist, U.S. EPA Region 5, LR–17J, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–7450, email *westefer.gary@epa.gov.*

SUPPLEMENTARY INFORMATION:

A. Why are revisions to State programs necessary?

States which have received final authorization from EPA under RCRA Section 3006(b) of RCRA, 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the federal program. As the federal program changes, states must change their programs and request EPA to authorize the changes. Changes to state programs may be necessary when federal or state statutory or regulatory authority is modified or when certain other changes occur. Most commonly, states must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 266, 268, 270, 273 and 279.

B. What decisions have we made in this Rule?

We have made a tentative decision that Ohio's application to revise its authorized program meets all of the statutory and regulatory requirements established by RCRA. Therefore, we propose to grant Ohio final authorization to operate its hazardous waste program with the changes described in the authorization application. Ohio will have responsibility for permitting treatment, storage, and disposal facilities (TSDFs) within its borders (except in Indian Country) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New federal requirements and prohibitions imposed by federal regulations that EPA promulgates under the authority of HSWA take effect in authorized states before they are authorized for the requirements. Thus, EPA will implement those requirements and prohibitions in Ohio, including issuing permits, until the state is granted authorization to do so.

C. What will be the effect if Ohio is authorized for these changes?

If Ohio is authorized for these changes, a facility in Ohio subject to RCRA will have to comply with the authorized state requirements instead of the corresponding federal requirements in order to comply with RCRA. Additionally, such facilities will have to comply with any applicable federal requirements such as, for example, HSWA regulations issued by the EPA for which the state has not received authorization. Ohio continues to have enforcement authorities and responsibilities under its state hazardous waste program for RCRA violations, but EPA retains its authority under RCRA sections 3007, 3008, 3013, and 7003, which include among others, authority to:

1. Conduct inspections which may include but are not limited to requiring monitoring, tests, analyses and/or reports;

1. Enforce RCRA requirements which may include but are not limited to suspending, terminating, modifying and/or revoking permits; and

3. Take enforcement actions regardless of whether the state has taken its own actions.

The action to approve these revisions will not impose additional requirements on the regulated community because the regulations for which Ohio is requesting authorization are already effective under state law, and will not be changed by the act of authorization.

D. What happens if EPA receives adverse comments on this action?

If EPA receives adverse comments on this authorization, we will address all public comments in a later **Federal Register**. You may not have another opportunity to comment. If you want to comment on this authorization, you must do so at this time.

E. What has Ohio previously been authorized for?

Ohio initially received final authorization on June 28, 1989, effective June 30, 1989 (54 FR 27170, June 28, 1989) to implement the RCRA hazardous waste management program. Subsequently the EPA granted authorization for changes to the Ohio program effective June 7, 1991 (56 FR 14203, April 8, 1991) as corrected June 19, 1991, effective August 19, 1991 (56 FR 28088); effective September 25, 1995 (60 FR 38502. July 27, 1995); effective December 23, 1996 (61 FR 54950, October 23, 1996); effective January 24, 2003 (68 FR 3429, January 24, 2003); effective January 20, 2006, (71 FR 3220, January 20, 2006); effective October 29, 2007, (72 FR 61063, October 29, 2007, and effective March 19, 2012 (77 FR 25966, March 19, 2012).

F. What changes are we proposing with this action?

On June 13, 2017, Ohio submitted a final program revision application, seeking authorization of changes in accordance with 40 CFR 271.21. We have determined that Ohio's hazardous waste program revisions satisfy all of the requirements necessary to qualify for Final Authorization. We are now proposing to authorize, subject to receipt of written comments that oppose this action, Ohio's hazardous waste program revision. We propose to grant Ohio Final Authorization for the following program changes:

TABLE 1—OHIO'S ANALOGS TO THE FEDERAL REQUIREMENTS

Description of Federal requirement	**Federal Register** date and page	Analogous state authority
Deferral of LDR Phase IV Standards for PCB's as a Constituent Subject to Treatment in Soil Checklist 190.	December 26, 2000, 65 FR 81373.	OAC 3745–270–32, 3745–270–48, 3745–270–49; Effective September 5, 2010.
Zinc Fertilizers Made from Recycled Hazardous Secondary Materials Checklist 200.	July 24, 2002, 67 FR 48393 ...	OAC 3745–51–04, 3745–266–20, 3745–270–40; Effective September 5, 2010.

TABLE 1—OHIO'S ANALOGS TO THE FEDERAL REQUIREMENTS—Continued

Description of Federal requirement	**Federal Register** date and page	Analogous state authority
Land Disposal Restrictions: National Treatment Variance to Designate New Treatment Subcategories for Radioactively Contaminated Cadmium, Mercury, and Silver Containing Batteries: Checklist 201.	October 7, 2002, 67 FR 62617	OAC 3745–270–40; Effective September 5, 2010.
Hazardous Waste Management System: Modification of the Hazardous Waste Program: Mercury Containing Equipment Checklist 209.	August 5, 2005, 70 FR 45507	OAC 3745–50–10, 3745–50–45, 3745–51–09, 3745–54–01, 3745–65–01, 3745–270–01, 3745–273–01, 3745–273–04, 3745–273–09, 3745–273–13, 3745–273–14, 3745–273–32, 3745–273–33, 3745–273–34; Effective September 5, 2010.
Resource Conservation and Recovery Act Burden Reduction Initiative Checklist 213.	April 4, 2006, 71 FR 16861	OAC 3745–50–24, 3745–50–44, 3745–50–51, 3745–51–04, 3745–54–16, 3745–54–52, 3745–54–56, 3745–54–73, 3745–54–98, 3745–54–99, 3745–54–100, 3745–55–13, 3745–55–15, 3745–55–20, 3745–55–43, 3745–55–45, 3745–55–47, 3745–55–91, 3745–55–92, 3745–55–93, 3745–55–95, 3745–56–51, 3745–56–80, 3745–57–43, 3745–57–47, 3745–57–74, 3745–57–81, 3745–57–83, 3745–57–84, 3745–65–16, 3745–65–52, 3745–65–56, 3745–65–73, 3745–65–93, 3745–66–13, 3745–66–15, 3745–66–20, 3745–66–43, 3745–66–45, 3745–66–47, 3745–66–91, 3745–66–92, 3745–66–93, 3745–66–95, 3745–66–101, 3745–67–21, 3745–67–24, 3745–67–80, 3745–68–05, 3745–69–41, 3745–69–43, 3745–69–44, 3745–205–101, 3745–256–101, 3745–266–102, 3745–266–103, 3745–270–07, 3745–270–09; Effective September 5, 2010.
Hazardous Waste Management System: Modification of the Hazardous Waste Program: Cathode Ray Tubes Checklist 215.	July 28, 2006, 71 FR 42927 ...	OAC 3745–50–10, 3745–51–04, 3745–51–39, 3745–51–40, 3745–51–41; Effective September 5, 2010.
Regulation of Oil-Bearing Hazardous Secondary Materials from the Petroleum Refining Industry Processed in a Gasification System to Produce Synthesis Gas Checklist 216.	January 2, 2008, 73 FR 57	OAC 3745–50–10, 3745–51–04; Effective September 5, 2010.
NESHAP: National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Waste Combustors; Amendments Checklist 217.	April 8, 2008, 73 FR 18970	OAC 3745–57–40; Effective September 5, 2010.
Hazardous Waste Management System: Identification and Listing of Hazardous Waste: Amendment to Hazardous Waste Code F 019 Checklist 218.	June 4, 2008, 73 FR 31756	OAC 3745–51–31; Effective September 5, 2010.
Standards Applicable to Generators of Hazardous Waste: Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material at Laboratories Owned by Colleges and Universities and Other Eligible Academic Entities Formally Affiliated with Colleges and Universities Checklist 220.	December 1, 2008, 73 FR 72991.	OAC 3745–51–05, 3745–52–10, 3745–52–200, 3745–52–201, 3745–52–202, 3745–52–203, 3745–52–204, 3745–52–205, 3745–52–206, 3745–52–207, 3745–52–208, 3745–52–209, 3745–52–210, 3745–52–211, 3745–52–212, 3745–52–213, 3745–52–214, 3745–52–215, 3745–52–216; Effective September 5, 2010.

TABLE 2—EQUIVALENT STATE INITIATED CHANGES

State Initiated Change: Manifest Rules	Ohio rules amended per request of HQ memo dated 5/14/2007, regarding manifest rule errors.	OAC 3745–54–72, 3745–65–72; Effective September 5, 2010.
State Initiated Change: Performance Track	Ohio rules amended per HQ memo dated 3/16/2009, that ended the Performance Track Program.	OAC 3745–50–10, 3745–50–51, 3745–52–34, 3745–52–211, 3745–54–15, 3745–65–15, 3745–66–74, 3745–66–95, 3745–66–101, 3745–205–101, 256–101; Effective September 5, 2010.

TABLE 2—EQUIVALENT STATE INITIATED CHANGES—Continued

State Initiated Change: Hazardous Waste and Used Oil: Corrections to 40 CFR.	Hazardous Waste and Used Oil: Corrections to 40 CFR (Additional corrections from Checklist 214).	OAC 3745–50–27, 3745–51–31, 3745–51–33, 3745–54–01, 3745–54–73, 3745–54–97, 3745–54–101, 3745–55–11, 3745–55–40, 3745–55–51, 3745–55–93, 3745–56–21, 3745–56–23, 3745–57–03, 3745–57–04, 3745–57–06, 3745–57–72, 3745–57–74, 3745–57–75, 3745–65–73, 3745–66–11, 3745–66–12, 3745–66–40, 3745–67–21, 3745–67–24, 3745–67–28, 3745–67–55, 3745–67–59, 3745–68–03, 3745–68–05, 3745–68–16, 3745–69–43, 3745–69–45, 3745–205–101, 3745–256–101, 3745–266–109, 3745–270–04, 3745–270–07, 3745–270–42, 3745–270–45, 3745–273–34, 3745–279–01, 3745–279–11, 3745–279–43, 3745–279–52; Effective September 5, 2010.
State Initiated Changes	Ohio Rules Reviewed per 119.032, State Initiated Changes (housekeeping).	3745–50–10, 3745–50–11, 3745–50–19, 3745–50–21, 3745–50–27, 3745–50–29, 3745–50–30, 3745–50–38, 3745–50–39, 3745–50–41, 3745–50–42, 3745–50–43, 3745–50–44, 3745–50–45, 3745–50–51, 3745–50–53, 3745–50–58, 3745–50–62, 3745–51–02, 3745–51–03, 3745–51–04, 3745–51–05, 3745–51–06, 3745–51–23, 3745–51–31, 3745–51–33, 3745–51–39, 3745–52–10, 3745–52–11, 3745–52–12, 3745–52–34, 3745–52–44, 3745–54–52, 3745–52–200, 3745–52–203, 3745–52–204, 3745–52–205, 3745–52–206, 3745–53–11, 3745–54–01, 3745–54–03, 3745–54–11, 3745–54–12, 3745–54–15, 3745–54–56, 3745–54–73, 3745–54–77, 3745–54–97, 3745–54–98, 3745–54–100, 3745–55–13, 3745–55–15, 3745–55–42, 3745–55–43, 3745–55–45, 3745–55–47, 3745–55–51, 3745–55–91, 3745–55–92, 3745–55–93, 3745–55–95, 3745–55–96, 3745–55–98, 3745–56–21, 3745–56–23, 3745–56–51, 3745–57–03, 3745–57–06, 3745–57–40, 3745–57–43, 3745–57–72, 3745–57–74, 3745–57–75, 3745–57–81, 3745–57–84, 3745–65–01, 3745–65–11, 3745–65–15, 3745–65–56, 3745–65–73, 3745–65–90, 3745–65–93, 3745–66–11, 3745–66–12, 3745–66–13, 3745–66–15, 3745–66–42, 3745–66–43, 3745–66–44, 3745–66–45, 3745–66–47, 3745–66–74, 3745–66–91, 3745–66–92, 3745–66–93, 3745–66–95, 3745–66–96, 3745–66–98, 3745–66–101, 3745–67–21, 3745–67–55, 3745–67–59, 3745–68–03, 3745–68–05, 3745–68–10, 3745–68–16, 3745–69–30, 3745–69–41, 3745–69–43, 3745–69–44, 3745–69–45, 3745–205–100, 3745–205–101, 3745–205–200, 3745–205–201, 3745–256–101, 745–256–200, 3745–256–201, 3745–266–20, 3745–266–80, 3745–266–102, 3745–266–103, 3745–266–104, 3745–266–107, 3745–266–109, 3745–266–111, 3745–266–201, 3745–266–202, 3745–266–203, 3745–266–205, 745–266–210, 3745–266–260, 3745–270–01, 3745–270–04, 3745–270–07, 3745–270–09, 3745–270–40, 3745–270–42, 3745–270–45, 3745–270–48, 3745–270–49, 3745–273–09, 3745–273–13, 3745–273–33, 3745–273–60, 3745–279–01, 3745–279–11, 3745–279–42, 3745–279–51, 3745–279–52, 3745–279–62, 3745–279–73; Effective September 5, 2010.

G. Which revised state rules are different from the Federal rules?

Ohio has excluded the non-delegable federal requirements at 40 CFR 268.5, 268.6, 268.42(b), 268.44, and 270.3. EPA will continue to implement those requirements.

Only recently receiving the statutory authority, Ohio has not adopted the rules for Subparts AA, BB and CC of 40 CFR part 264. Until Ohio is authorized for such rules, the federal rules at 40 CFR part 264 subpart AA, BB and CC and Part 265 subpart AA, BB and CC, which are promulgated under HSWA, still apply in Ohio. On July 14, 2006, U.S. EPA issued a rule making several hundred corrections to errors that had appeared in the *Code of Federal Regulations* (checklist 214). Ohio broke these corrections into several rule makings. Ohio was authorized for several of these rule corrections on March 19, 2012. In addition, a number of the corrections had already been made in the state rules. This action will authorize several more of the corrections that appear in the U.S. EPA rulemaking of July 14, 2006.

Broader in Scope Rules: Ohio has proposed additions to its Universal Wastes that will add Antifreeze, Aerosol cans and Paint Wastes that are not already regulated as hazardous waste. As such they are not regulated under the RCRA subtitle C program by U.S. EPA, though Ohio EPA plans to regulate them under State law if those State additions go into effect.

H. Who handles permits after the final authorization takes effect?

Ohio will issue permits for all the provisions for which it is authorized and will administer the permits it issues. EPA will continue to administer any RCRA hazardous waste permits or portions of permits which EPA issues prior to the effective date of the proposed authorization until they expire or are terminated. We will not issue any more new permits or new portions of permits for the provisions listed in the Table above after the effective date of

the authorization. EPA will continue to implement and issue permits for HSWA requirements for which Ohio is not yet authorized.

I. How does this action affect Indian Country (18 U.S.C. 1151) in Ohio?

Ohio is not authorized to carry out its hazardous waste program in ''Indian Country,'' as defined in 18 U.S.C. 1151. Indian Country includes:

1. All lands within the exterior boundaries of Indian Reservations within or abutting the State of Ohio;

2. Any land held in trust by the U.S. for an Indian tribe; and

3. Any other land, whether on or off an Indian reservation that qualifies as Indian Country.

Therefore, this action has no effect on Indian Country. EPA retains the authority to implement and administer the RCRA program on these lands.

J. What is codification and is EPA codifying Ohio's hazardous waste program as authorized in this rule?

Codification is the process of placing the state's statutes and regulations that comprise the state's authorized hazardous waste program into the Code of Federal Regulations. We do this by referencing the authorized state rules in 40 CFR part 272. Ohio's authorized rules, up to and including those revised June 7, 1991, have previously been codified through the incorporation-by-reference effective February 4, 1992 (57 FR 4162). We reserve the amendment of 40 CFR part 272, subpart KK for the codification of Ohio's program changes until a later date.

K. Statutory and Executive Order Reviews

This proposed rule only authorizes hazardous waste requirements pursuant to RCRA 3006 and imposes no requirements other than those imposed by state law (see Supplementary Information, Section A. Why are Revisions to State Programs Necessary?). Therefore, this rule complies with applicable executive orders and statutory provisions as follows:

1. Executive Order 18266: Regulatory Planning and Review and Executive Order 13563: Improving Regulations and Regulatory Review

The Office of Management and Budget has exempted this rule from its review under Executive Orders 12866 (58 FR 51735, October 4, 1993) and Executive Order 13563 (76 FR 3821 January 21, 2011).

2. Paperwork Reduction Act

This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

3. Regulatory Flexibility Act

This proposed rule authorizes state requirements for the purpose of RCRA 3006 and imposes no additional requirements beyond those required by state law. Accordingly, I certify that this proposed 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 *et seq.*).

4. Unfunded Mandates Reform Act

Because this proposed rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

5. Executive Order 13132: Federalism

Executive Order 13132 (64 FR 43255, August 10, 1999) does not apply to this proposed rule because it will not have federalism implications (*i.e.,* 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).

6. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Executive Order 13175 (65 FR 67249, November 9, 2000) does not apply to this proposed rule because it will not have tribal implications (*i.e.,* substantial direct effects on one or more Indian tribes, or 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).

7. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

This proposed rule is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant as defined in Executive Order 12866 and because the EPA does not have reason to believe the environmental health or safety risks addressed by this action present a disproportionate risk to children.

8. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This proposed rule is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not a significant regulatory action as defined in Executive Order 12866.

9. National Technology Transfer Advancement Act

EPA approves state programs as long as they meet criteria required by RCRA, so it would be inconsistent with applicable law for EPA, in its review of a state program, to require the use of any particular voluntary consensus standard in place of another standard that meets the requirements of RCRA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply to this proposed rule.

10. Executive Order 12988

As required by Section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this proposed rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct.

11. Executive Order 12630: Evaluation of Risk and Avoidance of Unanticipated Takings

EPA has complied with Executive Order 12630 (53 FR 8859, March 18, 1988) by examining the takings implications of the proposed rule in accordance with the Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings issued under the executive order.

12. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations

Because this rulemaking proposes authorization of pre-existing state rules and imposes no additional requirements beyond those imposed by state law and there are no anticipated significant adverse human health or environmental effects, the proposed rule is not subject to Executive Order 12898 (59 FR 7629, February 16, 1994).

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indians—lands, Intergovernmental relations, Penalties,

Reporting and recordkeeping requirements.

Authority: This action is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: August 14, 2017.

Robert Kaplan,

Acting Regional Administrator, Region 5.

[FR Doc. 2017–19696 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 27

[WT Docket No. 06–150; DA 17–810]

Service Rules for the 698–746, 747–762, and 777–792 MHz Bands; Correction

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; correction.

SUMMARY: The Federal Communications Commission is correcting a document that appeared in the **Federal Register** on September 7, 2017. The document listed incorrect dates by which interested parties may file comments and reply comments.

DATES: This correction is applicable September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Anna Gentry, *Anna.Gentry@fcc.gov,* of the Wireless Telecommunications Bureau, Mobility Division, (202) 418–7769.

SUPPLEMENTARY INFORMATION: In FR Doc. 2017–18987 appearing on page 42263 of the **Federal Register** of September 7, 2017, the following corrections are made:

Dates [Corrected]

On page 42263, the **DATES** heading is corrected to read ''Interested parties may file comments on or before September 27, 2017, and reply comments on or before October 10, 2017.''

Federal Communications Commission.

Neşe Guendelsberger,

Senior Deputy Bureau Chief, Wireless Telecommunications Bureau.

[FR Doc. 2017–19481 Filed 9–14–17; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Chapter V

[Docket No. NHTSA–2017–0082]

Automated Driving Systems: A Vision for Safety

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

ACTION: Notice of public availability and request for comments.

SUMMARY: NHTSA is releasing new voluntary guidance on automated driving systems—*Automated Driving Systems: A Vision for Safety.* The new voluntary guidance is based on public comments received on the Federal Automated Vehicles Policy (FAVP) released in September 2016. The purpose of this new voluntary guidance is to support industry innovators, States and other key stakeholders as they consider and design best practices relative to the testing and deployment of automated vehicle technologies, while informing and educating the public and improving roadway safety. NHTSA invites public comment on the voluntary guidance and additional ways to improve its usefulness.

This new voluntary guidance is an important part of DOT's multi-modal efforts to support the introduction of automation technologies that hold the promise of fulfilling NHTSA's mission of reducing the number of injuries and fatalities on our roads. As an update to the FAVP this new voluntary guidance serves as NHTSA's current operating guidance for Automated Driving Systems (ADSs—SAE International Automation Levels 3–5). NHTSA intends to continue to revise and refine the guidance periodically to reflect continued public input, experience, research, and innovation, and will address significant comments in preparing future iterations of the guidance. This guidance supports that effort.

DATES: You should submit your comments early enough to ensure that Docket Management receives them no later than November 14, 2017.

ADDRESSES: Comments should refer to the docket number above and be submitted by one of the following methods:

- *Federal Rulemaking Portal: Please submit one copy to http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Please submit two copies to Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* Please submit two copies to 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal Holidays.
- *Instructions:* For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.
- *Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our 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 at *https://www.transportation.gov/privacy.*
- *Docket:* For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* or to the street address listed above. Follow the online instructions for accessing the dockets.

FOR FURTHER INFORMATION CONTACT:

For technical issues related to the Voluntary Guidance: Ms. Dee Williams of NHTSA's Office of Vehicle Safety Research at (202) 366–8537 or by email at *av_info_nhtsa@dot.gov.*

For legal issues: Mr. Steve Wood of NHTSA's Office of Chief Counsel, at (202) 366–2992 or by email at *steve.wood@dot.gov.*

SUPPLEMENTARY INFORMATION:

Background

The National Highway Traffic Safety Administration (NHTSA), under the U.S. Department of Transportation, was established by the Highway Safety Act of 1970, to carry out safety programs under the National Traffic and Motor Vehicle Safety Act of 1966 and the Highway Safety Act of 1966. NHTSA is responsible for reducing deaths, injuries, and economic losses resulting from motor vehicle crashes on our nation's roadways. It accomplishes these tasks by conducting research, setting and enforcing safety performance standards for motor vehicles and motor

vehicle equipment, generating and disseminating comparative safety performance information to encourage the production and purchase of advanced safety features, requiring the recalling and remedying of defective and noncompliant vehicles and equipment, and by distributing highway safety formula grants to state governments to enable them to conduct effective highway safety programs. Additionally, NHTSA issues guidance regarding motor vehicle safety issues.

On September 20, 2016, NHTSA developed and published for comment the Federal Automated Vehicles Policy (FAVP). The comment period officially closed on November 22, 2016, but NHTSA continued to receive and consider comments through February 16, 2017. The public docket received 160 unique comments in response to the FAVP representing the traditional motor vehicle industry, the technology sector, public agencies, special interest groups, and private citizens. The agency also held public meetings to seek additional comment.

NHTSA analyzed the docket comments, public meeting proceedings and other stakeholder discussions, recent Congressional hearings, and State activities and used this analysis as the foundation for improvements and refinements to develop NHTSA's new voluntary guidance—*Automated Driving Systems: A Vision for Safety.*

In *Section 1: Voluntary Guidance for Automated Driving Systems (Voluntary Guidance),* NHTSA offers a nonregulatory approach to Automated Driving System (ADS) safety. This *Voluntary Guidance* supports the automotive industry and other key stakeholders as they consider and design best practices for the testing and safe deployment of ADSs (SAE International Automation Levels 3 through 5—Conditional, High, and Full Automation Systems). Section 1 contains 12 priority safety design elements for consideration, including vehicle cybersecurity, human machine interface, crashworthiness, consumer education and training, and post-crash ADS behavior. Given the developing state of the technology, this *Voluntary Guidance* provides a flexible framework for industry to use in choosing how to address a given safety design element. In addition, to help support public trust and confidence, the *Voluntary Guidance* encourages entities engaged in testing to publicly disclose Voluntary Safety Self-Assessments of their systems demonstrating their varied approaches to achieving safety.

Vehicles operating on public roads are subject to both Federal and State jurisdictions, and States are continuing to draft legislation to safely deploy emerging ADSs. To support the State work, NHTSA offers *Section 2: Technical Assistance to States, Best Practices for Legislatures Regarding Automated Driving Systems (Best Practices).* The section clarifies and delineates Federal and State roles in the regulation of ADSs. NHTSA remains responsible for regulating the safety design and performance aspects of motor vehicles and motor vehicle equipment; States continue to be responsible for regulating the human driver and vehicle operations.

The section also provides *Best Practices for Legislatures,* which incorporates common safety-related components and significant elements regarding ADSs that States should consider incorporating in legislation. In addition, the section provides *Best Practices for State Highway Safety Officials,* which offers a framework for States to develop procedures and conditions for ADS' safe operation on public roadways. It includes considerations in such areas as applications and permissions to test, registration and titling, working with public safety officials, and liability and insurance.

NHTSA emphasizes the importance of *Automated Driving Systems: A Vision for Safety* as new voluntary guidance in its entirety—a cohesive package that represents the Agency's current position on Automated Driving Systems. As the new voluntary guidance is a result of improvements based on public comments and new information, in the future, it too will be updated to reflect input by the public, advances in technology, increased presence of ADSs on public roadways, new research, and any regulatory action or statutory changes that could occur at both the Federal and State levels. NHTSA encourages collaboration and communication between all government entities and the private sector as the technology evolves, and the Agency will continue to coordinate dialogue among all stakeholders. The Department and NHTSA recognize that regulatory efforts in this arena must promote safety, remove any existing unnecessary barriers, remain technology neutral, and enable a pathway for innovation that has the potential to save lives. Any initiative in the regulatory realm will seek to remove regulatory barriers and burdens that could unnecessarily hinder the safe and efficient implementation of ADSs.

The new guidance is available at *https://www.nhtsa.gov/technology-innovation/automated-vehicles,* which will also serve as a central repository of associated references to this and other NHTSA ADS resources, including new frequently asked questions. Additionally, to support manufacturers and other entities looking to request regulatory action from NHTSA, companies can find an informational resource, *Understanding NHTSA's Regulatory Tools: Instructions, Practical Guidance, and Assistance for Entities Seeking to Employ NHTSA's Regulatory Tools.* The new guidance is also available in the public docket at *http://www.regulations.gov* (search Docket No. NHTSA–2017–0082).

Public Comment

NHTSA is seeking written public comments on the new voluntary guidance—*Automated Driving Systems: A Vision for Safety* and additional ways to improve its usefulness. The Agency expects and intends the voluntary guidance to continue to be updated based on public comment; the experience of the agency, manufacturers, suppliers, consumers, and others; and further research findings and technological innovations. To inform the next iteration of the voluntary guidance, the Agency may hold public meetings and workshops associated with specific items relevant to the guidance. Once the timing of those meetings has been finalized, the Agency will publish **Federal Register** notices for those meetings. Given that not all interested persons may have an opportunity to attend such meetings, the Agency's solicitation of written comments will ensure that all persons have a chance to participate. When possible, NHTSA will also arrange for the meetings to be webcast and for written transcripts of the meetings. When available, webcast videos and transcripts will be at *https://www.nhtsa.gov/technology-innovation/automated-vehicles.*

Public Participation

How do I prepare and submit comments?

Your comments must be written and in English. To ensure that your comments are filed correctly in the docket, please include the docket number of this document in your comments.

Your comments must not be more than 15 pages long (49 CFR 553.21). 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. There is no limit on the length of the attachments.

Please submit one copy (two copies if submitting by mail or hand delivery) of your comments, including the attachments, to the docket following the instructions given above under **ADDRESSES**. Please note, if you are submitting comments electronically as a PDF (Adobe) file, we ask that the documents submitted be scanned using an Optical Character Recognition (OCR) process, thus allowing the agency to search and copy certain portions of your submissions.

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 Office of the Chief Counsel, NHTSA, at the address given above under **FOR FURTHER INFORMATION CONTACT**. In addition, you may submit a copy (two copies if submitting by mail or hand delivery), from which you have deleted the claimed confidential business information, to the docket by one of the methods given above under **ADDRESSES**. When you send a comment containing information claimed to be confidential business information, you should include a cover letter setting forth the information specified in NHTSA's confidential business information regulation (49 CFR part 512).

Will the agency consider late comments?

NHTSA will consider all comments received before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, the Agency will also consider comments received after that date. Given that we intend for the policy document to be a living document and to be developed in an iterative fashion, subsequent opportunities to comment will also be provided periodically.

How can I read the comments submitted by other people?

You may read the comments received at the address given above under COMMENTS. The hours of the docket are indicated above in the same location. You may also see the comments on the Internet, identified by the docket number at the heading of this notice, at *http://www.regulations.gov.*

Please note that, even after the comment closing date, NHTSA will continue to file relevant information in the docket as it becomes available. Further, some people may submit late comments. Accordingly, the agency recommends that you periodically check the docket for new material.

Issued in Washington, DC, under authority delegated by 49 CFR 1.95.

Nathaniel Beuse,

Associate Administrator for Vehicle Safety Research.

[FR Doc. 2017–19637 Filed 9–14–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

RIN 0648–BG81

Fisheries Off West Coast States; Highly Migratory Fisheries; Amendment 5 to the Highly Migratory Species Fishery Management Plan; California Drift Gillnet Fishery; Implementation of a Federal Limited Entry Drift Gillnet Permit

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

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Pacific Fishery Management Council (Council) has submitted Amendment 5 to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP) for review by the Secretary of Commerce. The intent of Amendment 5 is to implement a federal limited entry (LE) permit for the California/Oregon large-mesh drift gillnet (DGN) fishery. The amendment would bring the State of California's LE DGN permit program under Magnuson-Stevens Fishery Conservation and Management Act (MSA) authority. All current California DGN permit holders would be eligible to apply for, and receive, a federal DGN permit and no additional DGN permits would be created. The amendment is administrative in nature and is not anticipated to result in increased activity, effort, or capacity in the fishery.

DATES: Comments on Amendment 5 must be received by November 14, 2017.

ADDRESSES: You may submit comments identified by NOAA–NMFS–2017–0052, by any one of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal. Go to *http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0052,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Lyle Enriquez, NMFS West Coast Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802. Include the identifier ''NOAA–NMFS–2017–0052'' in the comments.
- *Instructions:* Comments must be submitted by one of the above methods to ensure they are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Copies of Amendment 5 and other supporting documents are available via the Federal eRulemaking Portal: *http://www.regulations.gov,* docket NOAA–NMFS–2017–0052 or by contacting the Regional Administrator, Barry Thom, NMFS West Coast Region, 1201 NE Lloyd Blvd., Portland, OR 97232–2182, or *RegionalAdministrator.WCRHMS@noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Lyle Enriquez, NMFS, West Coast Region, 562–980–4025, or *Lyle.Enriquez@noaa.gov.*

SUPPLEMENTARY INFORMATION:

The HMS FMP was prepared by the Council and is implemented under the authority of the MSA by regulations at 50 CFR part 660. Although it adopted all conservation and management measures in place under various federal statutes (*e.g.,* Marine Mammal Protection Act, Endangered Species Act) and state regulations, the HMS FMP did not incorporate the LE DGN permit programs of California and Oregon. Currently, the large-mesh DGN fishery (14″ minimum mesh size) is federally managed under the HMS FMP and via regulations of the states of California and Oregon to conserve target and non-target stocks, including protected species that are incidentally captured. California has an active LE DGN

program, Oregon no longer issues DGN permits, and DGN fishing is prohibited in Washington.

Since 2014, the Council has considered transitioning California's LE DGN permit program from state to MSA authority. On March 12, 2017, the Council adopted a final preferred alternative that would transition the State of California issued LE DGN permit program from state management to federal management under MSA authority and entitle all fishermen authorized to fish with large-mesh DGN gear under state law to be eligible to receive a federal LE DGN permit. As of August 31, 2017, 70 California LE DGN permits were issued for the 2016–2017 fishing season, and 67 have been renewed for the 2017–2018 fishing season. The average number of active DGN vessels per year from 2010 through 2016 is 20 vessels. The action would neither increase capacity within the DGN fishery, nor would it incentivize or stimulate fishing effort or activity of current latent permits. After the initial issuance of a federal DGN permit, no additional permits would be issued, and permits that are not renewed in future years would be permanently expired by NMFS.

In order to participate in the DGN fishery, current participants must possess a State of California LE DGN permit, a California commercial fishing license, a California general gill/trammel net permit, and a California swordfish permit. Additionally, the vessel that the participant fishes from must have a federal Pacific Highly Migratory Species (HMS) permit with a DGN gear endorsement. After the LE DGN permit transitions from the State of California to federal management, each participant will need to hold all the same permits and licenses, except that the federal LE DGN permit will take place of the State of California LE DGN permit. Although these permits and licenses would be required to fish, possession of a current and up-to-date State of California LE DGN permit is the only permit required to initially obtain a federal LE DGN permit.

This amendment would adopt many of the current State of California management measures associated with the fishery. For example, NMFS would adopt current California requirements regarding the assignment of a permit (*i.e.,* issued to an individual and assigned to a specific vessel), the transfer of permits between permittees (*i.e.,* a permit must be held for three years before it is eligible to be transferred), and an annual renewal cycle.

Upon the date of publication of the final rule to implement Amendment 5, all 70 state-eligible permit holders would be eligible to receive a federal DGN permit if they have renewed their state DGN permit by March 31, 2018. Permit holders who fail to renew their state DGN permit by March 31, 2018, will not be eligible for a federal DGN permit. As of August 31, 2017, 67 permittees have renewed their state LE DGN permit. If a state LE DGN permit is transferred after publication of the proposed rule to implement Amendment 5, the transferee, but not the transferor, would be eligible to receive a federal LE DGN permit upon publication of the final rule.

Federal LE DGN permits would be issued annually for the fishing year starting April 1 and ending March 31 of the following year. Permits would expire on March 31 of each year and, after initial issuance (expected in 2018), the permit renewal deadline would be April 30 of the fishing year. A completed DGN permit renewal form must be received by NMFS no later than close-of-business April 30. Any renewal form received after that date would result in the permanent expiration of the Federal DGN permit. A permit owner who fails to submit a renewal by the deadline may submit a renewal form to NMFS with a written statement that the failure to renew the permit by the deadline was proximately caused by the permit owner's illness or injury. When a permit owner has died, the owner's estate or other personal representative may submit a statement explaining that the permit owner's death has prevented a timely renewal. The permit holder, or in the case of a deceased permit owner, the estate or other personal representative, will need to provide written proof of illness, injury or death. NMFS will not consider any such renewal request made after July 31. If the permit expires, it would permanently expire and NMFS would not reissue the permit. A permittee would need to hold a federal LE DGN permit for three or more years before it would be eligible to be transferred. This vesting period would extend across both state and federal permit programs (*i.e.,* if a permit holder held a state LE DGN permit for two years and a federal LE DGN permit for one year, the permit may be transferred).

Public comments on Amendment 5 must be received by November 14, 2017, to be considered by NMFS in the decision whether to approve, disapprove, or partially approve Amendment 5. NMFS expects to publish and request public comment on the proposed regulation to implement Amendment 5 in the near future. Public comments on the proposed rule must be received by the end of the comment period on the amendment to be considered in the approval/disapproval decision on the amendment. All comments received during the comment period for the amendment, whether specifically directed to the amendment, or the proposed rule, will be considered in the approval/disapproval decision.

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

Dated: September 12, 2017.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–19662 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 82, No. 178
Friday, September 15, 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

National Institute of Food and Agriculture

Stakeholder Listening Opportunity for Priorities in Research, Education and Extension

AGENCY: National Institute of Food and Agriculture, USDA.

ACTION: Notice of listening sessions and stakeholder feedback opportunities.

SUMMARY: USDA National Institute of Food and Agriculture announces its stakeholder listening initiative ''NIFA Listens: Investing in Science to Transform Lives.'' This stakeholder listening opportunity informs the research, extension and education priorities of NIFA, which has the mission of investing in and advancing agricultural research, education and extension to solve societal challenges. These investments in transformative science directly support the long-term prosperity and global pre-eminence of U.S. agriculture. This listening opportunity allows stakeholders to provide feedback on the following questions: ''What is your top priority in food and agricultural research, extension or education that NIFA should address?'' and ''What are the most promising science opportunities for advancement of food and agricultural sciences?''

This effort to obtain input on NIFA's science priorities will be carried out through online and in-person submission mechanisms. Stakeholder input received from the two mechanisms is treated equally. The priorities and opportunities obtained from this effort will be evaluated in conjunction with input from NIFA staff. This information will be critical for NIFA's evaluation of existing science emphasis areas to identify investment opportunities and gaps in the current portfolio of programs. The information obtained through this iterative analysis and synthesis will help to ensure the strategic positioning and relevancy of NIFA's investments in advancing agricultural research, education and extension.

DATES:

(A) *Online Input:* Submission of online stakeholder input to the target questions will be open upon publishing of this Notice through 5 p.m. Eastern time December 1, 2017.

(B) *In-person Listening Sessions:* Four listening sessions, each a full day, will be organized throughout the United States to obtain input from all stakeholders, including small institutions, local business and other stakeholder groups. The listening sessions will take place on October 19, 2017, October 26, 2017, November 2, 2017 and November 8, 2017. Each session will begin at 8:30 a.m. and is scheduled to end by 5:00 p.m. local time. Each session will include a presentation of the goals and background information on NIFA programs, followed by comments from stakeholders. Each registered speaker will receive 5 minutes to share their comments with the Agency. If time allows after all comments from registered speakers are made, unscheduled speakers will be allowed 5 minutes to present their comments to the Agency. The length of the sessions will be adjusted according to numbers of participants seeking to provide input. All parties interested in attending an in-person listening session must RSVP no later than October 12, 2017. These sessions will be webcast and transcribed. Information about registering for the in-person session, providing written comments and viewing the webcast can be found at *https://nifa.usda.gov/nifalistens.*

Registration: The Web site, *https://nifa.usda.gov/nifalistens,* includes instructions on submitting written comments and registering to attend or speak at the in-person listening sessions. All parties interested in attending an in-person listening session must RSVP no later than October 12, 2017. The number of attendees and oral commenters is limited due to time and space constraints (see below). Oral commenter slots will be allotted on a first-come, first-served basis. All interested stakeholders, regardless of attendance, are welcome to submit written comments.

Comments: Written comments are due by December 1, 2017. Written comments must be submitted electronically through *https://nifa.usda.gov/nifalistens* or emailed to *NIFAlistens@nifa.usda.gov.*

ADDRESSES: The in-person listening sessions will take place at conference facilities in Kansas City, MO (October 19, 2017), Atlanta, GA (October 26, 2017), Sacramento, CA (November 2, 2017), and Hyattsville, MD (November 8, 2017).

All parties interested in attending an in-person listening session must RSVP no later than October 12, 2017.

FOR FURTHER INFORMATION CONTACT: Megan Haidet, Program Specialist, NIFA, at 202–401–6617, email *NIFAlistens@nifa.usda.gov,* or visit *https://nifa.usda.gov/nifalistens* for detailed information about providing written comments, joining the in-person sessions remotely, or registering to speak at an in-person session.

SUPPLEMENTARY INFORMATION: The science priority-setting process at NIFA involves soliciting stakeholder input on agricultural research, education and extension needs, obtaining input from NIFA's science staff who are informed through interactions with scientific communities, and evaluating existing programs to identify critical gaps in the current portfolio of programs in order to address challenges in U.S. agriculture.

This listening effort will focus on answers to the following questions, ''What is your top priority in food and agricultural research, extension or education that NIFA should address?'' and ''What are the most promising science opportunities for advancement of food and agricultural sciences?''

NIFA welcomes stakeholder input from any group or individual interested in agricultural research, extension or education priorities for NIFA. NIFA is eager to listen to stakeholder's comments on the priorities, solutions and opportunities that will facilitate long-term sustainable agricultural production, research, education and extension. This listening effort will focus on the agricultural science that NIFA invests in, but not on NIFA processes or procedures.

All parties interested in attending an in-person listening session must RSVP no later than October 12, 2017.

Abstracts from in-person speakers can be submitted upon registration via *https://nifa.usda.gov/nifalistens.*

Written comments by all interested stakeholders are welcomed through 5 p.m. Eastern time, December 1, 2017. All input will become a part of the official record and available on the NIFA Web site, *https://nifa.usda.gov/nifalistens.*

Done at Washington, DC, on September 8, 2017.

Sonny Ramaswamy,

Director, National Institute of Food and Agriculture.

[FR Doc. 2017–19714 Filed 9–14–17; 8:45 am]

BILLING CODE 3410–22–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Kentucky Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Kentucky Advisory Committee will hold a meeting on Thursday, October 12, 2017, for continuing committee discussion of potential project topics.

DATES: The meeting will be held on Thursday October 12, 2017 at 12:00 EST.

ADDRESSES: The meeting will be by teleconference. Toll-free call-in number: 1–877–719–9795, conference ID: 9658974.

FOR FURTHER INFORMATION CONTACT: Jeff Hinton, DFO, at *jhinton@usccr.gov* or 404–563–7006.

SUPPLEMENTARY INFORMATION: Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 1–877–719–9795, conference ID: 9658974. Any interested member of the public may call this number and listen to the meeting. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office by October 6, 2017. Written comments may be mailed to the Southern Regional Office, U.S. Commission on Civil Rights, 61 Forsyth Street, Suite 16T126, Atlanta, GA 30303. They may also be faxed to the Commission at (404) 562–7005, or emailed to Regional Director, Jeffrey Hinton at *jhinton@usccr.gov.* Persons who desire additional information may contact the Southern Regional Office at (404) 562–7000.

Records generated from this meeting may be inspected and reproduced at the Southern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, South Carolina Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's Web site, *http://www.usccr.gov,* or may contact the Southern Regional Office at the above email or street address.

Agenda

Welcome and Roll Call of advisory committee members
Dr. Betty Griffin, Chairman/Jeff Hinton, Regional Director, SRO, USCCR
Kentucky Advisory Committee update/discussion of potential project topics
Dr. Betty Griffin, Chairman
Open Comment
Advisory Committee
Public Participation
Adjournment

Dated: September 11, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017–19550 Filed 9–14–17; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Alabama Advisory Committee for Orientation and To Discuss Civil Rights Topics in the State

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Alabama Advisory Committee (Committee) will hold a meeting on Thursday, September 28, 2017, at 11:00 a.m. (Central) for the purpose of orientation and a discussion on civil rights topics affecting the state.

DATES: The meeting will be held on Thursday, September 28, 2017, at 11:00 a.m. (Central).

Public Call Information: Dial: 888–287–5563, Conference ID: 4247572.

FOR FURTHER INFORMATION CONTACT: David Barreras, DFO, at *dbarreras@usccr.gov* or 312–353–8311.

SUPPLEMENTARY INFORMATION: Members of the public can listen to the discussion. This meeting is available to the public through the following toll-free call-in number: 888–287–5563, conference ID: 4247572. Any interested member of the public may call this number and listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be mailed to the Midwestern Regional Office, U.S. Commission on Civil Rights, 55 W. Monroe St., Suite 410, Chicago, IL 60615. They may also be faxed to the Commission at (312) 353–8324, or emailed to Carolyn Allen at *callen@usccr.gov.* Persons who desire additional information may contact the Midwestern Regional Office at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Midwestern Regional Office, as they become available, both before and after the meeting. Records of the meeting will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Alabama Advisory Committee link (*http://www.facadatabase.gov/committee/committee.aspx?cid=233&aid=17*). Persons interested in the work of this Committee are directed to the

Commission's Web site, *http://www.usccr.gov,* or may contact the Midwestern Regional Office at the above email or street address.

Agenda:

Welcome and Roll Call
Civil Rights Topics in Alabama
Next Steps
Public Comment
Adjournment

Dated: September 12, 2017.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2017–19632 Filed 9–14–17; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, U.S. Department of Commerce.

ACTION: Notice and opportunity for public comment.

SUMMARY: The Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of these firms contributed importantly to the total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

SUPPLEMENTARY INFORMATION:

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[9/1/2017 through 9/8/2017]

Firm name	Firm address	Date accepted for investigation	Product(s)
RCM Industries, Inc	3021 Cullerton Drive, Franklin Park, IL	9/5/2017	The firm manufactures aluminum die castings.
Southern Heat Exchanger Corporation	6100 Old Montgomery Highway, Tuscaloosa, AL.	9/6/2017	The firm manufactures power boilers and heat exchangers.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance for Firms Division, Room 71030, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. These petitions are received pursuant to section 251 of the Trade Act 1974, as amended.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Irette Patterson

Program Analyst.

[FR Doc. 2017–19661 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–WH–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S–139–2017]

Foreign-Trade Zone 168—Dallas/Fort Worth, Texas, Area; Application for Subzone; Gulfstream Aerospace Corporation; Dallas, Texas

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Metroplex International Trade Development Corporation, grantee of FTZ 168, requesting subzone status for the facilities of Gulfstream Aerospace Corporation located in Dallas, Texas. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on September 12, 2017.

The proposed subzone would consist of one site (two parcels, 20.221 acres total) located at Dallas Love Field Airport in Dallas: (1) Dallas Love Field South, 7440 Aviation Place and 7458 Cedar Springs Road; and, (2) Dallas Love Field North, 8405, 8411 and 8555 Lemmon Avenue. The proposed subzone would be subject to the existing activation limit of FTZ 168. Production authority for Gulfstream's activity was approved on July 5, 2016 (81 FR 46642–46643, July 18, 2016).

In accordance with the FTZ Board's regulations, Camille Evans of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is October 25, 2017. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to November 9, 2017.

A copy of the application 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 FTZ Board's Web site, which is accessible via *www.trade.gov/ftz.*

For further information, contact Camille Evans at *Camille.Evans@trade.gov* or (202) 482–2350.

Dated: September 12, 2017.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2017–19639 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–560–829]

Certain Uncoated Paper From Indonesia: Rescission, in Part, of Countervailing Duty Administrative Review; 2015–2017

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

SUMMARY: On May 9, 2017, the Department of Commerce (the Department) initiated an administrative review of the countervailing duty (CVD) order on certain uncoated paper (uncoated paper) from Indonesia for two companies for the period June 29, 2015, through December 31, 2016. Based on a timely withdrawal of a request for review, we are now rescinding this administrative review with respect to one company, PT. Indah Kiat Pulp and Paper Tbk, PT. Pabrik Kertas Tjiwi Kimia Tbk, and Pindo Deli Pulp and Paper Mills (PD) (collectively, APP).

DATES: Applicable September 15, 2017.

FOR FURTHER INFORMATION CONTACT: David Goldberger or William Miller, 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) 482–4136 or (202) 482–3906, respectively.

Background

On March 6, 2017, the Department published a notice of opportunity to request an administrative review of the CVD order on uncoated paper from Indonesia.[1] On March 31, 2017, the Department received timely requests to conduct an administrative review of two companies: (1) APP; and (2) PT Anugerah Kertas Utama, PT Riau Andalan Kertas, and APRIL Fine Paper Macao Offshore Limited (collectively, APRIL).[2] Based upon these requests, on May 9, 2017, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), the Department published a notice of initiation of an administrative review covering the period of June 29, 2015, through December 31, 2016, with respect to two companies.[3] On June 26, 2017, APP withdrew its request for an administrative review.

Partial Rescission

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. APP timely withdrew its request for an administrative review of itself and no other party requested a review of this company. Accordingly, we are rescinding this review with respect to APP, in accordance with 19 CFR 351.213(d)(1).

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For APP, the company for which this review is rescinded, countervailing duties shall be assessed at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751 and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: September 8, 2017.

James Maeder,

Senior Director Performing the Duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2017–19636 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation: Opportunity to Request Administrative Review,* 82 FR 12551 (March 6, 2017).

[2] *See* Letter from APP, ''Certain Uncoated Paper from Indonesia: Request for Administrative Reviews,'' dated March 31, 2017; and Letter from APRIL, ''Uncoated Paper from Indonesia,'' dated March 31, 2017.

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 82 FR 21513 (May 9, 2017), as corrected by *Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 82 FR 26444, 26445, 26451 (June 7, 2017).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–983]

Drawn Stainless Steel Sinks From the People's Republic of China: Partial Rescission of Antidumping Duty Administrative Review; 2016–2017

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

SUMMARY: The Department of Commerce (the Department) is partially rescinding its administrative review of the antidumping duty order on drawn stainless steel sinks from the People's Republic of China (PRC) for the period of review (POR) April 1, 2016, through March 31, 2017.

DATES: Applicable September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Rebecca Janz, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2972.

SUPPLEMENTARY INFORMATION:

Background

On April 3, 2017, the Department published in the **Federal Register** a notice of ''Opportunity to Request Administrative Review'' of the antidumping duty order on drawn stainless steel sinks from the PRC for the POR (AD order).[1]

In April 2017, the Department received multiple timely requests to conduct an administrative review of the antidumping duty order on drawn stainless steel sinks from the PRC.

On June 7, 2017, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), the Department published in the **Federal Register** a notice of initiation of an administrative review of the AD order.[2] The administrative review was initiated with respect to 31 companies, and covers the

[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review,* 82 FR 16163 (April 3, 2017).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 82 FR 26444 (June 7, 2017) (*Initiation Notice*).

period April 1, 2016, through March 31, 2017. Subsequent to the initiation of the administrative review, the requesting parties timely withdrew their review requests for 19 of these companies, as discussed below.

Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if a party that requested a review withdraws its request within 90 days of the date of publication of notice of initiation of the requested review. All requesting parties withdrew their respective requests for an administrative review of the following companies within 90 days of the date of publication of the *Initiation Notice:*[3] Elkay (China) Kitchen Solutions, Co., Ltd.; Foshan Shunde MingHao Kitchen Utensils Co., Ltd.; Franke Asia Sourcing Ltd.; Grand Hill Work Company; Guandong Dongyuan Kitchenware Industrial Co., Ltd.; Guangdong G-Top Import & Export Co., Ltd.; Guandong Yingao Kitchen Utensils Co., Ltd.; Hangzhou Heng's Industries Co., Ltd.; Hubei Foshan Success Imp & Exp Co. Ltd.; J&C Industries Enterprise Limited; Jiangmen Pioneer Import & Export Co., Ltd.; Jiangxi Zoje Kitchen & Bath Industry Co., Ltd.; Ningbo Oulin Kitchen Utensils Co., Ltd.; Primy Cooperation Limited; Shenzhen Kehuaxing Industrial Ltd.; Shunde Foodstuffs Import & Export Company Limited of Guangdong; Shunde Native Produce Import and Export Co., Ltd. of Guangdong; Zhongshan Newecan Enterprise Development Corporation; and Zhongshan Silk Imp. & Exp. Group Co., Ltd. of Guangdong. Accordingly, the Department is rescinding this review, in part, with respect to these companies, in accordance with 19 CFR 353.213(d)(1).[4]

The instant review will continue with respect to the following companies: B&R Industries Limited; Feidong Import and Export Co., Ltd.; Foshan Zhaoshun Trade Co., Ltd.; Guangdong New Shichu Import & Export Company Limited; Jiangmen Hongmao Trading Co., Ltd.; Jiangmen New Star Hi-Tech Enterprise Ltd.; KaiPing Dawn Plumbing Products, Inc.; Ningbo Afa Kitchen and Bath Co., Ltd.; Jiangmen Xinhe Stainless Steel Products Co., Ltd.; Yuyao Afa Kitchenware Co., Ltd.; Zhongshan Superte Kitchenware Co., Ltd./ Zhongshan Superte Kitchenware Co., Ltd. invoiced as Foshan Zhaoshun Trade Co., Ltd; and Zhuhai Kohler Kitchen & Bathroom Products Co., Ltd.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For the companies for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after the date of publication of this notice in the **Federal Register**.

Notification to Importers

This notice serves as the only reminder to importers whose entries will be liquidated as a result of this rescission notice, of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement may result in the presumption that reimbursement of antidumping duties and/or countervailing 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 of the Act and 19 CFR 351.213(d)(4).

Dated: September 12, 2017.

James Maeder,

Senior Director performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2017–19640 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–DS–P

[3] *See* Letter to the Department, ''Drawn Stainless Steel Sinks from the People's Republic of China: *Withdraw Request for Annual Administrative Review,*'' dated June 29, 2017; *see also* Letter to the Department, ''Drawn Stainless Steel Sinks from the People's Republic of China: Notice of Partial Withdrawal of Request for Administrative Review,'' dated July 3, 2017.

[4] As stated in *Change in Practice in NME Reviews,* the Department will no longer consider the non-market economy entity as an exporter conditionally subject to administrative reviews. *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 (November 3, 2013).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–827]

Certain Cased Pencils From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Rescission of Review, in Part; 2015–2016

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of certain cased pencils (pencils) from the People's Republic of China (PRC) for the period of review (POR) December 1, 2015, through November 30, 2016. We preliminarily determine that Tianjin Tonghe Stationery Industrial Co. Ltd. (Tianjin Tonghe) and the mandatory respondent, Ningbo Homey Union Co., Ltd. (Ningbo Homey), are not eligible for separate rates and, therefore, remain part of the PRC-wide entity. We also preliminarily determine that the entity comprised of Wah Yuen Stationery Co. Ltd. (Wah Yuen) and Shandong Wah Yuen Stationery Co. Ltd. (Shandong Wah Yuen) (collectively, the Wah Yuen entity) had no shipments during the POR. Finally, we are rescinding the review with respect to Orient International Holding Shanghai Foreign Trade Co., Ltd. (Orient), and Shandong Rongxin Import & Export Co., Ltd. (Rongxin). If these preliminary results are adopted in the final results, the Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping (AD) duties on all appropriate entries of subject merchandise. Interested parties are invited to comment on these preliminary results.

DATES: Applicable September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Sergio Balbontin or Denisa Ursu, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington,

DC 20230; telephone: (202) 482–6478 or (202) 482–2285, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published the notice of initiation of this administrative review on February 13, 2017.[1] On March 10, 2017, Wah Yuen submitted a separate rate certification and on March 15, 2017, Ningbo Homey submitted a separate rate application.[2] On March 17, 2017, Orient withdrew its request for an administrative review.[3] On March 30, 2017, we selected Ningbo Homey as the mandatory respondent in this review.[4] On April 3, 2017, we issued Ningbo Homey the AD questionnaire,[5] however, Ningbo Homey did not respond. On April 5, 2017, the petitioner withdrew its request for an administrative review of Rongxin.[6] On May 22, 2017, and July 13, 2017, Wah Yuen submitted supplemental separate rate information.[7]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[8] A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice.

The Preliminary Decision Memorandum is a public document and is on file electronically via the Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov* and in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Scope of the Order

The merchandise subject to the order includes certain cased pencils from the PRC. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 9609.1010. Although the HTSUS subheading is provided for convenience and customs purposes, the written product description is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum.

Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, ''in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review.'' The requests for review of Orient and Rongxin were withdrawn within the 90-day limit. Because we received no other requests for review of these companies, we are rescinding the administrative review of Orient and Rongxin.

Preliminary Determination of No Shipments

Based on an analysis of CBP information[9] and Wah Yuen's Separate Rate Addendum, the Department preliminarily determines that the Wah Yuen entity[10] had no shipments during the POR. For additional information regarding this determination, *see* the Preliminary Decision Memorandum.

Consistent with our practice in non-market economy (NME) cases, we are not rescinding this review, in part, but we intend to complete the review with respect to the Wah Yuen entity, and issue appropriate instructions to CBP based on the final results of the review.[11]

Methodology

The Department is conducting this review in accordance with sections 751(a)(1)(B) and 751(a)(2)(A) of the Tariff Act of 1930, as amended (the Act). Tianjin Tonghe did not submit a separate rate application and, therefore has not demonstrated its eligibility for a separate rate. Accordingly, we are preliminarily treating Tianjin Tonghe as part of the PRC-wide entity.[12] In addition, because Ningbo Homey did not respond to our AD questionnaire, we preliminarily determine that Ningbo Homey has also not demonstrated its eligibility for a separate rate and we are therefore preliminarily treating Ningbo Homey as part of the PRC-wide entity.

The Department's policy regarding conditional review of the PRC-wide entity applies to this administrative review.[13] Under this policy, the PRC-wide entity will not be under review unless a party specifically requests, or the Department self-initiates, a review of the entity. Because no party requested a review of the PRC-wide entity in this

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 82 FR 10457 (February 13, 2017) (*Initiation Notice*).

[2] See Letter from Wah Yuen, ''Certain Cased Pencils from the People's Republic of China: Wah Yuen Stationery Co. Ltd.—Separate Rate Certification,'' dated March 10, 2017, and Letter from Ningbo Homey, ''Cased Pencils from the People's Republic of China: Separate Rate Application of Ningbo Homey Union Co., Ltd.,'' dated March 15, 2017.

[3] *See* Letter from Orient, ''Orient International Holding Shanghai Foreign Trade Co., Ltd.'s Withdrawal of Request for Review: Administrative Review of the Antidumping Order on Cased Pencils from the People's Republic of China,'' dated March 17, 2017.

[4] *See* Memorandum from Sergio Balbontin, ''Antidumping Duty Administrative Review: Certain Cased Pencils from the People's Republic of China, Respondent Selection'' dated March 30, 2017.

[5] *See* Letter from the Department, ''Request for Information,'' dated April 3, 2017.

[6] *See* Letter from the Dixon Ticonderoga Company (the petitioner), ''Certain Cased Pencils from the People's Republic of China: Partial Withdrawal of Request for Administrative Review,'' dated April 5, 2017.

[7] *See* Letters from Wah Yuen, ''Certain Cased Pencils from the People's Republic of China: Wah Yuen Stationery Co. Ltd.—Separate Rate Certification—Supplemental Response,'' submitted May 22, 2017, but erroneously dated March 10, 2017; and ''Certain Cased Pencils from the People's Republic of China: Wah Yuen Stationery Co. Ltd.—Separate Rate Certification—2nd Supplemental Response,'' dated July 13, 2017 (Separate Rate Addendum).

[8] *See* Memorandum from James Maeder, Senior Director performing the duties of the Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to 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, ''Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Partial Rescission: Certain Cased Pencils from the People's Republic of China; 2014–2015,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[9] *See* Memorandum, ''Release of Customs and Border Protection Data,'' dated February 13, 2017, and No shipments inquiry for Certain Cased Pencils from the People's Republic of China exported by Wah Yuen Stationery Co. Ltd. (A–570–827), Message 7195303 (July 14, 2017).

[10] The Department previously determined that Wah Yuen and Shandong Wah Yuen are affiliated and should be treated as a single entity, pursuant to section 771(33) of the Act and 19 CFR 351.401(f). *See Certain Cased Pencils from the People's Republic of China: Preliminary Results of Antidumping Duty New Shipper Review; 2014–2015,* 81 FR 37573 (June 10, 2016), and accompanying Preliminary Decision Memo at 9; *unchanged in Certain Cased Pencils from the People's Republic of China: Final Results of Antidumping Duty New Shipper Review; 2014–2015,* 81 FR 74764 (October 27, 2016). In the absence of evidence indicating that the Department should reexamine its determination to collapse these two companies, we are continuing to treat Wah Yuen and Shandong Wah Yuen as a single entity for purposes of this administrative review.

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

[12] Although Wah Yuen reported that it is affiliated with Tianjin Tonghe, it also stated that it was not requesting a separate rate for Tianjin Tonghe. *See* Separate Rate Addendum at 10.

[13] *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, 65970 (November 4, 2013).

review, the entity is not under review and the entity's current rate, *i.e.,* 114.90 percent,[14] is not subject to change.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Disclosure

Normally, the Department will disclose the calculations used in its analysis to parties in this review within five days of the date of publication of the notice of preliminary results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, in this case, there are no calculations on this record to disclose.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the publication of these preliminary result, unless the Secretary alters the time limit. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[15] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this review are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

The Department intends to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act, unless the deadline is extended.

Assessment Rates

Upon issuance of the final results, the Department will determine, and CBP shall assess, AD duties on all appropriate entries covered by this review.[16] The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. If the Department continues to find Ningbo Homey and Tianjin Tonghe as part of the PRC-wide entity in the final results, the Department will instruct CBP to liquidate POR entries of subject merchandise from these companies at the PRC-wide rate of 114.90 percent. Moreover, if the Department continues to make a no-shipment finding for Wah Yuen in the final results, any suspended entries of subject merchandise from Wah Yuen will also be liquidated at the PRC-wide rate.[17] Finally, with respect to entries from Orient and Rongxin, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative 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 any companies listed above that have a separate rate, the cash deposit rate will be that established in the final results of review (except, if the rate is zero or *de minimis,* then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; 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.

Notification to Importers

This notice also serves as a preliminary 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 AD duties occurred and the subsequent assessment of double AD duties.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: August 31, 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

List of Topics Discussed in the Preliminary Decision Memorandum

[FR Doc. 2017–19049 Filed 9–14–17; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–057]

Certain Tool Chests and Cabinets From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination

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

[14] *See Certain Cased Pencils from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission; 2014–2015,* 81 FR 83201 (November 21, 2016), unchanged in *Certain Cased Pencils from the People's Republic of China: Final Results of Antidumping Duty Administrative Review 2014–2015,* 82 FR 24675 (May 30, 2017), and accompanying Issues and Decision Memorandum.

[15] *See* 19 CFR 351.309; *see also* 19 CFR 351.303 (for general filing requirements).

[16] *See* 19 CFR 351.212(b).

[17] *See Assessment Notice.*

SUMMARY: The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain tool chests and cabinets (tool chests) from the People's Republic of China (PRC). The period of investigation is January 1, 2016, through December 31, 2016.

DATES: Applicable September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Thomas Schauer, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone (202) 482–3477 or (202) 482–0410, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). The Department published the notice of initiation of this investigation on May 9, 2017.[1] On June 12, 2017, the Department postponed the preliminary determination of this investigation and the revised deadline is now September 8, 2017.[2] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[3] A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary 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 *http://access.trade.gov,* and is 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 Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The products covered by this investigation are tool chests from the PRC. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the preamble to the Department's regulations,[4] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage, (*i.e.,* scope).[5] Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* For a summary of the product coverage comments and rebuttal responses submitted to the record for this preliminary determination, and accompanying discussion and analysis of all comments timely received, *see* the Preliminary Scope Decision Memorandum.[6] The Department is preliminarily modifying the scope language as it appeared in the *Initiation Notice. See* revised scope in Appendix I.

Methodology

The Department is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, the Department preliminarily determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[7]

The Department notes that, in making these findings, it relied, in part, on facts available and, because it finds that one or more respondents did not act to the best of their ability to respond to the Department's requests for information, it drew an adverse inference where appropriate in selecting from among the facts otherwise available.[8] For further information, *see* ''Use of Facts Otherwise Available and Adverse Inferences'' in the Preliminary Decision Memorandum.

All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, the Department shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act.

In this investigation, the Department calculated individual estimated countervailable subsidy rates for Jiangsu Tongrun Equipment Technology Co., Ltd. (Tongrun) and Zhongshan Geelong Manufacturing Co., Ltd. (Geelong) that are not zero, *de minimis,* or based entirely on facts otherwise available. The Department calculated the all-others' rate using a weighted average of the individual estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged values for the merchandise under consideration.[9]

Preliminary Determination

The Department preliminarily determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent)
Jiangsu Tongrun Equipment Technology Co., Ltd	17.32
Zhongshan Geelong Manufacturing Co., Ltd	32.07

[1] *See Certain Tool Chests and Cabinets From the People's Republic of China: Initiation of Countervailing Duty Investigation,* 82 FR 21516 (May 9, 2017) (*Initiation Notice*).

[2] *See Certain Tool Chests and Cabinets From the People's Republic of China: Postponement of Preliminary Determination of Countervailing Duty Investigation,* 82 FR 31045 (July 5, 2017).

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination: Countervailing Duty Investigation of Certain Tool Chests and Cabinets From the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[5] *See Initiation Notice,* 82 FR at 21517.

[6] *See* Memorandum, ''Certain Tool Chests and Cabinets From the People's Republic of China: Scope Comments Decision Memorandum for the Preliminary Determination,'' dated concurrently with this notice (Preliminary Scope Decision Memorandum).

[7] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[8] *See* sections 776(a) and (b) of the Act.

[9] With two respondents under examination, the Department normally calculates (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged U.S. sale quantities for the merchandise under consideration. The Department then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53663 (September 1, 2010). As complete publicly ranged sales data was available, the Department based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, please *see* the All-Others' Rate Calculation Memorandum.

Company	Subsidy rate (percent)
Allround Hardware Co., Ltd	112.99
Beijing Kang Jie Kong International Cargo Agent Co., Ltd	112.99
Changshu Zhongcheng Tool Box Co., Ltd	27.13
Changzhou City Hongfei Metalwork Corporation	112.99
Changzhou Machan Steel Furniture Co., Ltd	27.13
China National Electronics Import and Export Ningbo Co	112.99
Foshan Lishida Metal Products Co., Ltd	112.99
Gem-Year Industrial Co., Ltd	112.99
Guangdong Hisense Home Appliances Co., Ltd	27.13
Guerjie Enterprise Co., Ltd	112.99
Haiyan Dingfeng Fasteners Ltd	112.99
Hangzhou Xiaoshan Import and Export Trading Co., Ltd	112.99
Hyxion Metal Industry	27.13
Jiaxing Pinyou Import & Export Co., Ltd	112.99
Jin Rong Hua Le Metal Manufactures Co., Ltd	27.13
Jinhua JG Tools Manufacturing Co	27.13
Jinhua Yahu Tools Co., Ltd	27.13
Keesung Manufacturing Co., Ltd	27.13
Kingstar Tools Co., Ltd	112.99
Liyang Flying Industry Co., Ltd	112.99
Meridian International Co., Ltd	27.13
Ningbo Better Design Industry Co., Ltd	112.99
Ningbo Hualei Tool Co., Ltd	112.99
Ningbo Jiufeng Electronic Tool	112.99
Ningbo Safewell International Holding Corp	27.13
Ningbo Xiunan International Co., Ltd	112.99
Pinghu Chenda Storage Office Equipment Co., Ltd	27.13
Pooke Technology Co., Ltd	27.13
Shanghai All-Fast International Trade Co., Ltd	27.13
Shanghai All-Hop Industry Co., Ltd	27.13
Shanghai Delta International Trading	112.99
Shanghai Fairlong International Trading Co., Ltd	112.99
Shanghai ITPC Hardware Co., Ltd	27.13
Shanghai Legsteel Metal Products Co., Ltd	112.99
Shanghai Tung Hsing Technology Inc	112.99
Shining Golden Yida Welding & Cutting Machinery Manufacture Ltd	112.99
Suzhou Aomeijia Metallic Products Co., Ltd	112.99
Suzhou Goldenline Machinery Co., Ltd	112.99
Suzhou Xindadi Hardware Co., Ltd	27.13
Taixing Hutchin Mfg. Co., Ltd	27.13
Tong Ming Enterprise (Jiaxing) Co., Ltd	112.99
Trantex Product (Zhong Shan) Co., Ltd	27.13
Wuyi Yunlin Steel Products Co., Ltd	112.99
Yangzhou Huayu Pipe Fitting Co., Ltd	112.99
Yangzhou Triple Harvest Power Tools Limited	27.13
Zhangjiagang Houfeng Machinery Co., Ltd	112.99
Zhejiang KC Mechanical & Electrical	112.99
Zhejiang Zhenglian Corp	112.99
Zhuhai Shichang Metals Ltd	112.99
All-Others	27.13

Suspension of Liquidation[10]

In accordance with section 703(d)(1)(B) and (d)(2) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the rates indicated above.

Disclosure

The Department intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i)(1) of the Act, the Department intends to verify the information relied upon in making its final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after

[10] As discussed in the Preliminary Decision Memorandum, the Department has found the following companies to be cross-owned with Jiangsu Tongrun Equipment Technology Co., Ltd.: Changshu Jack Factory, Changshu Tongrun Taron Import and Export Co., Ltd., (also known as Changshu Tongrun Equipment Co., Ltd.), Changshu Tongrun Mechanical & Electrical Equipment Manufacture Co., Ltd., Changshu Taron Machinery Equipment Manufacturing Co., Ltd., and Changshu General Electrical Factory Co., Ltd.

the deadline date for case briefs.[11] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

International Trade Commission Notification

In accordance with section 703(f) of the Act, the Department will notify the International Trade Commission (ITC) of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination.

Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act and 19 CFR 351.205(c).

Dated: September 8, 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

Scope of the Investigation

The scope of this investigation covers certain metal tool chests and tool cabinets, with drawers, (tool chests and cabinets), from the People's Republic of China (the PRC) and the Socialist Republic of Vietnam (Vietnam). The scope covers all metal tool chests and cabinets, including top chests, intermediate chests, tool cabinets and side cabinets, storage units, mobile work benches, and work stations and that have the following physical characteristics:

(1) A body made of carbon, alloy, or stainless steel and/or other metals;

(2) two or more drawers for storage in each individual unit;

(3) a width (side to side) exceeding 15 inches for side cabinets and exceeding 21 inches for all other individual units but not exceeding 60 inches;

(4) a body depth (front to back) exceeding 10 inches but not exceeding 24 inches; and

(5) prepackaged for retail sale.

For purposes of this scope, the width parameter applies to each individual unit, *i.e.,* each individual top chest, intermediate top chest, tool cabinet, side cabinet, storage unit, mobile work bench, and work station.

Prepackaged for retail sale means the units may, for example, be packaged in a cardboard box, other type of container or packaging, and may bear a Universal Product Code, along with photographs, pictures, images, features, artwork, and/or product specifications. Subject tool chests and cabinets are covered whether imported in assembled or unassembled form. Subject merchandise includes tool chests and cabinets produced in the PRC or Vietnam but assembled, prepackaged for retail sale, or subject to other minor processing in a third country prior to importation into the United States. Similarly, it would include tool chests and cabinets produced in the PRC or Vietnam that are later found to be assembled, prepackaged for retail sale, or subject to other minor processing after importation into the United States.

Subject tool chests and cabinets may also have doors and shelves in addition to drawers, may have handles (typically mounted on the sides), and may have a work surface on the top. Subject tool chests and cabinets may be uncoated (*e.g.,* stainless steel), painted, powder coated, galvanized, or otherwise coated for corrosion protection or aesthetic appearance.

Subject tool chests and cabinets may be packaged as individual units or in sets. When packaged in sets, they typically include a cabinet with one or more chests that stack on top of the cabinet. Tool cabinets act as a base tool storage unit and typically have rollers, casters, or wheels to permit them to be moved more easily when loaded with tools. Work stations and mobile work benches are tool cabinets with a work surface on the top that may be made of rubber, plastic, metal, wood, or other materials.

Top chests are designed to be used with a tool cabinet to form a tool storage unit. The top chests may be mounted on top of the base tool cabinet or onto an intermediate chest. They are often packaged as a set with tool cabinets or intermediate chests, but may also be packaged separately. They may be packaged with mounting hardware (*e.g.,* bolts) and instructions for assembling them onto the base tool cabinet or onto an intermediate tool chest which rests on the base tool cabinet. Smaller top chests typically have handles on the sides, while the larger top chests typically lack handles. Intermediate tool chests are designed to fit on top of the floor standing tool cabinet and to be used underneath the top tool chest. Although they may be packaged or used separately from the tool cabinet, intermediate chests are designed to be used in conjunction with tool cabinets. The intermediate chests typically do not have handles. The intermediate and top chests may have the capability of being bolted together.

Side cabinets are designed to be bolted or otherwise attached to the side of the base storage cabinet to expand the storage capacity of the base tool cabinet.

Subject tool chests and cabinets also may be packaged with a tool set included. Packaging a subject tool chest and cabinet with a tool set does not remove an otherwise covered subject tool chest and cabinet from the scope. When this occurs, the tools are not part of the subject merchandise.

All tool chests and cabinets that meet the above definition are included in the scope unless otherwise specifically excluded.

Excluded from the scope of the investigation are tool boxes, chests, and cabinets with bodies made of plastic, carbon fiber, wood, or other non-metallic substances.

Also excluded from the scope of the investigation are industrial grade steel tool chests and cabinets. The excluded industrial grade steel tool chests and cabinets are those:

(1) Having a body that is over 60 inches in width; or

(2) having each of the following physical characteristics:

(a) A body made of steel that is 0.047 inches or more in thickness;

(b) a body depth (front to back) exceeding 21 inches; and

(c) a unit weight that exceeds the maximum unit weight shown below for each width range:

Inches	Maximum pounds
Weight to width ratio tool chests	
21 > ≤ 25	90
25 > ≤ 28	115
28 > ≤ 30	120
30 > ≤ 32	130
32 > ≤ 34	140
34 > ≤ 36	150
36 > ≤ 38	160
38 > ≤ 40	170
40 > ≤ 42	180
42 > ≤ 44	190
44 > ≤ 46	200
46 > ≤ 48	210
48 > ≤ 50	220
50 > ≤ 52	230
52 > ≤ 54	240
54 > ≤ 56	250
56 > ≤ 58	260
58 > ≤ 60	270
Weight to width ratio tool cabinets	
21 > ≤ 25	155
25 > ≤ 28	170
28 > ≤ 30	185
30 > ≤ 32	200
32 > ≤ 34	215
34 > ≤ 36	230
36 > ≤ 38	245

[11] *See* 19 CFR 351.309; *see also* 19 CFR 351.303 (for general filing requirements).

Inches	Maximum pounds
38 > ≤ 40	260
40 > ≤ 42	280
42 > ≤ 44	290
44 > ≤ 46	300
46 > ≤ 48	310
48 > ≤ 50	320
50 > ≤ 52	330
52 > ≤ 54	340
54 > ≤ 56	350
56 > ≤ 58	360
58 > ≤ 60	370

Also excluded from the scope of the investigation are service carts. The excluded service carts have all of the following characteristics:

(1) Casters, wheels, or other similar devices which allow the service cart to be rolled from place to place;

(2) A flat top or flat lid on top of the unit that opens;

(3) a space or gap between the casters, wheels, or other similar devices, and the bottom of the enclosed storage space (*e.g.,* drawers) of at least 10 inches; and

(4) a total unit height, including casters, of less than 48 inches.

Also excluded from the scope of the investigation are non-mobile work benches. The excluded non-mobile work benches have all of the following characteristics:

(1) a solid top working surface;

(2) no drawers, one drawer, or two drawers in a side-by-side configuration; and

(3) the unit is supported by legs and has no solid front, side, or back panels enclosing the body of the unit.

Also excluded from the scope of the investigation are metal filing cabinets that are configured to hold hanging file folders and are classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 9403.10.0020.

Merchandise subject to the investigation is classified under HTSUS categories 9403.20.0021, 9403.20.0026, 9403.20.0030 and 7326.90.8688, but may also be classified under HTSUS category 7326.90.3500. While HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

[FR Doc. 2017–19633 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

National Institute of Standards and Technology Performance Review Board Membership

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

ACTION: Notice.

SUMMARY: This notice lists the membership of the National Institute of Standards and Technology Performance Review Board (NIST PRB) and supersedes the list published on September 8, 2016.

DATES: The changes to the NIST PRB membership list announced in this notice are effective September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Didi Hanlein at the National Institute of Standards and Technology, (301) 975–3020 or by email at *desiree.hanlein@nist.gov.*

SUPPLEMENTARY INFORMATION: The National Institute of Standards and Technology Performance Review Board (NIST PRB or Board) reviews performance appraisals, agreements, and recommended actions pertaining to employees in the Senior Executive Service and ST–3104 employees. The Board makes recommendations to the appropriate appointing authority concerning such matters so as to ensure the fair and equitable treatment of these individuals.

This notice lists the membership of the NIST PRB and supersedes the list published in the **Federal Register** on September 8, 2016 (81 FR 62099).

NIST PRB Members

Jennifer Ayers (C), Director, Office of the Secretary Financial Management, Department of Commerce, Washington, DC 20230, Appointment Expires: 12/31/18

Dina Beaumont (NC), Senior Advisor for Trade Initiatives Implementation, International Trade Administration, Washington, DC 20230, Appointment Expires: 12/31/19

Joannie Chin (C) (alternate), Deputy Director, Engineering Laboratory, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/19

Robert Fangmeyer (C) (alternate), Director, Baldrige Performance Excellence Program, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/18

Howard Harary (C), Director, Engineering Laboratory, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/18

James St. Pierre (C) (alternate), Deputy Director, Information Technology Laboratory, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/18

Carroll Thomas (C), Director, Hollings Manufacturing Extension Partnership Program, National Institute of Standards & Technology, Gaithersburg, MD 20899, Appointment Expires: 12/31/19

Kevin Kimball,

NIST Chief of Staff.

[FR Doc. 2017–19599 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0649–XF688

Gulf of Mexico Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will hold a four-day meeting to consider actions affecting the Gulf of Mexico fisheries in the exclusive economic zone (EEZ).

DATES: The meeting will be held on Monday, October 2 through Thursday, October 5, 2017.

ADDRESSES: The meeting will take place at the Beau Rivage Resort, located at 875 Beach Boulevard, Biloxi, MS 39530; telephone: (228) 386–7111.

Council address: Gulf of Mexico Fishery Management Council, 2203 N. Lois Avenue, Suite 1100, Tampa, FL 33607; telephone: (813) 348–1630.

FOR FURTHER INFORMATION CONTACT: Douglas Gregory, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348–1630.

SUPPLEMENTARY INFORMATION:

Agenda

Monday, October 2, 2017; 8:30 a.m.–5:30 p.m.

The Gulf SEDAR Management Committee will review the SEDAR Steering Committee Summary and the SEDAR schedule. The Spiny Lobster Management Committee will review a draft Options Paper of Spiny Lobster Amendment 13. The Joint Coral/Habitat Protection & Restoration Management Committee will review a summary of the Southeast Deep-Sea Coral Initiative and review a Public Hearing draft of Coral Amendment 9. The Sustainable Fisheries Management Committee will review Options Paper—Draft Modifications to the Sea Turtle Release Protocol and Gear for the Reef Fish Fishery and review Options Paper—Framework Action to Require either Descending Devices or Venting Tools on board Vessels Possessing Reef Fish. The Committee will have a discussion on Dead Zone Regarding the RESTORE Act Activities and receive a presentation on Proposed Lionfish Gear and Modification to the List of Allowable Gears. At 4:15 p.m. a CLOSED SESSION of the Full Council will convene to discuss appointments to the Ad Hoc Red Snapper and Grouper-Tilefish Advisory Panel.

Tuesday, October 3, 2017; 8:30 a.m.–5:30 p.m.

The Reef Fish Management Committee will take final action on Framework Action—Greater Amberjack Fishing Year and Recreational Closed Season. The Committee will review draft Amendment 41—Allocation-based Management for Federally Permitted Charter Vessels and Final Action on Referendum Eligibility Requirements; review draft Amendment 42—Reef Fish Management for Headboat Survey Vessels and Final Action Referendum Eligibility Requirements; and, review draft papers for State Management of Recreational Red Snapper. The Committee will discuss the joint SAFMC/GMFMC Management of Yellowtail Snapper. The Reef Fish Management Committee will receive NMFS response regarding referendum requirements for auctions; and discuss for-hire Reef Fish Permit transfers. The Committee will review Grouper-Tilefish IFQ Program 5-Year Review Surveys.

Wednesday, October 4, 2017; 8:30 a.m.–5 p.m.

The Full Council will convene with Call to Order, Announcements, and Introductions; Adoption of Agenda and Approval of Minutes; Induction of New Council Members; Announcement of 2016 Law Enforcement Officer of the Year Award; and review of Exempted Fishing Permit (EFPs) Applications, if any. The Council will receive a presentation from Mississippi Law Enforcement and a presentation on Gulf of Mexico Annual Catch Limits Landings. After lunch the Council will receive public testimony from 12:30 p.m. until 5 p.m. on Agenda Testimony items: Final Action on Framework Action: Greater Amberjack Fishing Year and Recreational Closed Season, Final Action on Referendum Eligibility Requirements for Reef Fish Amendment 41, Final Action on Referendum Eligibility Requirements for Reef Fish Amendment 42; and, hold an open public testimony period regarding any other fishery issues or concern. Anyone wishing to speak during public comment should sign in at the registration station located at the entrance to the meeting room.

Thursday, October 5, 2017; 8:30 a.m.–5 p.m.

Full Council will receive committee reports from Gulf SEDAR, Spiny Lobster, Sustainable Fisheries, Joint Coral/Habitat Protection & Restoration Management Committees, and Reef Fish; and, vote on Exempted Fishing Permit (EFP) applications, if any. The Council will receive updates from the following supporting agencies: South Atlantic Fishery Management Council; Gulf States Marine Fisheries Commission; U.S. Coast Guard; U.S. Fish and Wildlife Service; and, the Department of State. The Council will conduct the election of Chair and Vice-Chair.

Lastly, the Council will discuss any Other Business items.

Meeting Adjourns

The timing and order in which agenda items are addressed may change as required to effectively address the issue. The latest version will be posted on the Council's file server, which can be accessed by going to the Council's Web site at *http://www.gulfcouncil.org* and clicking on FTP Server under Quick Links. For meeting materials, go to the Gulf Council Web site or Gulf Council file server and select the ''Briefing Books/Briefing Book 2017–10'' folder. The username and password are both ''gulfguest''. The meetings will be webcast over the internet. A link to the webcast is available here, *https://register.gotowebinar.com/register/7940774515962140419.*

Although other non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subjects of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided that the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kathy Pereira (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: September 12, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–19644 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF689

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Habitat Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Wednesday, October 4, 2017 at 9 a.m.

ADDRESSES: The meeting will be held at the Fairfield Inn and Suites, 185 MacArthur Drive, New Bedford, MA 02740; phone: (774) 634–2000.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Habitat Committee will be briefed on offshore wind projects in various

stages of planning and development. This agenda item will include presentations from various companies as well as BOEM staff, and time for questions and discussion. The committee plans to discuss 2018 Council priorities related to habitat and recommend specific priorities to the Council. They will also review recent Plan Development Team (PDT) activity related to the Deep-Sea Coral Amendment, with a focus on development and analysis of broad zone Option 7 as discussed at the June 2017 Council meeting. Provide guidance for additional work. The committee will review recent PDT activity related to the Clam Dredge Framework. Provide guidance for development of management alternatives using updated habitat and clam survey data. They also plan to discuss if there are any habitat-related fishery regulations that could be eliminated, improved, or streamlined. Several recent Executive Orders have been issued about streamlining current regulations, and NOAA is seeking public input on the efficiency and effectiveness of current regulations and whether they can be improved. Other business may be discussed as necessary.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at 978–465–0492, at least 5 days prior to the meeting date. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

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

Dated: September 12, 2017.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2017–19645 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Agency Information Collection Activities; Proposed Information Collection; Comment Request; State and Local Implementation Grant Program 2.0 Reporting Requirements

AGENCY: National Telecommunications and Information Administration.

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 the proposed information collection, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before November 14, 2017.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, (202) 482–0336, Department of Commerce, Room 6612, 1401 Constitution Avenue NW., Washington, DC 20230 (or via email at *PRAcomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instruments and instructions should be sent to Michael Dame, Program Director, State and Local Implementation Grant Program, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Room 4078, Washington, DC 20230 (or via email at *mdame@ntia.doc.gov*).

SUPPLEMENTARY INFORMATION:

I. Abstract

In February 2012, the Middle Class Tax Relief and Job Creation Act of 2012 (Act) was enacted.[1] The Act meets a long-standing national priority and infrastructure need to create a single, interoperable, nationwide public safety broadband network (NPSBN) that allows law enforcement officers, fire fighters, emergency medical service professionals, and other public safety officials to effectively communicate with each other across agencies and jurisdictions. Public safety responders have long been hindered in their ability to respond in a crisis situation because of incompatible communications networks and often outdated communications equipment. Therefore, the design and deployment of this NPSBN established by the Act is critical to provide emergency responders the ability to communicate on a secure, reliable, and dedicated interoperable network during emergencies and to use technology to improve response time, keep communities safe, and save lives.

The Act established the First Responder Network Authority (FirstNet) as an independent authority within the National Telecommunications and Information Administration (NTIA) and authorized it to take all actions necessary to ensure the design, construction, and operation of a nationwide NPSBN, based on a single, national network architecture.[2] FirstNet's responsibilities are, at a minimum, to ensure nationwide standards for the use of and access to the network; issue open, transparent, and competitive requests for proposals (RFPs) to build, operate, and maintain the network; encourage these RFPs to leverage, to the maximum extent economically desirable, existing commercial wireless infrastructure to speed deployment of the network; and oversee contracts with non-federal entities to build, operate, and maintain the network.[3]

The Act also charged NTIA with establishing a grant program, the State and Local Implementation Grant Program (SLIGP), to assist state, regional, tribal, and local jurisdictions with identifying, planning, and implementing the most efficient and effective means to use and integrate the infrastructure, equipment, and other architecture associated with the NPSBN to satisfy the wireless broadband and data services needs of their jurisdictions.[4] NTIA awarded an initial $116.5 million in grant funds to 54 state and territorial recipients between July 2013 and June 2014.

The Act's framework contemplates that FirstNet closely coordinates its activities with state, regional, tribal, and local governments and imposed a statutory requirement that FirstNet consult with these entities as it takes all actions necessary to build, deploy, and operate the NPSBN.[5] Specifically, the Act requires FirstNet to consult with state, regional, tribal, and local governments about the distribution and expenditure of any amounts required to carry out its responsibilities to plan,

[1] Middle Class Tax Relief and Job Creation Act of 2012, Public Law 112–96, 126 Stat. 156 (2012) (Act) (codified at 47 U.S.C. 1401 *et seq.*).

[2] 47 U.S.C. 1424, 1426(b)(1).

[3] 47 U.S.C. 1426(b)(1)(A)–(D).

[4] 47 U.S.C. 1442(a).

[5] 47 U.S.C. 1422(b)(2)(B).

build, operate, and maintain the NPSBN.

Additionally, the Act specifies that these required consultations occur between FirstNet and the single point of contact (SPOC) that the state designated in its original SLIGP grant application.[6] The original SLIGP award provided recipients needed funding to support their engagement in consultations as required of FirstNet under the Act.

SLIGP 2.0

With an available balance of up to $43.4 million from the original SLIGP fund of $116.5 million, NTIA will continue to provide funding through SLIGP 2.0 grants to assist State, regional, tribal, and local jurisdictions to engage effectively with FirstNet and provide it with information needed to continue with planning the NPSBN and the deployment of the Radio Access Network (RAN) in an effective and timely manner, as required by the Act.

To ensure effective grant oversight and management, SLIGP developed a quarterly performance progress report (PPR) form for recipients to complete as part of post-award monitoring throughout the period of performance of the SLIGP 2.0 grant. The PPRs are critical to the success of the program and provide key insights into how grant funds are being used. Recipients are asked to report on progress toward program priority areas, which include, individuals sent to broadband conferences, staff hired, contracts executed, governance meetings held, and stakeholder events convened, as well as financial expenditures by cost category. NTIA seeks Office of Management Budget (OMB) approval of this form. NTIA will use the collection of information to ensure that SLIGP 2.0 grant recipients are effectively monitored and evaluated against the core purposes of the program established by the Act.

II. Method of Collection

Paper format.

III. Data

OMB Control Number: None.
Form Number(s): None.
Type of Review: Regular submission.
Affected Public: State, regional, local and tribal government organizations.
Frequency: Quarterly.
Number of Respondents: 56.
Average Time per Response: 12.5 hours.
Estimated Total Annual Burden Hours: 2,800.
Estimated Total Annual Cost to Public: $121,212.

[6] 47 U.S.C. 1426(c)(2)(B); 47 U.S.C. 1442(d).

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 will also become a matter of public record.

Sheleen Dumas,

Departmental PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2017–19679 Filed 9–14–17; 8:45 am]

BILLING CODE 3510–60–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to and deletions from the Procurement List.

SUMMARY: This action adds services to the Procurement List that will be provided by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes product(s) and/or service(s) from the Procurement List previously furnished by such agencies.

DATES: *Date added to and deleted from the Procurement List:* October 15, 2017.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION CONTACT: Amy B. Jensen, Telephone: (703) 603–7740, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Additions

On 5/26/2017 (82 FR 24308–24309) and 6/30/2017 (82 FR 29852), the Committee for Purchase From People Who Are Blind or Severely Disabled published notices of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the services and impact of the additions on the current or most recent contractors, the Committee has determined that the services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will provide the services to the Government.

2. The action will result in authorizing small entities to provide the services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the services proposed for addition to the Procurement List.

End of Certification

Accordingly, the following services are added to the Procurement List:

Service Type: Janitorial Service
Mandatory for: U.S. Census Bureau, National Processing Center, 1201 E 10th Street, Jeffersonville, IN
Mandatory Source(s) of Supply: Rauch, Inc., New Albany, IN
Contracting Activity: Dept of Commerce/Bureau of the Census

Service Type: Mail Management Support Service
Mandatory for:
U.S. Navy, NAVSUP Fleet Logistics Center Norfolk, Naval Support Activity, 700 Robbins Avenue, Philadelphia, PA
U.S. Navy, NAVSUP Fleet Logistics Center Norfolk, Naval Support Activity, 5450 Carlisle Pike, Mechanicsburg, PA
Mandatory Source(s) of Supply: NewView Oklahoma, Inc., Oklahoma City, OK
Contracting Activity: Dept of the Navy, NAVSUP Flt Log Ctr Norfolk

Deletions

On 8/11/2017 (83 FR 37577), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has

determined that the products and service listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products and service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the products and service deleted from the Procurement List.

End of Certification

Accordingly, the following products and service are deleted from the Procurement List:

Products

NSN(s)—Product Name(s): 4820–00–052–4653—Valve, Ball
Mandatory Source(s) of Supply: The Opportunity Center Easter Seal Facility—The Ala ES Soc, Inc., Anniston, AL
Contracting Activity: Defense Logistics Agency Land and Maritime
NSN(s)—Product Name(s):
7045–01–599–5296—Privacy Filter, iPad
7530–01–515–7902—Paper, Printer, Ink Jet, Photo Quality, Double Side, 26 lb., Letter, 94 Bright White
Mandatory Source(s) of Supply: Wiscraft, Inc., Milwaukee, WI
Contracting Activity: General Services Administration, New York, NY
NSN(s)—Product Name(s):
7520–01–648–3552—Pen, Biobased, Gel Stick, Cushion Grip, Medium Point, Blue
7520–01–648–3553—Pen, Biobased, Gel Stick, Cushion Grip, Medium Point, Black
7520–01–648–3554—Pen, Biobased, Gel Stick, Cushion Grip, Medium Point, Red
Mandatory Source(s) of Supply: Alphapointe, Kansas City, MO
Contracting Activity: General Services Administration, New York, NY

Service

Service Type: Janitorial/Custodial Service
Mandatory for: Pennington Memorial U.S. Army Reserve Center: 2164 Harding Highway East, Marion, OH
Mandatory Source(s) of Supply: MARCA Industries, Inc., Marion, OH
Contracting Activity: DEPT OF THE ARMY, W6QM MICC FT MCCOY (RC)

Amy B. Jensen,

Director, Business Operations.

[FR Doc. 2017–19667 Filed 9–14–17; 8:45 am]

BILLING CODE 6353–01–P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meeting Notice

TIME AND DATE: Wednesday, September 20, 2017, 10:00 a.m.–12:00 p.m.

PLACE: Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, MD.

STATUS: Commission Meeting—Open to the Public.

MATTER TO BE CONSIDERED: Decisional Matter: Petition HP 15–1 Requesting Rulemaking on Certain Products Containing Organohalogen Flame Retardants.

A live webcast of the Meeting can be viewed at *https://www.cpsc.gov/live.*

CONTACT PERSON FOR MORE INFORMATION: Rockelle Hammond, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, (301) 504–7923.

Dated: September 13, 2017.

Alberta E. Mills,

Acting Secretary.

[FR Doc. 2017–19756 Filed 9–13–17; 4:15 pm]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Department of Defense Science and Technology Reinvention Laboratory (STRL) Personnel Management Demonstration (Demo) Project Program

AGENCY: Assistant Secretary of Defense for Research and Engineering, DoD.

ACTION: Amendment of existing STRL Personnel Management Demonstration Project Programs.

SUMMARY: STRLs may implement a new workforce shaping pilot program which provides the STRL lab directors the authority to dynamically shape the mix of technical skills and expertise in the workforces of such laboratories to achieve one or more of the objectives in section 1109(a) of the NDAA for FY2016. The suite of workforce shaping tools available to STRL lab directors includes flexible length and renewable term technical appointments, modified re-employed annuitant authority, and modified voluntary early retirement and separation incentive authorities.

DATES: This notice may be implemented beginning on September 15, 2017.

FOR FURTHER INFORMATION CONTACT:

Department of the Army

- *ARL:* Ms. Dianne Hawkins, Program Manager, ARL Personnel Demonstration Project, AMSRD–ARL–O–HR, 2800 Powder Mill Road, Adelphi, MD 20783–1197;
- *AMRDEC:* Mr. Chad Marshall, Demonstration Project Manager, AMRDEC, 5400 Fowler Road, Redstone Arsenal, AL 35898–5000;
- *CERDEC:* Mr. Christopher Tahaney, CERDEC Personnel Demonstration Project Administrator, C4ISR Campus Building 6002, Room D3126D, ATTN: RDER–DOS–WE, Aberdeen Proving Ground, MD 21005;
- *ECBC:* Ms. Patricia Milwicz, Management and Program Analyst, ECBC, Office of the Technical Director, Workforce Management Office, Department of the Army, ATTN: RDCB–DPC–W, 5183 Blackhawk Road, Building 3330, Aberdeen Proving Ground, MD 21010–5424;
- *ERDC:* Ms. Patricia Sullivan, Personnel Demonstration Project Manager, U.S. Army ERDC, 3909 Halls Ferry Road, Vicksburg, MS 39180–6199;
- *MRMC:* Ms. Linda Krout, Personnel Demonstration Project Manager, 505 Scott St., Fort Detrick, MD 21702–5000;
- *NSRDEC:* Ms. Joelle Montecalvo, Demonstration Project Manager, NSRDEC, Kansas Street, (AMSRD–NSR–BO–W), Natick, MA 01760;
- TARDEC: Ms. Jennifer Davis, TARDEC, ATTN: RDTA–CS/MS 204, Warren, MI 48397–5000; and
- ARDEC: Mr. Mike Nicotra, U.S. Army ARDEC, Human Capital Management Office, Building 1, 3rd Floor, RDAR–EIH, Picatinny Arsenal, NJ 07806–5000. ARI: (Pending draft FRN).

Department of the Air Force

- *AFRL:* Ms. Rosalyn Jones-Byrd, Personnel Demonstration Project Manager, AFRL, 1864 4th Street, Wright-Patterson Air Force Base, OH 45433–5209.

Department of the Navy

- *ONR:* Ms. Margaret J. Mitchell, Director, Civilian Human Resources, ONR, 875 North Randolph Street, Code BD, Arlington, VA 22203;
- *NRL:* Ms. Ginger Kisamore, Human Resources Officer, NRL, 4555 Overlook Avenue SW., Washington, DC 20375–5320;
- *NAVSEA Warfare Centers:* Ms. Diane Brown, NAVSEA Warfare Centers

Personnel Demonstration Project Manager, Naval Surface Warfare Center, Philadelphia Division, 5001 South Broad Street, Philadelphia, PA 19112–5083;

- *NAVAIR, Weapons Division and Aircraft Division:* Mr. Richard Cracraft, Naval Air Warfare Center, Weapons Division (NAWCWD), Code 730000D, 1 Administration Circle, Building 00464, China Lake, CA 93555–6100; and
- *Space and Naval Warfare Systems Command, Space and Naval Warfare Systems Center (SSC):*
  - *SSC Atlantic:* Ms. Veronica Truesdale, SSC Atlantic STRL Project Lead, SSC Atlantic, P.O. Box 190022, North Charleston, SC 29419–9022; and
  - *SSC Pacific:* Ms. Angela Hanson, SSC Pacific STRL Project Lead, SSC Pacific, 53560 Hull Street, San Diego, CA 92152–5001.

DoD

Dr. Jagadeesh Pamulapati, Director, DoD Laboratories Office, 4800 Mark Center Drive, Alexandria, VA 22350, (571) 372–6372, *jagadeesh.pamulapati.civ@mail.mil.*

SUPPLEMENTARY INFORMATION:

1. Background

Section 342(b) of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 1995, Public Law (Pub. L.) 103–337, as amended by section 1109 of the NDAA for FY 2000, Public Law 106–65, section 1114 of the NDAA for FY 2001, Public Law 106–398, and section 211 of the NDAA for FY 2017, Public Law 114.328, authorizes the Secretary of Defense (SECDEF), through the Assistant Secretary of Defense for Research and Engineering (ASD (R&E)), to conduct personnel demonstration projects at DoD laboratories designated as science and technology reinvention laboratories (STRLs). All STRLs authorized by section 1105 of the NDAA for FY 2010, Public Law 111–84, as well as any newly designated STRLs authorized by SECDEF or future legislation may use the provisions described in this **Federal Register** Notice (FRN). STRLs implementing this flexibility must have an approved personnel management demonstration project plan published in a FRN and shall fulfill any collective bargaining obligations. Each STRL shall establish internal operating procedures as appropriate. The 15 current STRLs are:

- Army Research Institute (ARI)
- Army Research Laboratory (ARL)
- Aviation and Missile Research, Development, and Engineering Center (AMRDEC)
- Communications-Electronics Research, Development, and Engineering Center (CERDEC)
- Edgewood Chemical Biological Center (ECBC)
- Engineer Research and Development Center (ERDC)
- Medical Research and Materiel Command (MRMC)
- Natick Soldier Research, Development and Engineering Center (NSRDEC)
- Tank Automotive Research, Development and Engineering Center (TARDEC)
- Armament Research, Development and Engineering Center (ARDEC)
- Space and Missile Defense Command (SMDC) Technical Center
- Air Force Research Laboratory (AFRL)
- Office of Naval Research (ONR)
- Naval Research Laboratory (NRL)
- Naval Sea Systems Command (NAVSEA) Warfare Centers
- Naval Air Systems Command (NAVAIR) Warfare Centers, Weapons Division and Aircraft Division
- Space and Naval Warfare Systems Command, Space and Naval Warfare Systems Center (SSC), Atlantic and Pacific

2. Overview

I. Introduction

A. Purpose

Section 1109 of the NDAA for FY 2016 establishes a workforce shaping pilot program for the STRLs. The purpose of the pilot program authority is to provide a suite of dynamic workforce shaping tools that allow the STRL lab directors to shape the mix of technical skills and expertise in the workforce to achieve one or more of the following strategic goals:

(1) To meet organizational and Department-designated missions in the most cost-effective and efficient manner.

(2) To upgrade and enhance the scientific quality of the workforces of such laboratories.

(3) To shape such workforces to better respond to such missions.

(4) To reduce the average unit cost of such workforces.

B. Required Waivers to Law and Regulation

Section 1109 of the NDAA for FY 2016 waived Sections 8336(d)(2)(D), 8414(b)(1)(B), clause (iv) and (v), 3522, 3523(b)(1) and (3) of title 5, United States Code (U.S.C.). Appendix A lists the laws, rules, and regulations that require waivers to implement this workforce shaping pilot program.

C. Expected Benefits

The workforce shaping pilot program is expected to streamline and enhance the STRLs' ability to manage, plan, and structure their workforces, in accordance with the goals of the pilot program. Pilot program flexibilities will allow lab directors to enhance and align the technical capabilities of the laboratories with organizational and Departmental missions, and to best respond to missions in a cost-efficient manner.

D. Participating Organizations and Employees

All DoD laboratories designated as STRLs under section 1105(a) of the NDAA for FY 2010 and section 1103 of the NDAA for FY 2015 (including any newly designated STRLs authorized by SECDEF or by future legislation) with approved personnel management demonstration project plans published in FRNs may use the provisions described in this FRN.

II. Personnel System Changes

All current and future STRL demonstration project plans are hereby amended to add the following:

A. Flexible Length and Renewable Term Technical Appointments

1. Authorized Positions

a. STRLs may use the Flexible Length and Renewable Term Technical Appointments workforce shaping tool authorized by section 1109(b)(1) of the NDAA for FY 2016 to appoint qualified candidates who are not currently Department of Defense civilian employees into any scientific, technical, engineering, and mathematic positions, including technicians, for a period of more than one year but not more than six years. The appointment of any individual under this authority may be extended without limit in up to six year increments at any time during any term of service under conditions set forth by the STRL Director.

b. Civilian Personnel Management. As prescribed by Section 1109(b)(1)(D) of the NDAA for FY 2016, for the purposes of determining the workforce size of a laboratory for compliance with section 955 of the NDAA for FY 2013, any individual serving in an appointment under this paragraph will be considered a fractional employee of the laboratory, which the fraction is:

- The current term of the appointment of the individual under this paragraph; divided by:
- The average length of tenure of a career employee at the laboratory, as calculated at the end of the last fiscal year before the date of the most recent appointment or extension of the individual under this paragraph.

2. Definitions

a. *Qualified candidates* are defined as individuals who meet the minimum qualification standards for the position as published in the OPM Qualification Standard or the STRLs' demonstration project qualification standards specific to the position to be filled.

b. Scientific, engineering, technical, mathematic, and technician (STEM) positions are those positions described in the STRL FRN (Appendix B) or Internal Operating Procedures in the Scientist and Engineer and/or Technician/Technical Career Paths, or positions not classified under the broad-banding structure as defined in the applicable FRN utilized by the STRLs, that directly support science and engineering activities. Non-broad-banded positions will be identified in individual STRL internal operating procedures.

c. *Term appointments,* for the purposes of this authority, are non-status appointments to a position in the competitive service for a specific period of more than one year; however, incumbents may compete as ''status candidates'' for the purpose of eligibility for positions in the Federal service.

3. Provisions

a. Use of the Flexible Length and Renewable Term Technical Appointment authority must be consistent with merit system principles.

b. Current DoD employees may not be appointed to positions under this authority.

c. Initial appointments must be more than one year, but not to exceed six years in duration.

d. Individuals appointed under this authority may be eligible for noncompetitive conversion to a permanent appointment if the job opportunity announcement clearly stated the possibility of being made permanent in addition to any other provision in the STRL's existing modified term appointment authority.

e. Unless otherwise eligible for a noncompetitive hiring authority, positions filled under this authority must be competed. Job opportunity announcements must clearly identify the type of appointment and the expected duration of initial appointment (up to six years). It is advisable to include a statement that the position may be extended, without limit, in up to six year increments, to enable extensions beyond the initial term of appointment.

f. Appointees will be afforded equal eligibility for employee programs and benefits comparable to those provided to similar employees on Term appointments at each STRL, to include opportunities for professional development and eligibility for award programs.

g. In accordance with Section 1109(b)(1)(B) of the NDAA for FY 2016 and part 1.3, Subpart A, of title 5 CFR, appointees will be afforded the opportunity to apply for vacancies that are otherwise limited to ''status'' candidates. Appointees applying to other Federal service positions utilizing this authority must submit a copy of their Flexible Length and Renewable Term Technical appointment SF–50, Notification of Personnel Action, which will contain a remark identifying this provision, with their application/resume for the vacancy to which they are applying. The SF–50 will serve as notification to the servicing Human Resources Office for the vacancy that the individual is eligible for consideration as a status candidate.

h. Promotions. Individuals appointed under this hiring authority may be promoted while serving on a term appointment provided they meet the qualifications and eligibility requirements for the higher level to which they will be promoted.

i. Extension of appointments. The appointment of an individual appointed to a term appointment under this authority may be extended, without limit, in up to six year increments. Job opportunity announcements must have identified the opportunity for extension beyond the initial term of appointment. Extensions will be documented via a personnel action using nature of action code 765/Extension of Term Appt NTE and the same legal authority code used for the appointment that is being extended.

j. Expiration. Term appointments expire upon the not-to-exceed date, unless extended.

k. Reduction in Force (RIF). Appointees under 2.II.A. are covered by the RIF rules outlined in each STRL's FRN. Tenure for term appointments will be in accordance with the STRL's FRN. If STRL RIF procedures do not comport with 10 U.S.C. 1597(f), RIF will be conducted in accordance with DEPSECDEF Memo, Policies and Procedures for Reductions in Force in the Civilian Workforce, dated January 19, 2017, until the STRL develops USD (P&R) approved policies and procedures that comport with 10 U.S.C. 1597(f).

l. Documenting Personnel Actions. Personnel actions for the appointments under 2.II.A. are documented citing the first legal authority code (LAC)/legal authority as Z2U/Public Law 103–337, if appointed to a broad-banded position. Public Law 114.92 (with appropriate LAC, once assigned) will also be cited on all personnel actions. The personnel action will also contain the following remark: This appointment is designated as a ''status'' appointment for the purposes of eligibility for applying for positions in the federal service in accordance with section 1109(b)(1)(B) of the NDAA for FY 2016.

B. Reemployment of Annuitants

1. Authorities

STRLs will use the authorities provided by 9902(g) of title 5, U.S.C. to appoint reemployed annuitants, as appropriate and in keeping with the goals of the workforce shaping pilot program stated in 2.I.A., except that section 1109(b)(2) of the NDAA for FY 2016 authorizes the director of any STRL to:

a. Approve the appointment of reemployed annuitants; and

b. Determine the salary of an annuitant reemployed under this authority, to include whether or not the annuitant's salary will be reduced by any portion of the annuity received, up to the amount of the full annuity, as a condition of reemployment.

2. Definitions

a. *Reemployed annuitant* is defined as an individual who is receiving an annuity from a federal retirement system based on creditable federal civilian service or who meets all requirements for entitlement to an annuity based upon creditable federal civilian service and has submitted a claim for retirement, and is subsequently reappointed as a federal civilian employee.

b. *Period of actual employment* is defined as the duration of an appointment under this authority, as determined by the initial appointment date and continuing until the date the appointment terminates or expires, and prorated based on the assigned work schedule. An annuitant so reemployed under this authority serves at the will of the appointing authority.

3. Provisions

a. STRL lab directors will apply the authority to appoint annuitants in accordance with 9902(g) of title 5, U.S.C. and Department of Defense Instruction (DoDI) 1400.25–V300, except as stated in 2.II.B.1. Use of the authority must be consistent with merit system principles.

b. Documenting Personnel Actions. Personnel actions for the appointments under 2.II.B. are documented citing the first legal authority code (LAC)/legal

authority as Z2U/Public Law 103–337 if appointed to a broad-banded position. Public Law 114.92 (with appropriate LAC, once assigned) will also be cited on all personnel actions.

c. STRL lab directors, or their delegate, will establish implementing guidance and procedures on the use of this reemployed annuitant flexibility.

d. Annuitants retired under Section 8336(d)(1) or Section 8414(b)(1)(A) of title 5, U.S.C. who are reemployed will retain the rights provided in accordance with Section 9902(g)(2)(A) of title 5, U.S.C.

C. Voluntary Early Retirement (VERA) and Voluntary Separation Incentive Pay (VSIP)

1. Authorities

a. Section 1109(b)(3) and (4) of the NDAA for FY 2016 pilots the use of VERA and VSIP whenever such incentives will help the STRLs to achieve one or more of the objectives in Section 1109(a). STRLs will use the authorities provided by 9902(f) of title 5, U.S.C. to offer VERA and VSIP, as appropriate, except that section 1109 of the NDAA for FY 2016 authorizes the director of any STRL to:

i. Approve the use of voluntary early retirement and separation pay incentives;

ii. Determine which employees should be offered such incentives; and

iii. Determine the amount of voluntary separation incentive payments.

b. STRL will validate and document that VSIP is fully warranted and will judiciously ensure that eligibility factors specified in DoDI 1400.25, Volume 1702, other than those waived in this FRN, are applied.

2. Definitions

a. *Voluntary early retirement* (VERA) is defined as a reduction in the age and service requirements for retirement as an incentive for employees to voluntarily retire and thereby facilitate workforce downsizing or restructuring.

b. *Voluntary separation incentive pay* (VSIP) is defined as a cash incentive for employees to voluntarily resign or to retire, via either optional or early retirement or resignation, in order to facilitate workforce downsizing or restructuring.

c. *Reduction in force* (RIF) is defined as a force shaping or reduction mechanism used for releasing STRL employees assigned to positions in designated competitive areas in order of their retention standing.

3. Provisions

a. VERA and VSIP may be used upon a written determination by the STRL director that such incentives are necessary to shape the laboratory workforce to better fulfill mission requirements and achieve the optimum workforce balance. If the laboratory workforce is being downsized, incentives may be used to minimize the need for involuntary separations under reduction in force (RIF) procedures. In this downsizing scenario, early retirement and/or separation incentive pay may be offered to surplus employees who would otherwise be separated through RIF or to non-surplus employees whose positions could then be used to avert the involuntary RIF separation of surplus employees.

b. VERA and VSIP may also be used to restructure the laboratory workforce without reducing the number of assigned personnel. In this restructuring scenario, incentives may be offered for the purpose of creating vacancies that will be reshaped to align with mission objectives. Restructuring incentives are helpful in situations such as correcting an imbalance of skills or for delayering an organization.

c. For the purposes of this pilot, STRL Directors will administer VERA and VSIP in accordance with DoD Instruction 1400.25, Volume 1702, ''DoD Civilian Personnel Management System: Voluntary Separation Programs'' with the following exceptions to Enclosure 3, ''Guidance and Procedures:''

i. Par. 2.a.(6)(b) is waived to the extent that the STRL director may utilize the vacancy to correct a skills mismatch without restructuring the position.

ii. Par. 2.a.(7) is waived to the extent that the STRL director may offer VSIP in amounts not to exceed $40,000 without regard to the amount of severance pay employees would receive under section 5595(c) of title 5 U.S.C. if the employees were entitled to severance pay. STRLs will document their rationale for determining payment amounts.

iii. Par. 2.g.(1) is waived to the extent that STRLs may pay up to $40,000 for VSIP from appropriations or accounts available for such purposes to avoid an involuntary separation or to effect a restructuring action.

iv. Par. 2.b.(3)(d) is waived to the extent that a waiver is not required for employees occupying positions defined as ''hard to fill.''

D. Sunset Date and Conditions of Use

a. The workforce shaping pilot program authorities established by Section 1109 of the NDAA for FY 2016 will expire on December 31, 2023. Appointments/renewal of appointments made prior to December 31, 2023 may continue to expiration even if the expiration date is beyond December 31, 2023.

b. These authorities may be amended by future legislation.

c. STRL lab directors, or their delegate, will establish implementing guidance and procedures on the use of the workforce shaping pilot program authorities.

E. Evaluation and Reporting

STRLs will provide information and data on the use of the workforce shaping pilot program authorities including, but not limited to, hires made, declinations, veterans hired, separation incentives paid, VERAs approved, difficulties encountered, and/or recognized efficiencies, when requested by the SECDEF, head of the Military Department, DASD(R&E), or DASD(CPP).

APPENDIX A—UNITED STATES CODE AND CODE OF FEDERAL REGULATIONS WAIVED SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES

Title 5, United States Code	Title 5, Code of Federal Regulations
	5 CFR 316.301 waived to the extent necessary to allow provisions of the flexible length and renewable term technical appointments described herein.

APPENDIX A—UNITED STATES CODE AND CODE OF FEDERAL REGULATIONS WAIVED SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES—Continued

Title 5, United States Code	Title 5, Code of Federal Regulations
5 U.S.C. 3523(b)(3) waived to remove the prescribed method of incentive payment calculation and the $25,000 incentive limit; allows the STRL director to determine amount of incentive paid to employees under the workforce shaping pilot program voluntary early retirement and separation incentive payment authorities, within the limit prescribed herein. Subchapter 1 of Chapter 33 of title 5 U.S.C., waived to the extent necessary to allow employees appointed on a Flexible Length and Renewable Term Technical Appointment to apply for federal positions as status candidates. 5 U.S.C 9902(f) waived to the extent necessary to allow the authorities described herein.	5 CFR parts 332 and 335 waived to the extent necessary to allow employees appointed on a Flexible Length and Renewable Term Technical Appointment to apply for federal positions as status candidates.

APPENDIX B—STRLS **Federal Register** NOTICE OF APPROVAL OF A DEMONSTRATION PROJECT PLAN

STRL	**Federal Register** notice
Part 1—STRLs Authorized by Director of Defense Research and Engineering, Memo 30 Aug 1994 and Section 342 of FY 1995 NDAA, Public Law 103–337	
Air Force Research Laboratory	61 FR 60400 amended by 75 FR 53076.
Army Research Laboratory	63 FR 10680.
Aviation and Missile Research, Development, and Engineering Center	62 FR 34906 and 62 FR 34876 amended by 65 FR 53142 (AVRDEC and AMRDEC merged together).
Communications-Electronics Research, Development, and Engineering Center.	66 FR 54872.
Engineer Research and Development Center	63 FR 14580.
Medical Research and Material Command	63 FR 10440.
Naval Research Laboratory	64 FR 33970.
Naval Sea Systems Command Warfare Centers	62 FR 64050.
Part 2—STRLs Authorized by Section 1105 of FY 2010 NDAA, Public Law 111–84	
Armament Research, Development and Engineering Center	76 FR 3744.
Edgewood Chemical Biological Center	74 FR 68936.
Natick Soldier Research, Development and Engineering Center	74 FR 68448.
Naval Air Systems Command Warfare Centers, Weapons and Aircraft Divisions.	76 FR 8530.
Office of Naval Research	75 FR 77380.
Space and Naval Warfare Systems Command, Space and Naval Warfare Systems Center, Atlantic and Pacific.	76 FR 1924.
Tank Automotive Research, Development and Engineering Center	76 FR 12508.

Dated: September 11, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017–19576 Filed 9–14–17; 8:45 am]

BILLING CODE 5001–06–P

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sunshine Act Notice

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Notice of public business meeting.

SUMMARY: Pursuant to the provisions of the ''Government in the Sunshine Act'', notice is hereby given of the Defense Nuclear Facilities Safety Board's (Board) public business meeting described below.

DATES: 9:00 a.m.–3:00 p.m., September 28, 2017.

ADDRESSES: Defense Nuclear Facilities Safety Board Headquarters, 625 Indiana Avenue NW., Washington, DC 20004–2901.

FOR FURTHER INFORMATION CONTACT: Glenn Sklar, General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004–2901 (800) 788–4016.

SUPPLEMENTARY INFORMATION:

STATUS: Open.

MATTERS TO BE CONSIDERED: This public business meeting will be conducted pursuant to the Government in the Sunshine Act, the Board's implementing regulations for the Government in the Sunshine Act, and the Board's Operating Procedures. The objective of this public business meeting is for the Board to deliberate and vote on its Fiscal Year (FY) 2018 Strategic Plan and FY 2018 Staffing Plan, as well as the respective FY 2018 Work Plans for the Office of the General Manager, the Office of the General Counsel, and Office of the Technical Director. The meeting will proceed in accordance with the meeting agenda, which is posted on the Board's public Web site at *www.dnfsb.gov.* The Chairman will provide opening remarks followed by discussion led by the agency Office Directors and the technical group leaders. The Board will deliberate and may vote on whether to approve or disapprove the Board's Strategic Plan. Following each of the Office Director presentations, and as described in the

business meeting agenda, Board members may enter into discussions and move to amend the Work Plan presented by that Office Director. Upon conclusion of amendments and deliberations, the Board may vote on whether to approve or disapprove the individual Work Plans. The Board will also deliberate and may vote on whether to approve or disapprove the agency Staffing Plan. The Chairman will then provide closing remarks.

Public participation in the meeting is invited during the public comment period of the agenda. Individual oral comments may be limited by the time available, depending on the number of persons who wish to comment. Additional information and/or revisions to the meeting agenda may be posted on the Board's public Web site prior to the meeting. A transcript of the business meeting will be made available by the Board for viewing by the public on the Board's public Web site. The Board specifically reserves its right to further schedule and otherwise regulate the course of business of this meeting, to recess, reconvene, postpone, or adjourn the meeting, and otherwise exercise its rights under the Atomic Energy Act, the Government in the Sunshine Act and the Board's Operating Procedures.

Dated: September 8, 2017.

Sean Sullivan,

Chairman.

[FR Doc. 2017–19630 Filed 9–13–17; 4:15 pm]

BILLING CODE 3670–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2017–ICCD–0119]

Agency Information Collection Activities; Comment Request; E-Complaint Form

AGENCY: Office of Management (OM), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a revision of an existing information collection.

DATES: Interested persons are invited to submit comments on or before November 14, 2017.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2017–ICCD–0119. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW., LBJ, Room 216–32, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Kathleen Styles, 202–453–5587.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: E-Complaint Form.

OMB Control Number: 1880–0544.

Type of Review: A revision of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 500.

Total Estimated Number of Annual Burden Hours: 500.

Abstract: The Family Policy Compliance Office (FPCO) reviews, investigates, and processes complaints of alleged violations of the Family Education Rights and Privacy Act (FERPA) filed by parents and eligible students. FPCO's authority to investigate, review, and process complaints extends to allegations of violations of FERPA by any recipient of the United States Department of Education's funds under a program administered by the Secretary. Recipients of departmental funds include schools, school districts, postsecondary institutions, state educational agencies, and other third parties.

Dated: September 11, 2017.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2017–19552 Filed 9–14–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Membership of the Performance Review Board

AGENCY: Office of Management, Department of Education.

ACTION: Notice.

SUMMARY: The Secretary publishes a list of persons who may be named to serve on the Performance Review Board that oversees the evaluation of performance appraisals for Senior Executive Service members of the Department.

DATES: This list applies as of September 15, 2017.

SUPPLEMENTARY INFORMATION:

Membership

Title 5, U.S.C. Section 4314(c)(4) of the Civil Service Reform Act of 1978, Public Law 95–454, requires that the appointment of Performance Review Board members be published in the **Federal Register**. The following persons may be named to serve on the Performance Review Board:

ANDERSON, MARGO K.
ASHLEY, CAROL R.
BAKER, JEFFREY S.
BATTLE, SANDRA G.
BERGSTROM, PETER D.
BETKA, SUE E.
BYRD-JOHNSON, LINDA E.
CANELLOS, ERNEST C.
CUFFEE-GRAVES, CASSANDRA L.
CARR, PEGGY G.
CARTER, DENISE L.
CHANG, LISA E.
CHAPMAN, CHRISTOPHER D.
CHAVEZ, ANTHONY S.
CHISM, MONIQUE M.
CONATY, JOSEPH C.
CORDES, WILLIAM D.
GALIK, DANIEL
GOODRIDGE-KEILLER, MARCELLA F.

GRAY, JASON K.
GREEN, A. BIANCA
HAIRFIELD, JAMES M.
HALL, LINDA W.
HOLIFIELD, JONATHAN
HURT, JOHN W. III
JACKSON, CANDICE E.
KARVONIDES, MARIA
KEAN, LARRY G.
KISSEL, ADAM H.
KOEPPEL, DENNIS P.
LEE, EBONY L.
LUCAS, RICHARD J.
LUCZAK, RONALD J.
MAESTRI, PHILIP A.
MAHAFFIE, LYNN B.
MALAWER, HILARY E.
MANNING, JAMES F.
MCDONALD, WALTER C.
MCFADDEN, ELIZABETH A.
MCLAUGHLIN, MAUREEN A.
MENASHI, STEVEN J.
MILLER, DANIEL J.
NAVARRO, ERICA M.
PENDLETON, AUDREY J.
PEPIN, ANDREW, J.
RAMIREZ, LISA
RICHEY, KIMBERLY
RIDDLE, PAUL N.
ROBISON, GREGORY
ROSENFELT, PHILIP H.
RYDER, RUTH E.
SANTY, ROSS JR.
SASSER, TRACEY L.
SCOTT, JANET D.
SIMMONS, LEE-DOUGLASS R.
SIMPSON, DANIEL J.
SMITH, KATHLEEN A.
SOLTIS, TIMOTHY F.
ST. PIERRE, TRACEY L.
STRACKE, LINDA A.
STYLES, KATHLEEN M.
THOMAS, MILTON L. JR.
VENABLE, JOSHUA J.
VIANA, JOSE A.
WASHINGTON, MARK R.
WILBANKS, LINDA R.
WILLS, RANDOLPH E.
WOOD, GARY H.

FOR FURTHER INFORMATION CONTACT: Valarie Barclay, Director, Executive Resources Division, Office of Human Resources, Office of Management, U.S. Department of Education, 400 Maryland Avenue SW., Room 2C150, LBJ, Washington, DC 20202–4573. Telephone: (202) 453–5918.

If you use a telecommunications device for the deaf (TDD) or text telephone (TTY), you may call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

Accessible Format: Individuals with disabilities may obtain this document in an alternative format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. Free internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available via the Federal Digital System at *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Betsy DeVos,

Secretary of Education.

[FR Doc. 2017–19673 Filed 9–14–17; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Costs and Benefits of Net Energy Metering: Request for Information

AGENCY: Office of Energy Policy and Systems Analysis, Department of Energy.

ACTION: Notice of request for information (RFI).

SUMMARY: The U.S. Congress has directed the U.S. Department of Energy (DOE or Department), as part of the Grid Modernization Initiative, to conduct a study of the cost and benefit considerations of net metering to utilities (utility business perspective), ratepayers (consumer perspective), and the electrical grid (technical/operational perspective). There have been numerous studies assessing the impacts of net metering in states across the United States. As part of this study, DOE seeks stakeholder input on existing studies (2012–present) assessing the costs and benefits of net metering, and the availability of data that can be used in conducting such studies. DOE expects to use this input to help inform its report to Congress.

DATES: Public comments are due on or before October 30, 2017.

ADDRESSES:

Electronic: Interested persons are encouraged to submit comments electronically identified by docket number EERE–2017–OT–0056 to [*2017EnergyMetering0056@ee.doe.gov*]. Your response should be limited to 8 pages.

Email: [*2017EnergyMetering0056@ee.doe.gov*]. Include EERE–2017–OT–0056 in the subject line of the message. Comments, data, and other information submitted to DOE electronically should be provided in PDF, Microsoft Word or Excel, WordPerfect, or text (ASCII) file format. Provide documents that are not secured, are written in English, and are free of any defects or viruses. Documents should not contain special characters or any form of encryption and, if possible, they should carry the electronic signature of the author.

Or Mail to: U.S. Department of Energy, 1000 Independence Ave. SW., Mailstop EP–60, Office of Energy Policy and Systems Analysis, Net Metering Comments.

Instructions: All submissions received must include the agency name and docket number.

Docket: The docket is available for review at *www.regulations.gov,* including **Federal Register** notices, comments, and other supporting documents/materials (search EERE–2017–OT–0056).

The docket Web page can be found at: *http://www.regulations.gov/#!docketDetail;D=EERE-2017-OT-0056.*

FOR FURTHER INFORMATION CONTACT: Ms. Kate Marks, EPSA, U.S. Department of Energy, Office of Energy Policy and Systems Analysis, 1000 Independence Avenue SW., Washington, DC 20585–0121. Telephone: (202) 586–9842, Email: *Kate.Marks@hq.doe.gov.*

SUPPLEMENTARY INFORMATION: DOE seeks stakeholder input on information or existing studies (2012–present) assessing the costs and benefits involved in net energy metering (NEM), and the availability of data that can be used in conducting such studies. DOE expects to use this input to help inform its report on net metering cost-benefit analyses.

DOE is interested in several specific types of information related to NEM cost-benefit studies, including:

1. Motivations and the policy context for conducting NEM cost-benefit studies, including the role of cost-benefit analysis in driving policy decisions around NEM and related policies; descriptions of other considerations for policymakers considering NEM and related policies.

2. Categories of costs and benefits—describe relevant categories of costs and benefits and reasons for inclusion or exclusion of these categories in NEM studies.

3. Methodological issues—identify key methodological elements that can vary significantly when quantifying factors considered in the benefit-cost analysis. Key drivers that might be considered include, but are not limited

to, local policy objectives and local electricity system fundamentals.

4. Fundamental drivers and underlying market conditions—identify key drivers that establish the context for the values and cause differing outcomes among studies of cost/benefit results in a particular category, such as differing levels of excess generation capacity, transmission, or distribution system capacity, projected demand growth, level of penetration and location of distributed generation, retail prices, etc.

5. Are there specific emerging issues related to net metering cost-benefit analyses that are improving or complicating the application of benefit-cost analysis?

The following items are considered out of scope of the report and information on these items should not be included in the responses:

1. Costs and benefits of distributed solar generation beyond distributed solar's impact on net metering;

2. Indirect cost/benefits (*e.g.,* societal impacts, network effects) that go beyond what is included in existing analyses;

3. Recommendations on

a. How to conduct cost/benefit analysis,

b. NEM design options,

c. Transitions to alternative forms of compensation.

All interested parties are invited to submit in writing by the date specified in the **DATES** section of this RFI, comments and information on all elements listed in this **SUPPLEMENTARY** section. Please submit comments only and cite docket number EERE–2017–OT–0056, in all correspondence related to this case. All comments received will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided.

Do not submit to the RFI information for which disclosure is restricted by statute, such as trade secrets and commercial or financial information (hereinafter referred to as Confidential Business Information (CBI)). Comments submitted to the RFI email address cannot be claimed as CBI. Comments received through the RFI address will waive any CBI claims for the information submitted. DOE plans to publish all information received in response to this RFI.

Issued in Washington, DC, on September 12, 2017.

Sean Cunningham,

Director, Office of Energy Policy and Systems Analysis, U.S. Department of Energy.

[FR Doc. 2017–19647 Filed 9–14–17; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17–481–000]

DCP Operating Company, LP; Notice of Intent To Prepare an Environmental Assessment for the Proposed Mewbourn 3 Residue East Pipeline, and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Mewbourn 3 Residue East Pipeline involving construction and operation of facilities by DCP Operating Company, LP (DCP) in Weld County, Colorado. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before October 6, 2017.

If you sent comments on this project to the Commission before the opening of this docket on August 2, 2017, you will need to file those comments in Docket No. CP17–481–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

DCP provided landowners with a fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need To Know?'' This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC Web site (*www.ferc.gov*).

Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature on the Commission's Web site (*www.ferc.gov*) under the link to *Documents and Filings.* With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on *eRegister.* If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP17–481–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

Summary of the Proposed Project

DCP proposes to construct and operate 8.4 miles of new 20-inch-diameter pipeline in Weld County, Colorado. The Mewbourn 3 Residue East Pipeline Project would provide about 253,000 dekatherms of natural gas per day to an interconnect with Colorado Interstate Gas Company L.L.C.'s High Plains System. According to DCP, its project would transport

natural gas from DCP's Mewbourne Processing Plant Complex to support further transportation and market needs in Colorado and other states in the region.

The Mewbourn 3 Residue East Pipeline Project would consist of the following facilities:

- 8.4 miles of new 20-inch-diameter pipeline; and
- pig launcher and receiver assembly,[1] cathodic protection rectifier unit, three mainline valves, and a metering station.

The general location of the project facilities is shown in appendix 1.[2]

Land Requirements for Construction

Construction of the proposed facilities would disturb about 87.4 acres of land for the aboveground facilities and the pipeline. Following construction, DCP would maintain about 32.3 acres for permanent operation of the project's facilities; the remaining acreage would be restored and revert to former uses.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us [3] to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- air quality and noise;
- endangered and threatened species;
- public safety; and
- cumulative impacts.

We will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary. Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before making our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate with us in the preparation of the EA.[4] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the Colorado State Historic Preservation Office (SHPO), and to solicit its views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[5] We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPO as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If we publish and distribute the EA, copies of the EA will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an ''intervenor'' which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the Document-less Intervention Guide under the e-filing link on the Commission's Web site. Motions to intervene are more fully described at *http://www.ferc.gov/resources/guides/how-to/intervene.asp.*

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC Web site at *www.ferc.gov* using the eLibrary

[1] A pig is a tool that the pipeline company inserts into and pushes through the pipeline for cleaning the pipeline, conducting internal inspections, or other purposes.

[2] The appendices referenced in this notice will not appear in the **Federal Register.** Copies of appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

[3] We, us, and our refer to the environmental staff of the Commission's Office of Energy Projects.

[4] The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

[5] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

link. Click on the eLibrary link, click on General Search and enter the docket number, excluding the last three digits in the Docket Number field (*i.e.,* CP17–481). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Finally, public sessions or site visits will be posted on the Commission's calendar located at *www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

Dated: September 6, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–19561 Filed 9–14–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Commission Staff Attendance

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of the Commission's staff may attend the following meetings related to the transmission planning activities of the New York Independent System Operator, Inc. (NYISO):

NYISO Business Issues Committee Meeting

September 12, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=bic&directory=2017-09-12.*

NYISO Operating Committee Meeting

September 15, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=oc&directory=2017-09-15.*

NYISO Electric System Planning Working Group Meeting

September 26, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=bic_espwg&directory=2017-09-26.*

NYISO Management Committee Meeting

September 27, 2017, 10:00 a.m.–4:00 p.m. (EST)

The above-referenced meeting will be via web conference and teleconference.

The above-referenced meeting is open to stakeholders.

Further information may be found at: *http://www.nyiso.com/public/committees/documents.jsp?com=mc&directory=2017-09-27.*

The discussions at the meetings described above may address matters at issue in the following proceedings:

New York Independent System Operator, Inc., Docket No. ER13–102.

New York Independent System Operator, Inc., Docket No. ER15–2059.

New York Transco, LLC, Docket No. ER15–572.

For more information, contact James Eason, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (202) 502–8622 or *James.Eason@ferc.gov.*

Dated: September 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–19562 Filed 9–14–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. P–13407–004]

Clean River Power MR–2, LLC; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene and Protest

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection.

a. *Type of Applications:* Amendment of License.

b. *Project No.:* 13407–004.

c. *Date filed:* May 23, 2017.

d. *Applicant:* Clean River Power MR–2, LLC, a subsidiary of Free Flow Power Corporation.

e. *Name of Project:* Lowell Lock and Dam Water Power Project.

f. *Location:* The proposed project would be located at the existing Lowell Lock and Dam on the Muskingum River in Washington County, West of the City of Lowell, Ohio. The lock and dam was formally owned and operated by the U.S. Army Corps of Engineers, but is currently owned and operated by the Ohio Department of Natural Resources, Division of Parks and Recreation.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791a–825r.

h. *Applicant Contacts:* Ramya Swaminathan, Chief Operating Officer, Free Flow Power Corporation, 239 Causeway Street, Suite 300, Boston, MA 02114; (978) 283–2822, or by email at: *Ramya@ryedevelopment.com.*

i. *FERC Contact:* M. Joseph Fayyad (202) 502–8759, or by email at *mo.fayyad@ferc.gov.*

j. Deadline for filing comments, motions to intervene and protests is 30 days from the issuance of this notice by the Commission. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/doc-sfiling/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The first page of any filing should include docket number P–13407–004.

k. *Description of currently authorized project:* The authorized but unconstructed project works consist of: (a) An existing 840-foot-long, 18-foot-high timber crib and concrete dam that contains a full-length, uncontrolled spillway having a crest elevation of 607.06 feet North American Vertical Datum of 1988; (b) an existing 628-acre impoundment with a volume of 4,492 acre-feet at the crest elevation of the dam; (c) a new 215-foot-long by 165-foot-wide by 23-foot-deep intake channel to be excavated upstream of the dam to convey flows to be used for generation into the powerhouse; (d) a new 37-foot-long by 80-foot-wide by 52-foot-high intake structure equipped with trashracks containing 2-inch clear bar spacing; (e) a new 160-foot-long by 75-foot-wide by 66-foot-high concrete powerhouse located immediately downstream of the dam on the north river bank containing two 2.5-megawatt horizontal Kaplan turbine/generator units; (f) a new 143.5-foot-long dam abutment located adjacent to the powerhouse to serve as an overflow weir to maintain the existing overflow capacity of the dam; (g) a new 100-foot-long by 125-foot-wide by 24-foot-deep tailrace channel located immediately downstream of the powerhouse to return flows exiting the powerhouse to the Muskingum River; (h) a new 40-foot-long by 40-foot-wide substation located adjacent to the north end of the dam; (i) a new 135-foot-long, 4.16-kilovolt (kV) transmission cable that connects the powerhouse to the substation; (j) a new 1,200-foot-long, 69-kV overhead transmission line that connects the substation to a local utility distribution line; (k) a new 150-foot-long access road and a new 1,800-square-foot parking lot located at the south end of the dam; and (l) appurtenant facilities.

l. *Description of Amendment:* The licensee proposes certain design changes to the project's works as follows: (1) Change the location of the project works form the north side to the south side of the dam; (2) the tailrace channel will be 255-foot-long by 170-foot-wide by 28-foot-deep; and (3) the transmission line will be a 150-foot-long, 4.16-kV transmission line that connects the powerhouse to the substation and a 2,375-foot-long, 69-kV transmission line that connects the substation to the local utility distribution line. Most of the 69-kV transmission line will be submerged behind the dam.

m. *Location of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371. The filing may also be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above. Agencies may obtain copies of the application directly from the applicant.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Motions to Intervene, or Protests:* Anyone may submit comments, a motion to intervene, or a protest in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, motions to intervene, or protests must be received on or before the specified comment date for the particular application.

p. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''MOTION TO INTERVENE'', or ''PROTEST'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervener must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: September 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–19567 Filed 9–14–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM01–5–000]

Electronic Tariff Filings; Notice Regarding Footnotes, Headers, or Footers in Tariff Text in the Commission's E-Tariff System

Take notice that the Commission's electronic tariff system (eTariff) does not reproduce footnotes, headers, or footers in the Real-Text-Format (RTF) tariff text posted on the Commission's Web site (*http://etariff.ferc.gov/TariffList.aspx*).[1] To the extent footnotes, headers or footers are needed in tariff text, filers should enter them separately in the body of the document on each page where needed rather than by using automatic features of the word processing program.

Dated: September 6, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–19563 Filed 9–14–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17–491–000]

Perryville Gas Storage LLC; Notice of Application

Take notice that on June 23, 2017, Perryville Gas Storage LLC (Perryville), having its principal place of business at Three Riverway, Suite 1350, Houston, Texas 77056, filed in the above referenced docket an application pursuant to section 7(c) of the Natural Gas Act (NGA), and Part 157 of the Commission's regulations for an order amending the certificate of public convenience and necessity issued in Docket No. CP09–418–000, and amended in Docket Nos. CP11–159–000, CP12–460–000 and CP13–23–000, to authorize Perryville to make certain

[1] This applies to footnotes created programmatically by the word processing software, such as the Insert Footnote Tool in Microsoft Word, and text added to the header or footer areas of a document, such as using the Insert Header or Footer Tool in Microsoft Word or clicking in the header or footer areas of the document.

changes to its certificated project. Perryville proposes to amend its certificate for natural gas storage caverns, located in Franklin and Richland Parishes, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site web at *http://www.ferc.gov* using the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Any questions concerning this application may be directed to J. Gordon Pennington, Attorney at Law, 1101 30th Street NW., Suite 500, Washington, DC 20007, at (202) 625–4330, or by email at *pennington5@verzion.net.*

Specifically, the applicant proposes to amend the requirements of Engineering Condition No. 5 related to periodic sonar survey found in Appendix B of the Certificate issued in Docket No. CP09–418–000 on January 26, 2010 by replacing periodic sonar surveys with the alternative proposed Well and Cavern Integrity Monitoring Program.

Pursuant to section 157.9 of the Commission's rules (18 CFR 157.9), within 90 days of this Notice, the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit seven copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 7 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street NE., Washington, DC 20426.

Comment Date: 5:00 p.m. Eastern Time on September 20, 2017.

Dated: September 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–19565 Filed 9–14–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17–486–000]

National Fuel Gas Supply Corporation; Notice of Application

On August 22, 2017, National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221, filed an application pursuant to section 7(c) of the Natural Gas Act (NGA) and the Federal Energy Regulatory Commission's (Commission) regulations seeking for a certificate of public convenience and necessity authorizing the use of Well 7451 on an interim basis for up to three years in order to withdraw storage gas to test the extent of communication between the Beech Hill Storage Field located in Allegany County, New York, and the Shongo Field, all as more fully set forth in the application, which is open to the public for inspection. The filing may also be viewed on the Web at *http://www.ferc.gov* using the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TTY, (202) 502–8659.

Any questions regarding the National Fuel application should be directed to Alice A. Curtiss, Deputy General Counsel for National Fuel, 6363 Main Street, Williamsville, New York 14221, or by phone (716) 857–7949.

Pursuant to Section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding, or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental

Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 7 copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy regulatory Commission, 888 First Street NE., Washington, DC 20426.

Comment Date: 5:00 p.m. Eastern Time on September 27, 2017.

Dated: September 6, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–19564 Filed 9–14–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP17–488–000; CP17–489–000]

Kinetica Deepwater Express, LLC; Kinetica Energy Express, LLC; Notice of Applications

Take notice that on August 25, 2017 Kinetica Deepwater Express, LLC (Kinetica Deepwater), 1001 McKinney, Suite 910, Houston, Texas 77002, filed Docket No. CP17–488–000 an application pursuant to section 7(b) of the Natural Gas Act (NGA) and sections 157.5, 157.7, and 157.18 of the Commission's regulations, requesting authorization to abandon by sale of approximately 192 miles of pipeline, 5 offshore platforms, and measurement, separation and dehydration facilities (the Patterson System) located in Louisiana and in state and federal waters in the Gulf of Mexico to Kinetica Energy Express, LLC (Kinetica Energy).

Additionally, on August 30, 2017 Kinetica Energy, 1001 McKinney, Suite 900, Houston, Texas 77002, filed Docket No. CP17–489–000 an application pursuant to section 7(c) of the NGA and Parts 157 and 284 of the Commission's regulations, requesting (1) authorization to acquire, own, and operate the Patterson System facilities from Kinetica Deepwater and (2) approval of the incremental initial rates and revised tariff pursuant to which Kinetica Energy will provide open-access, non-discriminatory natural gas transportation services consistent with Commission policies.

The applications are on file with the Commission and open to public inspection. The filings are available for review at the Commission in the Public Reference Room or may be viewed on the Web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the documents. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or TTY, contact (202) 502–8659.

Any questions concerning these applications may be directed to Diane S. Dundee, Kinetica Energy Express, LLC, 1001 McKinney, Suite 900, Houston, Texas 77002 or by phone (713) 288–3347.

Pursuant to section 157.9 of the Commission's rules, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit five copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the

proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit original and five copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

Comment Date: 5:00 p.m. Eastern Time on September 28, 2017.

Dated: September 7, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–19566 Filed 9–14–17; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0006; FRL–9965–43]

Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing of petitions and request for comment.

SUMMARY: This document announces the Agency's receipt of several initial filings of pesticide petitions requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

DATES: Comments must be received on or before October 16, 2017.

ADDRESSES: Submit your comments, identified by docket identification (ID) number and the pesticide petition number (PP) of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Robert McNally, Biopesticides and Pollution Prevention Division (BPPD) (7511P), main telephone number: (703) 305–7090; email address: *BPPDFRNotices@epa.gov,* Michael Goodis, Registration Division (RD) (7505P), main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.* The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT** for the division listed at the end of the pesticide petition summary of interest.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *http://www.epa.gov/dockets/comments.html.*

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other

factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

II. What action is the Agency taking?

EPA is announcing its receipt of several pesticide petitions filed under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, requesting the establishment or modification of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. The Agency is taking public comment on the requests before responding to the petitioners. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petitions described in this document contain the data or information prescribed in FFDCA section 408(d)(2), 21 U.S.C. 346a(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. After considering the public comments, EPA intends to evaluate whether and what action may be warranted. Additional data may be needed before EPA can make a final determination on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this document, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available at *http://www.regulations.gov.*

As specified in FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), EPA is publishing notice of the petition so that the public has an opportunity to comment on this request for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petition may be obtained through the petition summary referenced in this unit.

Amended Tolerances for Non-Inerts

PP 6F8512 (EPA–HQ–OPP–2016–0649). Nisso America Inc., on behalf of Nippon Soda Co., Ltd., 88 Pine Street, 14th Floor, New York, NY 10005, requests to amend the tolerance in 40 CFR part 180.667 for residues of the fungicide, cyflufenamid in or on the following raw agricultural commodities: Vegetable cucurbit (crop group 9), from 0.07 ppm to 0.1 ppm. A method was developed using solvent extraction of cyflufenamid from crops and analyzing sample extracts by LC/MS/MS. Contact: RD.

Amended Tolerance Exemptions for Non-Inerts (Except PIPS)

1. PP IN–11010. (EPA–HQ–OPP–2017–0257). Arkion Life Sciences, LLC, 551 Mews Drive, Suite J, New Castle, DE, 19720, requests to amend an exemption from the requirement of a tolerance in 40 CFR 180.1195 for residues of titanium dioxide (CAS Reg. No. 13463–67–7) when used as an inert ingredient in pesticide formulations to include use as an inert ingredient (colorant) at a concentration not to exceed 45 % by weight in pesticide formulations containing the active ingredient anthraquinone for use in pre-harvest foliar applications. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

2. PP 7F8548. (EPA–HQ–OPP–2017–0283). Valent BioSciences LLC, 870 Technology Way, Libertyville, IL 60048, requests to amend an exemption from the requirement of a tolerance in 40 CFR 180.1150 for residues of the plant regulator 6-benzyladenine in or on fruiting vegetables (tomatoes and peppers) and cucurbits (cucumbers, melons, and squash). The analytical method liquid chromatography with mass-selective (MS/MS) detection is available to EPA for the detection and measurement of the pesticide residues. Contact: BPPD.

New Tolerance Exemptions for Inerts (Except PIPS)

1. PP IN–11015. (EPA–HQ–OPP–2017–0179). SciReg, Inc., 12733 Director's Loop, Woodbridge, VA 22192, on behalf of Holly Frontier Refining & Marketing LLC, 401 Plymouth Road, Suite 350, Plymouth Meeting, PA 19462 requests to establish an exemption from the requirement of a tolerance for residues of distillates, petroleum, solvent-dewaxed paraffinic (CAS Reg. No. 64742–65–0) when used as an inert ingredient (carrier) in pesticide formulations applied to growing crops and raw agricultural commodities, and to animals 40 CFR 180.910 and 40 CFR 180.930, respectively. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

2. PP IN–11042. (EPA–HQ–OPP–2017–0363). Eco Verde Technologies Inc., 400 NW. 172 Avenue, Pembroke Pines, FL 33029, requests to establish an exemption from the requirement of a tolerance for residues of formaldehyde, polymer with 1,3-benzenediol, ethers with polyethylene glycol mono-Me ether (CAS Reg. No. 1998118–32–3) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

3. PP IN–11043. (EPA–HQ–OPP–2017–0362). Eco Verde Technologies Inc., 400 NW. 172 Avenue, Pembroke Pines, FL 33029, requests to establish an exemption from the requirement of a tolerance in 40 CFR 180.960 for residues of formaldehyde, polymer with 1,3-benzenediol, 2-methyloxirane and oxirane, ethers with polyethylene glycol mono-Me ether (CAS Reg. No. 1998118–31–2) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

4. PP IN–11044. (EPA–HQ–OPP–2017–0248). BASF Corporation, 100 Park Avenue, Florham Park, NJ 07932, requests to establish an exemption from the requirement of a tolerance for residues of the amine salt of styrene acrylic polymer, ammonium salt when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

5. PP IN–11045. (EPA–HQ–OPP–2017–0258). Spring Trading Company, 203 Dogwood Trail, Magnolia, TX, 77453 on behalf of Ashland, Inc., 1005 Rt. 202/206, Bridgewater, NJ 08807 requests to establish an exemption from the requirement of a tolerance for residues of 2-propenoic acid, 2-methyl-, dodecyl ester, polymer with 1-ethenyl-2-pyrrolidinone and α-(2-methyl-1-oxo-2-propen-1-yl)-ω-methoxypoly(oxy-1,2-ethanediyl) (CAS Reg. No. 193743–10–1) when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

6. PP IN–11046. (EPA–HQ–OPP–2017–0312). Spring Trading Company (203 Dogwood Trail, Magnolia, TX 77354) on behalf of Oxiteno USA, LLC, (9801 Bay Area Blvd., Pasadena, Texas 77507), requests to establish an exemption from the requirement of a tolerance for residues of 1-octanamine, N,N-dimethyl-, N-oxide (CAS Reg. No. 2605–78–9) when used as an inert ingredient (surfactant) in pesticide

formulations applied to growing crops and raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

7. PP IN–11048. (EPA–HQ–OPP–2017–0249). Technology Sciences Group, 1150 18th Street NW., Suite 1000, Washington, DC 20035, on behalf of Attune Agriculture, LLC, 10552 Philadelphia Road, White Marsh, MD 21162, requests to establish an exemption from the requirement of a tolerance for residues of konjac mannan (CAS Reg. No. 37220–17–0) when used as an inert ingredient (thickener) in pesticide formulations applied to growing crops only under 40 CFR 180.920. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirements of a tolerance. Contact: RD.

8. PP IN–11062. (EPA–HQ–OPP–2017–0351). InvisiDex, Inc., 1129 Maricopa HWY #217, Ojai, CA 93023, requests to establish an exemption from the requirement of a tolerance for residues of the deoxyribonucleic acids (CAS No. 9006–49–2) when used as an inert ingredient (chemical identifier/molecular marker) at a concentration of not more than one part per million (ppm) by weight in pesticide formulations applied to growing crops and raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

New Tolerances for Non-Inerts

1. PP 6E8526. (EPA–HQ–OPP–2017–0288). Valent BioSciences LLC, 870 Technology Way, Libertyville, IL 60048, requests to establish a tolerance in 40 CFR part 180 for residues of the plant regulator 6-benzyladenine in or on avocado at 0.05 parts per million (ppm). Liquid chromatography with mass-selective (MS/MS) detection is used to measure and evaluate the chemical 6-benzyladenine. Contact: BPPD.

2. PP 6E8529. (EPA–HQ–OPP–2017–0194). E. I. du Pont de Nemours and Company, 974 Centre Road, Wilmington, Delaware 19805, requests to establish a tolerance in 40 CFR part 180 for residues of the herbicide sulfometuron-methyl, benzoic acid, 2-[[[[(4,6-dimethyl-2-pyrimidinyl) amino]carbonyl]amino]sulfonyl]-, methyl ester in or on sugarcane, cane; sugarcane, molasses; and sugarcane, sugar, refined at 0.01 parts per million (ppm). The liquid chromatography with tandem mass spectrometry method is used to measure and evaluate the chemical sulfometuron-methyl. Contact: RD.

3. PP 6F8519. EPA–HQ–OPP–2017–0211. Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the herbicide S-metolachlor in or on sugarcane at 0.4 parts per million (ppm) and sugarcane molasses at 1.5 ppm. A gas chromatography-nitrogen phosphorus detection (GC/NPD) method is used to measure and evaluate the chemical S-metolachlor. Contact: RD.

4. PP 6F853. EPA–HQ–OPP–2017–0169. Makhteshim Agan of North America (d/b/a ADAMA, 3120 Highlands Blvd., Suite 100, Raleigh, NC 27604), requests to establish a tolerance in 40 CFR part 180 for residues of the nematicide, fluensulfone, in or on fruit, pome, crop group 11–10 at 0.3 ppm; fruit, stone crop group 12–12 at 0.06 ppm; small fruit vine climbing subgroup 13–07D at 0.5 ppm; grape, raisin at 0.8 ppm; nut, tree, crop group 14–12 at 0.02 ppm; almond, hulls at 3.0 ppm; sugarcane at 0.03 ppm; sugarcane and molassess at 0.2 ppm, and inadvertent tolerance for residues of fluensulfone, including its metabolites and degradates, in or on (10-month plant-back interval): Grain, cereal, crop group 15 at 0.03 ppm; forage, fodder and straw of cereal grains, crop group 16 at 2 ppm; (90-day plant-back interval): Wheat, grain at 0.06 ppm; barley, grain at 0.06 ppm; buckwheat, grain at 0.06 ppm; oat, grain at 0.06 ppm; teosinte, grain at 0.06 ppm; wheat, bran at 0.10 ppm; barley, bran at 0.10 ppm; wheat, middlings at 0.07 ppm; wheat, shorts at 0.08 ppm; wheat, germ at 0.07 ppm; wheat, straw at 4 ppm; barley, straw at 4 ppm; oat, straw at 4 ppm; wheat, forage at 4 ppm; oat, forage at 4 ppm; wheat, hay at 8 ppm; barley hay at 8 ppm; and oat, hay at 8 ppm. The LC–MS/MS is used to measure and evaluate the chemical 3,4,4-trifluoro-but-3-ene-1-sulfonic acid. Contact: RD.

5. PP 7E8571. (EPA–HQ–OPP–2017–0291). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the herbicide, diquat-dibromide, in or on Crop Group 6C (Dried shelled pea and bean (except soybean)) at 0.08 parts per million (ppm). The Method GRM012.03A is used to measure and evaluate the chemical residues of diquat dibromide in commodities. Contact: RD.

6. PP 7E8578. (EPA–HQ–OPP–2011–0971). Nichino America, Inc., 4550 Linden Hill Rd., Suite 501, Wilmington, DE 19808, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide pyrifluquinazon (1-acetyl-1,2,3,4-tetrahydro-3-[(3-pyridylmethyl)amino]-6-[1,2,2,2-tetraflouro-1-(trifluoromethyl) ethyl]quinazolin-2-one) in or on imported tea at 20 parts per million (ppm). The analytical method HPLC–MS/MS is used to measure and evaluate the chemical pyrifluquinazon (1-acetyl-1,2,3,4-tetrahydro-3-[(3-pyridylmethyl)amino]-6-[1,2,2,2-tetraflouro-1-(trifluoromethyl)ethyl] quinazolin-2-one) and IV–01 (3-[(pyridine-3-ylmethyl)amino]-6-[1,2,2,2-tetrafluoro-1-(trifluoromethyl) etyl]-3,4-dihydro-1H-quinaolin-2-one). Contact: RD.

Authority: 21 U.S.C. 346a.

Dated: July 26, 2017.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2017–19692 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2016–0438; FRL–9967–69–OW]

Request for Public Comments To Be Sent to EPA on Peer Review Materials To Inform the Safe Drinking Water Act Decision Making on Perchlorate

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of request for public comment.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing the release of materials for public comment. These materials will undergo expert peer review in support of EPA's Safe Drinking Water Act decision making for perchlorate. *This request is one of two* ***Federal Register*** *notices being published concurrently, seeking public comment on two separate sets of peer review materials.* This notice requests comments (to be sent to EPA) on a draft report entitled ''Draft Report: Proposed Approaches to Inform the Derivation of a Maximum Contaminant Level Goal for Perchlorate in Drinking Water'' (draft MCLG Approaches Report). The companion notice requests comments (to be sent to EPA's contractor, Versar, Inc.) on an interim list of peer reviewers and draft charge questions.

DATES: Comments must be received by EPA on or before October 30, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OW–2016–0438 to the Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: For additional information concerning the draft MCLG Approaches Report, please contact Samuel Hernandez at U.S. EPA, Office of Ground Water and Drinking Water, Standards and Risk Management Division, (Mail Code 4607M), 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone: 202–564–1735; or email: *Hernandez.Samuel@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Information on EPA's Revised Biologically Based Dose-Response (BBDR) Model

As a part of the national primary drinking water regulation (NPDWR) development process for perchlorate, in accordance with the requirements of the Safe Drinking Water Act, in 2012, EPA requested comment from EPA's Science Advisory Board (SAB) prior to proposing an MCLG and a NPDWR for perchlorate. EPA sought guidance on how best to consider and interpret life stage information, epidemiologic and biomonitoring data, physiologically-based pharmacokinetic analyses and the totality of perchlorate health related information to derive a perchlorate MCLG.

In 2013, the SAB recommended that, ''. . . EPA derive a perchlorate MCLG that addresses sensitive life stages through physiologically-based pharmacokinetic/pharmacodynamic (PBPK/PD) modeling based upon its mode of action rather than the default MCLG approach using the reference dose and specific chemical exposure parameters'' (Advice on Approaches to Derive a Maximum Contaminant Level Goal for Perchlorate, EPA–SAB–13–004).

Based on the SAB's recommendations, EPA, with contributions from Food and Drug Administration scientists, developed a biologically based dose response (BBDR) (also known as a PBPK/PD) model, to predict the effects of perchlorate on serum thyroid hormone concentrations in pregnant and lactating women exposed to perchlorate in drinking water and in infants exposed via ingestion of perchlorate in formula or breast milk.

On January 10 and 11, 2017, EPA's contractor (Versar, Inc.) conducted an independent, scientific peer review of EPA's draft BBDR model and draft model report. The purpose of the peer review was to provide a documented, independent, and critical review of the draft BBDR model and draft model report and to identify any necessary improvements to the model prior to being finalized. On March 29, 2017, EPA received the final peer review report entitled, ''External Peer Review for EPA's Draft Biologically Based Dose-Response (BBDR) Model and Draft BBDR Model Report for Perchlorate in Drinking Water,'' which is available through the EPA docket at *https://www.regulations.gov/docket?D=EPA-HQ-OW-2016-0439.*

In developing the draft MCLG Approaches Report, EPA revised the BBDR model to address those peer review recommendations that had the greatest influence on the scientific rigor of the model and modeling results. Those changes are described in the draft MCLG Approaches Report. EPA will consider other peer review recommendations and public comments in future revisions to the BBDR model and report.

II. Information on EPA's Draft Approaches To Inform the Derivation of a Perchlorate MCLG

The SAB also recommended that EPA, ''utilize a mode of action (MOA) framework for developing the MCLG that links the steps in the proposed mechanism leading from perchlorate exposure through iodide uptake inhibition to thyroid hormone changes and finally neurodevelopmental impacts.''

EPA used the modeled thyroid hormone levels to predict potential adverse health effects based on published epidemiology data demonstrating a relationship between changes in thyroid hormone levels and neurodevelopmental effects. This approach involved a focused review of the literature connecting altered thyroid hormone levels to neurodevelopmental outcomes for women in early pregnancy. EPA focused on studies that provided a quantitative description of the relationship between free thyroxine and neurodevelopment in infants and children (*e.g.,* intelligence quotient, verbal and problem solving skills and motor coordination).

EPA will present an array of approaches to inform the derivation of an MCLG for perchlorate for expert peer review. Using the revised BBDR model output, EPA linked statistical relationships derived from five studies to implement the MOA framework linking perchlorate exposure to neurodevelopmental impacts. All five studies assess the relationship between thyroid hormone levels in women in early pregnancy and various neurodevelopmental effects on children at various ages. Two studies assess the relationship on the IQ of children 5 to 10 years of age, two other studies assess the relationship on Bayley Scales of Infant Development of children 1 to 2 years of age, and a fifth study assesses the relationship on reaction time of children 5 to 6 years of age. An additional approach uses the revised BBDR model output to predict the percent change in the population of hypothyroxinemic (or the low-end of normal thyroid hormone levels) pregnant women due to perchlorate exposure.

III. How To Obtain the Draft MCLG Approaches Report and Revised BBDR Model

EPA's draft report entitled ''Draft Report: Proposed Approaches to Inform the Derivation of a Maximum Contaminant Level Goal for Perchlorate in Drinking Water'' is available electronically and can be accessed using EPA's public docket at *https://www.regulations.gov/docket?D=EPA-HQ-OW-2016-0438.* The revised BBDR model code files can be accessed at *https://hero.epa.gov/hero/index.cfm/reference/details/reference_id/3352518.* All written comments must be submitted during the public comment period.

IV. Exclusion for Peer Review Candidates

Important: Anyone wishing to be considered as an expert peer reviewer must not submit comments during the public comment period. Candidates on the interim list not selected for the

panel peer review (see companion Peer Review **Federal Register** notice, published on September 15, 2017) will be given a limited opportunity to submit public comments once the final peer reviewers are selected by Versar, Inc., the EPA contractor managing this peer review process.

Dated: September 6, 2017.

Michael H. Shapiro,

Acting Assistant Administrator, Office of Water.

[FR Doc. 2017–19703 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0008; FRL–9965–38]

Pesticide Product Registration; Receipt of Applications for New Uses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

DATES: Comments must be received on or before October 16, 2017.

ADDRESSES: Submit your comments, identified by the Docket Identification (ID) Number and the File Symbol of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Robert McNally, Biopesticides and Pollution Prevention Division (7511P), main telephone number: (703) 305–7090; email address: *BPPDFRNotices@epa.gov,* Michael Goodis, Registration Division (7505P), main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov,* Steve Knizner, Antimicrobials Division (7510P), main telephone number: (703) 305–7090; email address: *ADFRNotices@epa.gov.* The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *http://www.epa.gov/dockets/comments.html.*

II. Registration Applications

EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the provisions of FIFRA section 3(c)(4) (7 U.S.C. 136a(c)(4)), EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications:

1. *EPA Registration Numbers:* 100–815, 100–1406, 100–1407, and 100–1442. *Docket ID number:* EPA–HQ–OPP–2017–0211. *Applicant:* Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419. *Active ingredient:* S-metolachlor. *Product type:* Herbicide. *Proposed use:* Sugarcane. *Contact:* RD.

2. *EPA Registration Numbers:* 264–1137 and 264–1169. *Docket ID number:* EPA–HQ–OPP–2016–0508. *Applicant:* Bayer CropScience, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709. *Active ingredient:* Fluoxastrobin. *Product type:* Fungicide. *Proposed uses:* Sorghum (seed treatment) and Wheat (seed treatment). *Contact:* RD.

3. *EPA Registration Numbers:* 279–3460, 279–3052, and 279–3158. *Docket ID Number:* EPA–HQ–OPP–2017–0372. *Applicant:* FMC Corporation, 2929 Walnut Street, Philadelphia, PA 19104. *Active ingredient:* Clomazone. *Product type:* Herbicide. *Proposed uses:* Cilantro; dill; vegetable, cucurbit, group 9; rapeseed subgroup 20A; vegetable, brassica, head and stem, group 5–16; cottonseed subgroup 20C; Chinese broccoli; kohlrabi; bean, dry; bean, succulent; and the stalk and stem vegetable subgroup 22A, except kohlrabi. *Contact:* RD.

4. *EPA Registration Number:* 6836–378. *Docket ID number:* EPA–HQ–OPP 2017–0348. *Applicant:* Lonza Inc., 90 Boroline Road, Allendale, NJ 07401. *Active ingredient:* Sodium Pyrithione. *Product type:* Materials Preservative. *Proposed use:* Dishwasher rinse aid. *Contact:* AD.

5. *EPA File Symbol:* 46197–E. *Docket ID number:* EPA–HQ–OPP–2017–0232. *Applicant:* Technology Sciences Group, Inc. on behalf of Kansai Paint Co., Ltd., 1150 18th St. NW., Suite 1000, Washington, DC 20036. *Active ingredient:* Permethrin. *Product type:* Insecticide. *Proposed use:* Permethrin-treated paint to be applied to walls as a means to kill mosquitoes. *Contact:* RD.

6. *EPA Registration Numbers:* 62719–144 and 62719–659. *Docket ID number:* EPA–HQ–OPP–2016–0650. *Applicant:* Interregional Research Project No. 4 (IR–4) Project Headquarters, Rutgers, The State University of NJ, 500 College Road East, Suite 201, W. Princeton, NJ 08540. *Active ingredient:* Isoxaben: N-[3-(1-ethyl-1-methylpropyl)-5-isoxazolyl]-2, 6-dimethoxybenzamide and isomers. *Product type:* Herbicide. *Proposed use:* Apples, bushberry subgroup 13–07B, the fruit, small, vine climbing, except fuzzy kiwi fruit, subgroup 13–07F; the nut, tree, group 14–12. *Contact:* RD.

7. *EPA Registration Number:* 73049–407. *Docket ID number:* EPA–HQ–OPP–2017–0289. *Applicant:* Valent BioSciences, LLC, 870 Technology Way, Libertyville, IL 60048. *Active ingredient:* 6-benzyladenine. *Product*

type: Plant regulator. *Proposed use:* End-use product plant regulator for use on avocados to increase fruit size and yield and to reduce alternate bearing.*Contact:* BPPD.

8. *EPA Registration Number:* 73049–407. *Docket ID number:* EPA–HQ–OPP–2017–0287. *Applicant:* Valent BioSciences, LLC, 870 Technology Way, Libertyville, IL 60048. *Active ingredient:* 6-benzyladenine. *Product type:* Plant regulator. *Proposed use:* End-use product plant regulator for use on fruiting vegetables (peppers and tomatoes) and cucurbits (cucumbers, melons, and squash) for enhancement of fruit size. *Contact:* BPPD.

9. *EPA Registration Number:* 11678–73 and 66222–243. *Docket ID number:* EPA–HQ–OPP–2017–0169. *Applicant:* Makhteshim Agan of North America d/b/a ADAMA, 3120 Highlands Blvd., Suite 100, Raleigh, NC 27604. *Active ingredient:* Fluensulfone. *Product type:* Nematicide. *Proposed use:* Pome Fruit Group 11–10, Stone Fruit Group 12–12, Small Fruit Vine Climbing Subgroup 13–07D, Tree Nuts Group 14–12, Sugarcane, and inadvertent tolerances for Cereal Grain, Group 15; Forage, Fodder and Straw of Cereal Grains Group 16. *Contact:* RD

Authority: 7 U.S.C. 136 *et seq.*

Dated: July 26, 2017.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2017–19691 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2017–0007; FRL–9965–42]

Pesticide Product Registration; Receipt of Applications for New Active Ingredients

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

DATES: Comments must be received on or before October 16, 2017.

ADDRESSES: Submit your comments, identified by the Docket Identification (ID) Number and the File Symbol of interest as shown in the body of this document, by one ofthe following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Robert McNally, Biopesticides and Pollution Prevention Division (7511P), main telephone number: (703) 305–7090; email address: *BPPDFRNotices@epa.gov.,* Michael Goodis, Registration Division (7505P), main telephone number: (703) 305–7090; email address: *RDFRNotices@epa.gov.* The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *http://www.epa.gov/dockets/comments.html.*

II. Registration Applications

EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. Pursuant to the provisions of FIFRA section 3(c)(4) (7 U.S.C. 136a(c)(4)), EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications:

1. *File Symbol:* 2217–RNEA. *Docket ID number:* EPA–HQ–OPP–2017–0246. *Applicant:* PBI/Gordon Corporation, 1217 West 12th Street, Kansas City, MO 64101. *Product name:* EH–1580 Consumer Weed and Feed. *Active ingredient:* herbicide—pyrimisulfan at 0.025% and penoxsulam at 0.025%. *Proposed use:* Turf. *Contact:* RD.

2. *File Symbol:* 2217–RNEE. *Docket ID number:* EPA–HQ–OPP–2017–0246. *Applicant:* PBI/Gordon Corporation, 1217 West 12th Street, Kansas City, MO 64101. *Product name:* EH–1579 ORP Granule. *Active ingredient:* Herbicide—pyrimisulfan at 0.025% and penoxsulam at 0.025%. *Proposed use:* Turf. *Contact:* RD.

3. *File Symbol:* 2217–RNEG. *Docket ID number:* EPA–HQ–OPP–2017–0246. *Applicant:* PBI/Gordon Corporation, 1217 West 12th Street, Kansas City, MO 64101. *Product name:* EH–1580 ORP Weed and Feed. *Active ingredient:* Herbicide—pyrimisulfan at 0.025% and penoxsulam at 0.025%. *Proposed use:* Turf. *Contact:* RD.

4. *File Symbol:* 2217–RNEL. *Docket ID number:* EPA–HQ–OPP–2017–0246. *Applicant:* PBI/Gordon Corporation, 1217 West 12th Street, Kansas City, MO 64101. *Product name:* EH–1579 Consumer Granule. *Active ingredient:* Herbicide—pyrimisulfan at 0.025% and penoxsulam at 0.025%. *Proposed use:* Turf. *Contact:* RD.

5. *File Symbols:* 2217–RNER. *Docket ID number:* EPA–HQ–OPP–2017–0246. *Applicant:* PBI/Gordon Corporation, 1217 West 12th Street, Kansas City, MO 64101. *Product names:* EH–1566 Consumer Granule. *Active ingredient:* Herbicide—pyrimisulfan at 0.025%. *Proposed use:* Turf. *Contact:* RD.

6. *File Symbol:* 2217–RNET. *Docket ID number:* EPA–HQ–OPP–2017–0246. *Applicant:* PBI/Gordon Corporation, 1217 West 12th Street, Kansas City, MO 64101. *Product name:* Pyrimisulfan Technical. *Active ingredient:* Herbicide—pyrimisulfan at 99.5%. *Proposed use:* For formulation into

end-use herbicides for use in turf. *Contact:* RD.

7. *File Symbol:* 2217–RNEU. *Docket ID number:* EPA–HQ–OPP–2017–0246. *Applicant:* PBI/Gordon Corporation, 1217 West 12th Street, Kansas City, MO 64101. *Product name:* EH–1566 ORP Granule. *Active ingredient:* Herbicide—pyrimisulfan at 0.025%. *Proposed use:* Turf. *Contact:* RD.

8. *File Symbol:* 91253–E. *Docket ID number:* EPA–HQ–OPP–2017–0296. *Applicant:* International Animal Health Products Pty. Ltd., 18 Healey Circuit, Huntingwood, New South Wales 2148 Australia (in care of SciReg, Inc., 12733 Director's Loop, Woodbridge, VA 22192). *Product name:* Livamol with Bioworma. *Active ingredient:* Nematicide—*Duddingtonia flagrans* strain IAH 1297 at 2.2%. *Proposed use:* Microbial pesticide that is fed to grazing animals, passes through into the manure, and controls nematode larvae in pastures. *Contact:* BPPD.

9. *File Symbol:* 91253–R. *Docket ID number:* EPA–HQ–OPP–2017–0296. *Applicant:* International Animal Health Products Pty. Ltd., 18 Healey Circuit, Huntingwood, New South Wales 2148 Australia (in care of SciReg, Inc., 12733 Director's Loop, Woodbridge, VA 22192). Product name: Bioworma. *Active ingredient:* Nematicide—*Duddingtonia flagrans strain* IAH 1297 at 34.6%. *Proposed use:* Microbial pesticide that is fed to grazing animals, passes through into the manure, and controls nematode larvae in pastures. *Contact:* BPPD.

Authority: 7 U.S.C. 136 *et seq.*

Dated: July 26, 2017.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2017–19694 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–ORD–2015–0239; FRL–9967–16–ORD]

Human Studies Review Board Advisory Committee; Request for Nominations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The U.S. Environmental Protection Agency (EPA) invites nominations from a diverse range of qualified candidates with expertise in the area of bioethics and statistics to be considered for appointment to its Human Studies Review Board (HSRB) federal advisory committee. HSRB vacancies will be filled in the fall of 2017. In addition to this **Federal Register** notice, additional sources of nominations may be used to obtain a balanced committee.

DATES: Submit nominations by October 16, 2017.

ADDRESSES: Submit your nominations by using any of the following methods:

Email: Submit nominations electronically using the subject line: ''HSRB Membership 2017'' to *ofarrell.thomas@epa.gov.*

USPS Mail: Human Studies Review Board, DFO, Environmental Protection Agency, Mail code: 8105R, 1200 Pennsylvania Ave. NW., Washington, DC 20460.

Hand or Courier Delivery: Human Studies Review Board, DFO, Room 41249, EPA, Ronald Reagan Building, 1300 Pennsylvania Avenue NW., MC8105R, Washington, DC 20004. Deliveries are accepted from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Special arrangements should be made for deliveries of boxed information.

FOR FURTHER INFORMATION CONTACT: Thomas O'Farrell, Office of the Science Advisor, Mail Code 8105R, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone number: (202) 564–8451, fax number: (202) 564–2070, email: *ofarrell.thomas@epa.gov.*

SUPPLEMENTARY INFORMATION:

Background

On February 6, 2006, the Agency published a final rule for the protection of human subjects in research (71 FR 24 6138) that called for creating a new, independent human studies review board (*i.e.,* HSRB). The HSRB is a federal advisory committee operating in accordance with the Federal Advisory Committee Act (FACA) 5 U.S.C. App. 2 section 9 (Pub. L. 92–463). The HSRB provides advice, information, and recommendations to EPA on issues related to scientific and ethical aspects of human subjects research. The major objectives of the HSRB are to provide advice and recommendations on: (1) Research proposals and protocols that include human subjects; (2) reports of completed research with human subjects; and (3) how to strengthen EPA's programs for protection of human subjects of research. Typically, the HSRB reviews protocols and completed studies involving pesticide studies, such as worker exposure studies with agricultural handlers applying pesticides in field conditions; janitorial maintenance personnel applying antimicrobial pesticides in commercial settings; and field efficacy studies for skin applied insect repellent products. The HSRB reports to the EPA Administrator through EPA's Science Advisor. General information concerning the HSRB, including its charter, current membership, and activities can be found on the EPA Web site at *https://www.epa.gov/osa/human-studies-review-board.*

HSRB members serve as special government employees or regular government employees. Members are appointed by the EPA Administrator for either two or three year terms with the possibility of reappointment for additional terms, with a maximum of six years of service. The HSRB convenes up to four times a year, with most of the meetings being virtual. The average workload for HSRB members is approximately 20 hours per meeting, including the time spent at the meeting. Responsibilities of HSRB members include reviewing extensive background materials prior to meetings of the Board, preparing draft responses to Agency charge questions, attending Board meetings, participating in the discussion and deliberations at these meetings, drafting assigned sections of meeting reports, and assisting with the finalization of HSRB reports. EPA compensates special government employees for their time and provides reimbursement for travel and other incidental expenses associated with official government business related to the HSRB meetings. EPA values and welcomes diversity. In an effort to obtain nominations of diverse candidates, EPA encourages nominations of women and men of all racial and ethnic groups, as well as from a variety of backgrounds (*e.g.,* industry, non-profit organizations, academia, and government).

Candidates not selected for HSRB membership at this time may be considered for HSRB membership as vacancies arise in the future or for service as consultants to the HSRB.

Members of the HSRB are subject to the provisions of 5 CFR part 2634, Executive Branch Financial Disclosure, as supplemented by the EPA in 5 CFR part 6401. In anticipation of this requirement, each nominee will be asked to submit confidential financial information that fully discloses, among other financial interests, the candidate's employment, stocks and bonds, and where applicable, sources of research support. The information provided is strictly confidential and will not be disclosed to the public. Before a candidate is considered further for service on the HSRB, EPA will evaluate each candidate to assess whether there is any conflict of financial interest, appearance of a lack of impartiality, or prior involvement with matters likely to be reviewed by the Board.

Nominations will be evaluated on the basis of several criteria, including: The professional background, expertise, and experience that would contribute to the diversity of perspectives of the committee; interpersonal, oral, and written communication skills and other attributes that would contribute to the HSRB's collaborative process; consensus building skills; absence of any financial conflicts of interest or the appearance of a lack of impartiality, or lack of independence, or bias; and the availability to participate in meetings and administrative sessions, participate in teleconferences, develop policy recommendations to the Administrator, and prepare recommendations and advice in reports.

Nominations should include a resume or curriculum vitae providing the nominee's educational background, qualifications, leadership positions in national associations or professional societies, relevant research experience and publications along with a short (one page) biography describing how the nominee meets the above criteria and other information that may be helpful in evaluating the nomination, as well as the nominee's current business address, email address, and daytime telephone number. Interested candidates may self-nominate.

To help the Agency in evaluating the effectiveness of its outreach efforts, nominees are requested to inform the Agency of how you learned of this opportunity.

Final selection of HSRB members is a discretionary function of the Agency and will be announced on the HSRB Web site at *https://www.epa.gov/osa/human-studies-review-board* as soon as selections are made.

Dated: August 24, 2017.

Robert Kavlock,

EPA Science Advisor.

[FR Doc. 2017–19698 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9035–2]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7146 or *http://www2.epa.gov/nepa/.*

Weekly receipt of Environmental Impact Statements (EIS)

Filed 09/04/2017 Through 09/08/2017 Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxnodengn.epa.gov/cdx-nepa-public/action/eis/search.*

EIS No. 20170175, Final, NPS, CA, Vista Grande Drainage Basin Improvement Project, Golden Gate National Recreation Area, San Francisco and San Mateo Counties, *Review Period Ends:* 10/15/2017, *Contact:* Steven Ortega 415–561–4955.

EIS No. 20170176, Draft, DOT, LA, Final Integrated Feasibility Report and Environmental Impact Statement for the Houma Navigational Canal Deepening Project, Terrebonne Parish, Louisiana, *Comment Period Ends:* 10/30/2017, *Contact:* Patricia S. Naquin 504–862–1544.

EIS No. 20170177, Draft, AFS, SD, Black Hills Resilient Landscapes Project, *Comment Period Ends:* 10/30/2017, *Contact:* Anne Davy 406–273–1836.

Amended Notices

EIS No. 20170154, Draft, USACE, IL, The Great Lakes and Mississippi River Interbasin Study—Brandon Road, *Comment Period Ends:* 10/02/2017, *Contact:* Andrew Leichty 309–794–5399; Revision to the FR Notice Published 08/18/2017; Extending Comment Period from 10/02/2017 to 11/16/2017.

Dated: September 12, 2017.

Kelly Knight,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2017–19665 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9967–32–Region 9]

Notice of Final Agency Action To Issue a Prevention of Significant Deterioration Non-Applicability Determination for Tesoro Refining and Marketing for Further Integration of Its Carson and Wilmington Facilities

AGENCY: Region 9, United States Environmental Protection Agency (EPA).

ACTION: Notice of final agency action.

SUMMARY: This notice announces that the EPA issued a final agency action for a Clean Air Act Prevention of Significant Deterioration (PSD) Non-Applicability Determination to Tesoro Refining & Marketing Company LLC (Tesoro) for further integration of its Carson and Wilmington facilities in California's South Coast Air Basin. Tesoro has termed its construction project the Los Angeles Refinery Integration and Compliance (LARIC) Project. Tesoro intends to shut down certain units, modify other units and construct new units to facilitate physically connecting the two refineries to improve efficiency and comply with EPA's Tier 3 Gasoline regulations. In its Non-Applicability Determination, the EPA determined that the LARIC Project is a not a major PSD modification.

DATES: The PSD Non-Applicability Determination issued on June 20, 2017 was a final agency action. Pursuant to section 307(b)(1) of the Clean Air Act, 42 U.S.C. 7607(b)(1), judicial review of this final agency action may be sought by filing a petition for review in the United States Court of Appeals for the Ninth Circuit within 60 days of September 15, 2017.

ADDRESSES: Copies of documents relevant to the above-referenced action are available electronically at the following Web site: *https://www.epa.gov/caa-permitting/tesoro-los-angeles-refinery-integration-and-compliance-project.* See **FOR FURTHER INFORMATION CONTACT** to arrange for viewing of these documents.

FOR FURTHER INFORMATION CONTACT: La Weeda Ward, Permits Office (Air–3), U.S. Environmental Protection Agency, Region 9, (213) 244–1812, *ward.laweeda@epa.gov.*

NOTICE OF FINAL ACTION: On June 20, 2017, EPA notified Tesoro that based on our review of its PSD Non-Applicability Analysis, the LARIC Project is not a major modification that requires a PSD permit under 40 CFR 52.21.

Dated: August 24, 2017.

Elizabeth J. Adams,

Acting Director, Air Division, Region IX.

[FR Doc. 2017–19701 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9967–39–Region 5]

Notice of Issuance of Part 71 Federal Operating Permits for Cloquet Compressor Station No. 5, Grand Casino Hinckley, Treasure Island Resort & Casino, and Mystic Lake Casino Hotel; and Notice of Issuance of Part 52 Federal Construction Permit for Grand Casino Hinckley

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces that the Environmental Protection Agency (EPA) issued Federal operating permits to Great Lakes Gas Transmission Limited Partnership (Great Lakes Gas), NRG Reliability Solutions, LLC, Mille Lacs Corporate Ventures dba Grand Casino Hinckley (Mille Lacs Corporate Ventures), and Shakopee Mdewakanton Sioux Community of Minnesota (SMSC). EPA also issued a Federal construction permit to Mille Lacs Corporate Ventures.

ADDRESSES: The final signed permits are available for public inspection online at *http://yosemite.epa.gov/r5/r5ard.nsf/Tribal+Permits!OpenView,* or during normal business hours at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. We recommend that you call Paymon Danesh, Environmental Engineer, at (312) 886–6219 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Paymon Danesh, Environmental Engineer, Air Permits Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6219, *danesh.paymon@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

A. What is the background information?

i. Great Lakes Gas Transmission—Cloquet Compressor Station No. 5 (CS#5)

CS#5 operates three stationary natural gas-fired turbines which drive three natural gas compressors. One natural gas-fired emergency generator provides electrical power for compressor station operations during periods of electrical power disruption. CS#5 is located approximately 8 miles west of Cloquet, Minnesota. CS#5 is owned and maintained by Great Lakes Gas on privately-owned fee land within the exterior boundaries of the Fond du Lac Band of Lake Superior Chippewa Reservation. EPA is responsible for issuing and enforcing any air quality permits for the source until such time that the Fond du Lac Band of Lake Superior Chippewa has EPA approval to do so.

On August 14, 2015, EPA received from Great Lakes Gas a permit application to renew its 2011 title V operating permit for CS#5. On September 30, 2016, EPA received supplemental information from Great Lakes Gas. On December 9, 2016, EPA published a draft title V permit for public comment. The public comment period ended on January 9, 2017, and EPA did not receive any comments. EPA issued the final permit for CS#5, permit number V–FDL–271300066–2016–03, on January 26, 2017. Pursuant to 40 CFR 71.11(i)(2)(iii), the permit became effective immediately upon issuance since EPA did not receive any comments requesting a change in the draft permit.

ii. Treasure Island Resort & Casino

NRG Reliability Solutions, LLC, owns and operates four diesel-fired generators at the Treasure Island Resort & Casino in Red Wing, Minnesota. The generators are located on the Prairie Island Indian Community's reservation on lands held in trust by the Federal government. Since the generators are located on lands held in trust by the Federal government, EPA is primarily responsible for issuing permits for the source.

On October 12, 2016, EPA received from NRG Reliability Solutions, LLC, a permit application requesting to revise the carbon monoxide testing interval required pursuant to 40 CFR 63 subpart ZZZZ for limited use stationary reciprocating internal combustion engines. On December 13, 2016, EPA published a draft title V significant modification for public comment. The public comment period ended January 12, 2017. EPA did not receive any comments on this permit. EPA issued the final permit, permit number V–PI–2704900084–2012–13, on January 27, 2017. Pursuant to 40 CFR 71.11(i)(2)(iii), the permit became effective immediately upon issuance since EPA did not receive any comments on the permit.

iii. Grand Casino Hinckley

Mille Lacs Corporate Ventures owns and operates three non-emergency internal combustion engines used for peak load management and backup power at the Grand Casino Hinckley, located in Hinckley, Minnesota. Mille Lacs Corporate Ventures also owns and operates two diesel-fired emergency internal combustion engines, used for backup power. All electricity generated is used onsite. The facility is located on land that is held in trust for the Mille Lacs Band of Ojibwe. EPA is responsible for issuing and enforcing any air quality permits for the source until such time that the Mille Lacs Band of Ojibwe has EPA approval to do so.

On July 31, 2015, EPA received from Mille Lacs Corporate Ventures a permit application to renew its 2010 title V operating permit for Grand Casino Hinckley. On September 23, 2015, EPA requested additional information from Mille Lacs Corporate Ventures, who submitted a response to the request on October 22, 2015. EPA found the application to be complete on December 22, 2015. On August 25, 2016, EPA published a draft title V permit for public comment. The public comment period ended on September 24, 2016. EPA received one comment from Mille Lacs Corporate Ventures requesting a change to the permit and responded to all comments. EPA issued the final permit for Grand Casino Hinckley, permit number V–ML–2711500031–2016–01, on October 20, 2016. Pursuant to 40 CFR 71.11(i)(2), the permit became effective on November 20, 2016.

On November 1, 2016, EPA received from Mille Lacs Corporate Ventures a significant permit modification application requesting a revision to the facility's annual oxides of nitrogen (NO_X) compliance test requirements. On May 3, 2017, EPA published a draft title V permit and draft Prevention of Significant Deterioration (PSD) permit for public comment. The public comment period ended on June 5, 2017. EPA did not receive any significant comments on the permits. EPA issued the final permits for Grand Casino Hinckley, title V permit number V–ML–2711500031–2016–02, and PSD permit number PSD–ML–2711500031–2017–03, on July 6, 2017. Pursuant to 40 CFR 71.11(i)(2)(iii) and 40 CFR 124.15(b)(3), the permits became effective immediately upon issuance since EPA did not receive any comments on the permits.

iv. Mystic Lake Casino Hotel

SMSC owns and operates 14 non-emergency internal combustion engines for peak load management and backup power at Mystic Lake Casino Hotel, located in Prior Lake, Minnesota. Mystic Lake Casino Hotel is located on reservation land that is held in trust for SMSC. EPA is responsible for issuing and enforcing any air quality permits for the source until such time that SMSC has EPA approval to do so.

On February 23, 2016, EPA received from SMSC an initial title V permit application for Mystic Lake Casino Hotel. The application was deemed complete on April 22, 2016. On May 9, 2017, SMSC provided additional information to address title I construction permit requirements that had become applicable since the title V application was filed. On May 25, 2017,

EPA published a draft title V permit for public comment. The public comment period ended on June 30, 2017, and EPA did not receive any significant comments. EPA issued the final permit for Mystic Lake Casino Hotel, permit number V–27139R0001–2016–01, on July 13, 2017. Pursuant to 40 CFR 71.11(i)(2)(iii), the permit became effective immediately upon issuance since EPA did not receive any comments requesting a change in the draft permit.

B. Appeal of the Permits

Pursuant to 40 CFR 71.11(l), any person who filed comments on the draft permit may petition for administrative review subject to the requirements of 40 CFR 71.11(l). If no one filed comments on the draft permit and the final permit is identical to the permit as proposed, any person may petition for administrative review of the permit only to the extent that grounds for a petition have arisen that were not reasonably foreseeable during the public comment period on the draft permit. For CS#5 permit number V–FDL–271300066–2016–03, the 30-day period during which a person may seek review under 40 CFR 71.11(l) began on January 30, 2017. For Treasure Island Resort & Casino permit number V–PI–2704900084–2012–13, the 30-day period during which a person may seek review under 40 CFR 71.11(l) began on January 31, 2017. For Grand Casino Hinckley permit number V–ML–2711500031–2016–01, the 30-day period during which a person may seek review under 40 CFR 71.11(1) began on October 20, 2016. For Grand Casino Hinckley permit number V–ML–2711500031–2016–02, the 30-day period during which a person may seek review under 40 CFR 71.11(1) began on July 14, 2017. For Mystic Lake Casino Hotel permit number V–27139R0001–2016–01, the 30-day period during which a person may seek review under 40 CFR 71.11(1) began on July 14, 2017.

Pursuant 40 CFR 124.19(2), any person who filed comments on the draft PSD permit may file a petition for review as provided in 40 CFR 124.19. Additionally, any person who failed to file comments may petition for administrative review of any permit conditions set forth in the final permit decision, but only to the extent that those final permit conditions reflect changes from the proposed draft permit. For Grand Casino Hinckley permit number PSD–ML–2711500031–2017–03, the 30-day period during which a person may seek review under 40 CFR 124.19 began on July 14, 2017.

C. What is the purpose of this notice?

EPA is notifying the public of the issuance of title V operating permits to Great Lakes Gas, NRG Reliability Solutions, LLC, Mille Lacs Corporate Ventures and SMSC. EPA is also notifying the public of the issuance of a title I construction permit to Mille Lacs Corporate Ventures.

EPA issued permit number V–FDL–2713700066–2016–03 to Great Lakes Gas on January 26, 2017, which became effective immediately upon issuance. EPA issued permit number V–PI–2704900084–2012–13 to NRG Reliability Solutions, LLC on January 27, 2017, which became effective immediately upon issuance. EPA issued permit number V–ML–2711500031–2016–01 on October 20, 2016 to Mille Lacs Corporate Ventures, which became effective on November 20, 2016. EPA issued permit numbers V–ML–2711500031–2016–02 and PSD–ML–2711500031–2017–03 on July 6, 2017 to Mille Lacs Corporate Ventures, which became effective immediately upon issuance. EPA issued permit number V–27139R0001–2016–01 on July 13, 2017 to SMSC, which became effective immediately upon issuance.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 14, 2017.

Robert A. Kaplan,

Acting Regional Administrator, Region 5.

[FR Doc. 2017–19700 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OW–2016–0439; FRL–9967–70–OW]

Request for Public Comments To Be Sent to Versar, Inc., on an Interim List of Perchlorate in Drinking Water Expert Peer Reviewers and Draft Peer Review Charge Questions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of request for public comment.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is announcing a request for public comment on an interim list of peer review candidates and materials that relate to the expert peer review to support EPA's Safe Drinking Water Act decision making for perchlorate. *This request is one of two* **Federal Register** *notices being published concurrently, seeking public comment on two separate sets of materials.* This notice requests comments to be sent to EPA's contractor, Versar, Inc., on the interim list of peer review candidates and the draft charge questions. Versar, Inc., will consider the comments received on this notice in selecting the final peer review panel, which will collectively provide appropriate expertise spanning the subject matter areas covered by the draft report and, to the extent feasible, best provide a balance of perspectives. EPA will consider comments received on this notice to help inform the final peer review panel's charge. The companion notice requests comments (to be sent to EPA) on a draft report entitled ''Draft Report: Proposed Approaches to Inform the Derivation of a Maximum Contaminant Level Goal for Perchlorate in Drinking Water'' (draft MCLG Approaches Report).

DATES: Comments must be received on or before October 6, 2017.

ADDRESSES: Submit your comments to Versar, Inc., no later than *October 6, 2017* by one of the following methods:

- *Email: perchlorate@versar.com* (subject line: Perchlorate Peer Review)
- *Mail:* Versar, Inc., 6850 Versar Center, Springfield, VA 22151 (ATTN: Tracey Cowen).

Please be advised that public comments are subject to release under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT: Questions concerning the interim list of expert peer review candidates and draft peer review charge questions should be directed to Versar, Inc., at 6850 Versar Center, Springfield, VA 22151; by email *perchlorate@versar.com* (subject line: Perchlorate Peer Review); or by phone: (301) 304–3121 (ask for Tracey Cowen).

SUPPLEMENTARY INFORMATION:

I. Process of Obtaining Candidate Reviewers

EPA announced a public nomination period from March 1, 2016, to March 31, 2016, in the **Federal Register** (81 FR 10617; March 1, 2016), during which members of the public were able to nominate scientific experts with knowledge and experience in one or more of the following areas: (1) Physiologically-based pharmacokinetic (PBPK), physiologically-based pharmacokinetic/pharmacodynamic (PBPK/PD) and/or biologically based dose-response (BBDR) modeling, (2) fetal and neonatal thyroid endocrinology (clinical and experimental), (3) iodide homeostasis, and (4) perchlorate toxicology and mode of action or adverse outcome pathway. On June 3, 2016, in the **Federal Register** (81 FR 35760), EPA invited the public to also nominate scientific experts with knowledge and experience in one or

more of the following areas of human health risk assessment: (1) An understanding of thyroid function (preferably in the sensitive life stages of interest), (2) the importance of maternal thyroid hormone homeostasis in each stage of gestation, (3) hypothyroxinemia, (4) neurodevelopmental assessment indices for young children including the Bayley's Scale, (5) the toxicity of perchlorate, (6) epidemiological assessment techniques, and (7) statistics.

Versar, Inc., considered the nominated peer review candidates and also conducted an independent search for scientific experts to augment the list of publically-nominated candidates.

Selection Process: Versar, Inc., considered and screened all candidates against the selection criteria described in the March 1, 2016, and June 3, 2016, **Federal Register** notices (81 FR 10617 and 81 FR 35760, respectively), which included the candidates being free of any conflict of interest and being available to participate in-person in a two-day, public, peer review meeting in the Washington, DC, area. Versar, Inc., narrowed the list of potential reviewers for the second panel to 12 candidates. EPA is now soliciting comments on the interim list of 12 candidates.

EPA requests that the public provide relevant information or documentation on the experts that the contractor should consider in evaluating these candidates. Once the public comments on the interim list of candidates have been reviewed and considered, the contractor will select the final list of peer reviewers.

Responsibilities of Peer Reviewers: Peer reviewers will be charged with evaluating and preparing written comments on EPA's draft MCLG Approaches Report. Versar, Inc., will provide reviewers with a summary and compilation of public comments on the draft MCLG Approaches Report submitted to EPA's docket (ID number EPA–HQ–OW–2016–0438) during the 45-day public comment period, for their consideration. Reviewers will participate in a two-day meeting expected to be held in the Washington, DC, metro area, projected to occur in late fall of 2017 (exact date to be determined), to discuss the scientific basis supporting these materials. Following the meeting, Versar, Inc., will provide a report to EPA, summarizing the peer reviewers' evaluation of the scientific and technical merit of the draft MCLG Approaches Report and the peer reviewers' full responses to the charge questions. EPA will make the final peer review report available to the public (exact date to be determined). In preparing the final MCLG Approaches Report, EPA will consider the peer review report as well as the written public comments submitted to the docket.

II. Interim List of Peer Reviewers

Versar, Inc., is considering the following candidates for the peer review panel. Biosketches are available through the EPA docket at *http://www.regulations.gov* (Docket ID No. EPA–HQ–OW–2016–0439). After review and consideration of public comments and consultation with EPA's Scientific Integrity Official, Versar, Inc., will select from this list, the final list of peer reviewers, who will, collectively, best provide expertise spanning the previously mentioned areas of knowledge and experience and, to the extent feasible, best provide a balance of perspectives. EPA will announce the peer review panel meeting date, location and registration details, along with the final list of peer reviewers selected by Versar, Inc., at least 30 days prior to the meeting.

Name of Nominee, Degree, Place of Employment

1. Hugh A. Barton, Ph.D., Pfizer, Inc.
2. Nancy Carrasco, M.D., Yale School of Medicine
3. Jonathan Chevrier, Ph.D., McGill University Faculty of Medicine
4. Claude Emond, Ph.D., University of Montreal
5. Dale Hattis, Ph.D., George Perkins Marsh Institute, Clark University
6. Judy S. LaKind, Ph.D., LaKind Associates, LLC
7. Angela M. Leung, M.D., M.Sc., UCLA David Geffen School of Medicine
8. Paul H. Lipkin, M.D., Johns Hopkins University School of Medicine
9. Elizabeth N. Pearce, M.D., M.Sc., Boston Medical Center/Boston University School of Medicine
10. Stephen M. Roberts, Ph.D., University of Florida
11. Joanne F. Rovet, Ph.D., The Hospital for Sick Children (Toronto)
12. Craig Steinmaus, M.D., M.P.H., University of California, Berkeley

III. Draft Peer Review Charge Questions

The draft peer review charge questions are available through the EPA docket at *http://www.regulations.gov* (Docket ID No. EPA–HQ–OW–2016–0439).

Dated: September 6, 2017.

Michael H. Shapiro,

Acting Assistant Administrator, Office of Water.

[FR Doc. 2017–19702 Filed 9–14–17; 8:45 am]

BILLING CODE 6560–50–P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

[3046–0007]

Stay the Effectiveness of the EEO–1 Pay Data Collection

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice.

SUMMARY: The U.S. Equal Employment Opportunity Commission (EEOC) announces that, until further notice, filers subject to the EEO–1 reporting requirement should not submit aggregate data about W–2 (Box 1) income and hours worked, which is the information required by ''Component 2'' of the EEO–1 report as approved on September 29, 2016. However, filers should continue to submit data on the ethnicity, race, and sex of workers by job category (''Component 1'' of the EEO–1 report). This is the same type of EEO–1 data that filers have submitted in the past.

DATES: All EEO–1 filers should submit and certify their 2017 EEO–1 reports (Component 1 data only) by March 31, 2018. They should count employees for purposes of this EEO–1 report during a ''workforce snapshot period'' between October 1 and December 31, 2017.

FOR FURTHER INFORMATION CONTACT: Ronald Edwards, Director, Program Research and Surveys Division, Equal Employment Opportunity Commission, 131 M Street NE., Room 4SW30F, Washington, DC 20507 (202) 663–4949 (voice) or (202) 663–7063 (TTY). Requests for this notice in an alternative format should be made to the Office of Communications and Legislative Affairs at (202) 663–4191 (voice) or (202) 663–4494 (TTY).

SUPPLEMENTARY INFORMATION: On August 29, 2017, the Office of Management and Budget (OMB) issued a memorandum [1] informing the EEOC that OMB was initiating a review and immediate stay of the effectiveness of a portion of the EEO–1 report that was initially approved on September 29, 2016.[2] Specifically, OMB initiated a review and immediate stay of the portion of the EEO–1 report that required the reporting of aggregate W–2 (Box 1) income and hours-worked data by employers (including federal contractors) with 100 or more employees. (This is called EEO–

[1] OMB's memorandum is available at *https://www.reginfo.gov/public/jsp/Utilities/Review_and_Stay_Memo_for_EEOC.pdf.*

[2] The September 29, 2016 Notice of OMB Action was reissued on October 18, 2016. *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201610-3046-001#*

1 ''Component 2''.) OMB did not stay the portion of the EEO–1 report that requires filers to submit data on the race, ethnicity, and sex of their workers, by job category. (EEO–1 ''Component 1'') The EEOC will continue to collect EEO–1 Component 1 data from all filers during OMB's review and stay.

Thus, pursuant to 5 CFR 1320.10(g), the EEOC hereby announces that, until further notice, filers subject to the EEO–1 reporting requirement should not submit aggregate W–2 income and hours worked data under Component 2 of the EEO–1, but that they should submit data about race, ethnicity, and sex, by job category, as required by Component 1 of the EEO–1. Filers should follow the EEO–1's new reporting schedule. The 2017 EEO–1 report should be submitted and certified by March 31, 2018. Filers should use a ''workforce snapshot period'' between October 1 and December 31, 2017.

Dated: August 31, 2017.

For the Commission.

Victoria A. Lipnic,

Acting Chair.

[FR Doc. 2017–19489 Filed 9–14–17; 8:45 am]

BILLING CODE 6570–01–P

FARM CREDIT SYSTEM INSURANCE CORPORATION

Regular Meeting; Farm Credit System Insurance Corporation Board

AGENCY: Farm Credit System Insurance Corporation.

ACTION: Notice, regular meeting.

SUMMARY: Notice is hereby given of the regular meeting of the Farm Credit System Insurance Corporation Board (Board).

DATES: The meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on September 21, 2017, from 2:00 p.m. until such time as the Board concludes its business.

FOR FURTHER INFORMATION CONTACT: Dale L. Aultman, Secretary to the Farm Credit System Insurance Corporation Board, (703) 883–4009, TTY (703) 883–4056.

ADDRESSES: Farm Credit System Insurance Corporation, 1501 Farm Credit Drive, McLean, Virginia 22102. Submit attendance requests via email to *VisitorRequest@FCA.gov.* See **SUPPLEMENTARY INFORMATION** for further information about attendance requests.

FOR FURTHER INFORMATION CONTACT: Dale L. Aultman, Secretary to the Farm Credit Administration Board, (703) 883–4009, TTY (703) 883–4056.

SUPPLEMENTARY INFORMATION: Parts of this meeting of the Board will be open to the public (limited space available), and parts will be closed to the public. Please send an email to *VisitorRequest@FCA.gov* at least 24 hours before the meeting. In your email include: Name, postal address, entity you are representing (if applicable), and telephone number. You will receive an email confirmation from us. Please be prepared to show a photo identification when you arrive. If you need assistance for accessibility reasons, or if you have any questions, contact Dale L. Aultman, Secretary to the Farm Credit System Insurance Corporation Board, at (703) 883–4009. The matters to be considered at the meeting are:

Closed Session

- Confidential Report on System Performance

Open Session

A. *Approval of Minutes*
- June 8, 2017

B. *Business Reports*
- Quarterly Financial Reports
- Report on Insured and Other Obligations
- Quarterly Report on Annual Performance Plan

C. *New Business*
- Annual Performance Plan FY 2018–2019
- Proposed 2018 and 2019 Budgets
- Insurance Fund Progress Review and Setting of Premium Range Guidance for 2018

Dated: September 12, 2017.

Dale L. Aultman,

Secretary, Farm Credit System Insurance Corporation Board.

[FR Doc. 2017–19622 Filed 9–14–17; 8:45 am]

BILLING CODE 6710–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0573]

Information Collection Being Reviewed by the Federal Communications Commission

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), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. 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 FCC 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 November 14, 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 below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501–3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. 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: 3060–0573.

Title: Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise, FCC Form 394.

Form Number: FCC Form 394.

Type of Review: Extension of a currently approved collection.

Respondents: Business of other for-profit entities; State, Local or Tribal Government.

Number of Respondents and Responses: 2,000 respondents; 1,000 responses.

Estimated Time per Response: 1–5 hours.

Frequency of Response: Third Party Disclosure Requirement.

Total Annual Burden: 7,000 hours.

Total Annual Costs: $750,000.

Privacy Impact Assessment(s): No impact(s).

Needs and Uses: FCC Form 394 is a standardized form that is completed by cable operators in connection with the assignment and transfer of control of cable television systems. On July 23, 1993, the Commission released a Report and Order and Further Notice of Proposed Rulemaking in MM Docket No. 92–264, FCC 93–332, Implementation of Sections 11 and 13 of the Cable Television Consumer Protection and Competition Act of 1992, Horizontal and Vertical Ownership Limits, Cross-Ownership Limitations and Anti-Trafficking Provisions. Among other things, this Report and Order established procedures for use of the FCC Form 394.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2017–19580 Filed 9–14–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0715]

Information Collection 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 October 16, 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 Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *Nicole.Ongele@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 Nicole Ongele at (202) 418–2991. 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: 3060–0715.

Title: Telecommunications Carriers' Use of Customer Proprietary Network Information (CPNI) and Other Customer Information, CC Docket No. 96–115.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, and state, local, or tribal government.

Number of Respondents and Responses: 3,600 respondents; 79,243,541 responses.

Estimated Time per Response: .002 hours–50 hours.

Frequency of Response: On occasion, annual, and one-time reporting requirements; recordkeeping; and third party disclosure requirements.

Obligation to Respond: Mandatory. Statutory authority for these collections are contained in Section 222 of the Communications Act of 1934, as amended, 47 U.S.C. Section 222.

Total Annual Burden: 495,507 hours.

Total Annual Cost: $4,000,000.00.

Privacy Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The Commission is not requesting that the respondents submit confidential information to the FCC. Respondents may, however, request confidential treatment for information they believe to be confidential under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: Section 222 of the Communications Act of 1934, as amended, 47 U.S.C. 222, establishes the duty of telecommunications carriers to protect the confidentiality of its customers' proprietary information. This Customer Proprietary Network Information (CPNI) includes personally identifiable information derived from a customer's relationship with a provider of telecommunications services. This information collection implements the statutory obligations of Section 222. These regulations impose safeguards to protect customers' CPNI against unauthorized access and disclosure. In March 2007, the Commission adopted new rules that focused on the efforts of providers of telecommunications services to prevent pretexting. These rules require providers of telecommunications services to adopt additional privacy safeguards that, the Commission believes, will limit pretexters' ability to obtain unauthorized access to the type of personal customer information from carriers that the Commission regulates. In addition, in furtherance of the Telephone Records and Privacy Protection Act of 2006, the Commission's rules help ensure that law enforcement will have necessary tools to investigate and enforce prohibitions on illegal access to customer records.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison, Office of the Secretary.

[FR Doc. 2017–19556 Filed 9–14–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0768]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

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), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. 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 FCC 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 November 14, 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 below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501–3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections.

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 No.: 3060–0768.

Title: 28 GHz Band Segmentation Plan Amending the Commission's Rules to Redesignate the 27.5–29.5 GHz Frequency Band, to Reallocate the 29.5 to 30.0 GHz Frequency Band and to Establish Rules and Policies.

Form No.: None.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents/Responses: 17 respondents; 17 responses.

Estimated Time per Response: 2 hours.

Frequency of Response: On occasion reporting requirement; third-party disclosure requirement.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority for this information collection is contained in 47 U.S.C. 154 and 303.

Total Annual Burden: 34 hours.

Annual Cost Burden: $4,950.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: In general, there is no need for confidentiality with this collection of information.

Needs and Uses: The Federal Communications Commission (''Commission'') is requesting a revision of the information collection titled, ''28 GHz Band'' under OMB Control No. 3060–0768 from the Office of Management and Budget (OMB).

The purpose of the revision is to remove the information collection requirements that are contained under 47 CFR Sections 25.203, 25.250, 25.257 and 25.258 from OMB Control No. 3060–0768 because they were consolidated under OMB Control No. 3060–0678. The consolidation was approved by OMB on August 15, 2014.

The information collection requirements which remain in this collection require are as follows: (1) Local Multipoint Distribution Systems (LMDS) licensees to serve copies of their applications on all Non-Geostationary Mobile Satellite Service (NGSO/MSS) applicants (Section 101.147) and (2) NGSO/MSS feeder link earth stations must specify a set of geographic coordinates for location of these earth stations, 15 days after the release of a public notice announcing commencement of LMDS auctions (Section 101.147).

The information is used by the Commission and other applicants and/or licensees in the 28 GHz band to facilitate technical coordination of systems among applicants and/or licensees in the 28 GHz band. Without such information, the Commission

could not implement the Commission's band plan.

Affected applicants and licensees are required to provide the requested information to the Commission and other third parties whenever they seek authority to provide service in the 28 GHz band. The frequency of filing is, in general, determined by the applicant or licensees. If this information is compiled less frequently or not filed in conjunction with our rules, applicants and licensees will not obtain the authorization necessary to provide telecommunications services. Furthermore, the Commission would not be able to carry out its mandate as required by statute and applicants and licensees would not be able to provide service effectively.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison, Office of the Secretary.

[FR Doc. 2017–19555 Filed 9–14–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1139]

Information Collection Being Reviewed by the Federal Communications Commission

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 FCC may not conduct or sponsor a collection of information unless it displays a currently valid 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 Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before November 14, 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 contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele at (202) 418–2991.

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 Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. 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: 3060–1139.

Title: FCC Consumer Broadband Services Testing and Measurement.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Businesses or other for-profit and individuals or households.

Number of Respondents and Responses: 501,020 respondents and 501,020 responses.

Estimated Time per Response: 1 hour–200 hours.

Frequency of Response: Biennial reporting requirement and third party disclosure requirement.

Obligation to Respond: Voluntary. Statutory authority for this information collection is contained in the Broadband Data Improvement Act of 2008, Public Law 110–385, Stat 4096, 103(c)(1).

Total Annual Burden: 46,667 hours.

Total Annual Costs: No Cost.

Nature and Extent of Confidentiality: All participation in the Measuring Broadband America Program is voluntary and any participant can decline to participate at any time. No volunteers' personally identifying information (PII) such as name, phone number, or street addresses will be transmitted to the Commission from the contractor as a matter of vendor policy and agency privacy policy. SamKnows maintains a series of administrative, technical, and physical safeguards to protect against the transmission of PII. At point of registration, individuals will be given full disclosure in a ''privacy statement'' highlighting what information will be collected. Fixed Broadband ISP Partners receive PII about volunteers to confirm the validity of the information against their subscription records, but will be bound by a non-disclosure agreement that will maintain various administrative, technical and physical safeguards to protect the information and limit its use. Mobile Broadband ISP Partners have access to five kinds of information, including location and time of data collection, device type and operating system version, cellular performance and characteristics, and download, upload speed and other broadband performance, also restricted by a non-disclosure agreement that will maintain various administrative, technical and physical safeguards to protect the information and limit its use. ISP Partners providing support to the testing program will likewise be bound to the same series of administrative, technical and physical safeguards developed by SamKnows. In addition all third parties supporting the program directly will be bound by a ''Code of Conduct'' to ensure all participate and act in good faith and with other legally enforceable documents such as non-disclosure agreements.

Privacy Act Impact Assessment: This information collection effects individuals or households. However, personally identifiable information (PII) such as name, phone number, or street addresses is not being collected by, made available to or made accessible by the Commission but instead by third parties including SamKnows, a third party contractor, and Internet Service Provider (ISP) Partners.

Needs and Uses: The Commission will submit this expiring collection after

this 60-day comment period to the Office of Management and Budget (OMB) to obtain the full three-year clearance.

This study's collection of information on actual speeds and performance of fixed and mobile broadband connections delivered to consumers by ISPs has been reported to be of great value to academic researchers, manufacturers and technology providers, broadband providers, public interest groups and other diverse stakeholders. Validation of fixed broadband subscribed speeds as opposed to actual speeds by participating ISPs remains unique to this program and provides a context for measured speeds. Mobile broadband performance information is measured using the FCC Speed Test app for Android and iPhone devices to test the upload and download speed, latency and packet loss, as well as the wireless performance characteristics of the broadband connection and the kind of handsets and versions of operating systems tested. Information the FCC Speed Test App (''Application'') collects is limited to information used to measure volunteers' mobile broadband service and no personally identifiable information, such as subscribers' name, phone number or unique identifiers associated with a device is collected. Software-based tools and online tools exist that can test consumer's broadband connections, including a set of consumer tools launched by the FCC in conjunction with the National Broadband Plan. However, these tools track speeds experienced by consumers, rather than speeds delivered directly to a consumer by an ISP. The distinction is important for supporting Agency broadband policy analysis, as ISPs advertise speeds and performance delivered rather than speeds experienced, which suffers from degradation outside of an ISP's control.

No other dedicated panel of direct fixed and mobile broadband performance measurement using publicly documented methodologies using free and add-free technologies exists today in the country. The program will continue to support existing software-based tools and online tools but the focus of the program will remain the direct measurement of broadband performance delivered to the consumer. The collection effort also has specific elements focused on further network performance statistics, time of day parameters, and other elements affecting consumers' broadband experience that are not tracked elsewhere. The information to be confirmed by ISP Partners about their subscribers or technical and market data regarding the broadband services they provide is unavailable from other sources.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2017–19579 Filed 9–14–17; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Revision to proposal.

SUMMARY: The Board of Governors of the Federal Reserve System (Board or Federal Reserve) has modified its proposal to extend for three years, with revision, the Consolidated Financial Statements for Holding Companies (FR Y–9C) (OMB No. 7100–0128), the Parent Company Only Financial Statements for Large Holding Companies (FR Y–9LP) (OMB No. 7100–0128), the Parent Company Only Financial Statements for Small Holding Companies (FR Y–9SP) (OMB No. 7100–0128), the Financial Statements of U.S. Nonbank Subsidiaries Held by Foreign Banking Organizations (FR Y–7N) (OMB No. 7100–0125), the Consolidated Report of Condition and Income for Edge and Agreement Corporations (FR 2886b) (OMB No. 7100–0086), the Financial Statements of U.S. Nonbank Subsidiaries of U.S. Holding Companies (FR Y–11) (OMB No. 7100–0244), and the Financial Statements of Foreign Subsidiaries of U.S. Banking Organizations (FR 2314) (OMB No. 7100–0073). The Board has changed the implementation date for reporting the proposed revisions from September 30, 2017, to March 31, 2018.

DATES: The proposed collection of information is amended effective September 11, 2017, however the public comment period shall terminate on September 18, 2017.

FOR FURTHER INFORMATION CONTACT: A copy of the PRA OMB submission, including the proposed reporting form and instructions, supporting statement, and other documentation will be placed into OMB's public docket files, once approved. These documents will also be made available on the Federal Reserve Board's public Web site at: *http://www.federalreserve.gov/apps/reportforms/review.aspx* or may be requested from the agency clearance officer, whose name appears below.

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202) 452–3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263–4869, Board of Governors of the Federal Reserve System, Washington, DC 20551.

SUPPLEMENTARY INFORMATION: On July 18, 2017, the Federal Reserve requested comment on two proposals. The first proposed to (1) extend for three years the FR Y–9 family of reports (FR Y–9C, FR Y–9LP, FR Y–9SP, FR Y–9ES, and FR Y–9CS), the FR Y–7N family of reports (FR Y–7N, FR Y–7NS, and FR Y–7Q), and the FR 2886b report; [1] (2) delete certain existing data items and make other targeted revisions to the FR Y–9C report; (3) remove from the FR Y–9LP, the FR Y–7N, and the FR 2886b reports the term ''extraordinary items'' and replace it with ''discontinued operations'' to be consistent with recent accounting changes; (4) reclassify and clarify the reporting for certain tax benefits on all applicable reports; (5) add one new data item to the FR Y–9SP report; and (6) replace references to ''loans net of unearned income'' with ''loans held for investment'' on all applicable reports.[2] The second proposal would (1) extend for three years the FR Y–11 family of reports (FR Y–11 and the FR Y–11S) and the FR 2314 family of reports (FR 2314 and the FR 2314S); [3] (2) remove from these reports the term ''extraordinary items'' and replace it with ''discontinued operations'' to be consistent with recent accounting changes and (3) replace references to ''loans net of unearned income'' with ''loans held for

[1] The FR Y–9 family of reporting forms are the primary source of financial data on bank holding companies (BHCs), savings and loan holding companies (SLHCs), securities holding companies (SHCs), and U.S. Intermediate Holding Companies (IHCs) (collectively, holding companies (HCs)). The FR Y–7N family of reporting forms collect financial information for non-functionally regulated U.S. nonbank subsidiaries held by foreign banking organizations (FBOs) other than through a BHC, IHC, or U.S. bank. The FR 2886b reporting form collects financial data from banking Edge and agreement corporations and investment (nonbanking) Edge and agreement corporations (collectively, Edges or Edge corporations).

[2] *See* 82 FR 32812 (July 18, 2017).

[3] The FR Y–11 reporting forms collect financial information for individual non-functionally regulated U.S. nonbank subsidiaries of domestic holding companies. The FR 2314 reporting forms collect financial information for non-functionally regulated direct or indirect foreign subsidiaries of U.S. state member banks, Edge and agreement corporations, and holding companies.

investment'' on all applicable reports.[4] As originally proposed, both proposals would be effective for reports submitted on or after October 1, 2017, beginning with the reports reflecting the September 30, 2017, report date. The comment period for both proposals ends September 18, 2017.

The Federal Reserve received a comment letter from a banking association that, while expressing support for the FR Y–9C proposed changes, urged the Federal Reserve to have the FR Y–9C revisions incorporated into the March 31, 2018, report date (rather than the September 30, 2017, report date) to harmonize the proposed changes with the proposed changes to the Federal Financial Institutions Examination Council (FFIEC) Consolidated Reports of Condition and Income (Call Reports) (FFIEC 031 & 041; OMB No. 7100–0036) that are filed by insured depository institutions.

The Federal Reserve agrees with the commenter's suggestion. The Federal Reserve also believes that making the proposed changes effective with the reports reflecting the March 31, 2018, report date, which are submitted on or after April 1, 2018, would give institutions ample notice to prepare for the revisions and would minimize burden by allowing institutions to prepare their systems once for these proposed changes and any future burden reducing changes targeted for that report date. Finally, the Federal Reserve believes that notifying the public of this deferral prior to the end of the comment period would minimize the burden on institutions associated with system changes and other processes necessary to implement the reporting changes.

Consequently, in order to avoid any undue hardships to holding companies in meeting the October 1, 2017, implementation date, the Federal Reserve recommends amending the proposals to extend, with revision, the FR Y–9 family of reports, the FR Y–7N family of reports, and the FR 2886b report to make the proposed changes effective for reports submitted on or after April 1, 2018, beginning with the reports reflecting the March 31, 2018, report date. Because the proposed revisions to the FR Y–11 family of reports and the FR 2314 family of reports align with the FR Y–9C reporting changes, the Federal Reserve also recommends deferring the proposed implementation date for these revisions. These modifications also would be effective for reports reflecting the March 31, 2018, report date, which are submitted on or after April 1, 2018. Amending the proposals would not require an extension of the proposals' comment period, the end of which would continue to be September 18, 2017.

Board of Governors of the Federal Reserve System, September 11, 2017.

Ann E. Misback,

Secretary of the Board.

[FR Doc. 2017–19568 Filed 9–14–17; 8:45 am]

BILLING CODE 6210–01–P

[4] *See* 82 FR 32814 (July 18, 2017).

FEDERAL TRADE COMMISSION

[File No. 172 3172]

Md7, LLC; 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 or deceptive acts or practices. 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 October 10, 2017.

ADDRESSES: Interested parties may file a comment 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 Md7, LLC, File No. 172 3172'' on your comment, and file your comment online at *https://ftcpublic.commentworks.com/ftc/md7consent* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''In the Matter of Md7, LLC, File No. 172 3172'' 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: Monique Einhorn (202–326–2575), Bureau of Consumer Protection, 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 a 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 September 8, 2017), on the World Wide Web, at *https://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 October 10, 2017. Write ''In the Matter of Md7, LLC, File No. 172 3172'' 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/md7consent* 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 Md7, LLC, File No. 172 3172'' 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. 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 *https://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 FTC 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 October 10, 2017. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'' or ''Commission'') has accepted, subject to final approval, a consent agreement applicable to Md7, LLC (''Md7'').

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false or misleading representations that Md7 made to consumers concerning its participation in the EU-U.S. Privacy Shield framework agreed upon by the U.S. and the European Union (''EU''). The EU-U.S. Privacy Shield framework allows U.S. companies to transfer data outside the EU consistent with EU law. To join the EU-U.S. Privacy Shield framework, a company must self-certify to the U.S. Department of Commerce (''Commerce'') that it complies with a set of principles and related requirements that have been deemed by the European Commission as providing ''adequate'' privacy protection. These principles include notice; choice; accountability for onward transfer; security; data integrity and purpose limitation; access; and recourse, enforcement, and liability. Commerce maintains a public Web site, *https://www.privacyshield.gov/list,* where it posts the names of companies that have self-certified to the EU-U.S. Privacy Shield framework. The listing of companies indicates whether their self-certification is current. Companies are required to re-certify every year in order to retain their status as current members of the EU-U.S. Privacy Shield framework.

Md7 assists wireless operators in managing real estate-related issues. According to the Commission's complaint, Md7 has set forth on its Web site, *www.md7.com/privacy-policy/,* privacy policies and statements about its practices, including statements related to its participation in the EU-U.S. Privacy Shield framework.

The Commission's complaint alleges that Md7 falsely represented that it was certified to participate in the EU-U.S. Privacy Shield framework when, in fact, Md7 never completed the necessary steps to finalize its application and thus, was not certified to participate in the EU-U.S. Privacy Shield framework.

Part I of the proposed order prohibits Md7 from making misrepresentations about its membership in any privacy or security program sponsored by the government or any other self-regulatory or standard-setting organization, including, but not limited to, the EU-U.S. Privacy Shield framework.

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires acknowledgement of the order and dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part III ensures notification to the FTC of changes in corporate status and mandates that Md7 submit an initial compliance report to the FTC. Part IV requires Md7 to retain documents relating to its compliance with the order for a five-year period.

Part V mandates that Md7 make available to the FTC information or subsequent compliance reports, as requested. Part VI is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order's terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2017–19618 Filed 9–14–17; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 172 3173]

Decusoft, LLC; 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 or deceptive acts or practices. 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 October 10, 2017.

ADDRESSES: Interested parties may file a comment 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 Decusoft, LLC, File No. 172 3173'' on your comment, and file your comment online at *https://ftcpublic.commentworks.com/ftc/decusoftconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''In the Matter of Decusoft, LLC, File No. 172 3173'' 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: Monique Einhorn (202–326–2575), Bureau of Consumer Protection, 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 a 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 September 8, 2017), on the World Wide Web, at *https://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 October 10, 2017. Write ''In the Matter of Decusoft, LLC, File No. 172 3173'' 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/decusoftconsent* 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 Decusoft, LLC, File No. 172 3173'' 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. 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 *https://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 FTC 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 October 10, 2017. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'' or ''Commission'') has accepted, subject to final approval, a consent agreement applicable to Decusoft, LLC (''Decusoft'').

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false or misleading representations that Decusoft made to consumers concerning its participation in the Privacy Shield frameworks agreed upon by the U.S. and the European Union (''EU'') and the U.S. and Switzerland (collectively, ''Privacy Shield frameworks''). The Privacy Shield frameworks allow U.S. companies to transfer data outside the EU and Switzerland consistent with EU and Swiss law. To join the Privacy Shield frameworks, a company must self-certify to the U.S. Department of Commerce (''Commerce'') that it complies with a set of principles and related requirements that have been deemed by the European Commission and Switzerland as providing ''adequate'' privacy protection. These principles include notice; choice; accountability for onward transfer; security; data integrity and purpose limitation; access; and recourse,

enforcement, and liability. Commerce maintains a public Web site, *https://www.privacyshield.gov/list,* where it posts the names of companies that have self-certified to the Privacy Shield frameworks. The listing of companies indicates whether their self-certification is current. Companies are required to re-certify every year in order to retain their status as current members of the Privacy Shield frameworks.

Decusoft develops software for use in human resources applications.

According to the Commission's complaint, Decusoft has set forth on its Web site, *www.decusoft.com/privacy-policy,* privacy policies and statements about its practices, including statements related to its participation in the EU-U.S. and the Swiss-U.S. Privacy Shield frameworks.

The Commission's complaint alleges that Decusoft falsely represented that it was certified to participate in the Privacy Shield frameworks when, in fact, Decusoft never completed the necessary steps to finalize its applications, and thus, was not certified to participate in either the EU-U.S. Privacy Shield framework or the Swiss-U.S. Privacy Shield framework.

Part I of the proposed order prohibits Decusoft from making misrepresentations about its membership in any privacy or security program sponsored by the government or any other self-regulatory or standard-setting organization, including, but not limited to, the EU-U.S. Privacy Shield framework and the Swiss-U.S. Safe Privacy Shield framework.

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires acknowledgement of the order and dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part III ensures notification to the FTC of changes in corporate status and mandates that Decusoft submit an initial compliance report to the FTC. Part IV requires Decusoft to retain documents relating to its compliance with the order for a five-year period.

Part V mandates that Decusoft make available to the FTC information or subsequent compliance reports, as requested. Part VI is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order's terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2017–19617 Filed 9–14–17; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

Granting of Requests for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination—on the dates indicated—of the waiting period provided by law and the premerger notification rules. The listing for each transaction includes the transaction number and the parties to the transaction. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

EARLY TERMINATIONS GRANTED

[August 1, 2017 through August 31, 2017]

08/01/2017		
20171618	G	New Mountain Partners IV, L.P.; Larsen MacColl Partners, L.P.; New Mountain Partners IV, L.P.
08/02/2017		
20171591	G	Michael Ashley; The Finish Line, Inc.; Michael Ashley.
08/03/2017		
20171584	G	Stanley G. Middleman; New York Community Bancorp, Inc.; Stanley G. Middleman.
08/04/2017		
20171603	G	ABM Industries Incorporated; GCA Holding Corp.; ABM Industries Incorporated.
20171631	G	Cincinnati Bell Inc.; Marlin Equity III, L.P.; Cincinnati Bell Inc.
08/07/2017		
20171626	G	OZ Overseas Fund II, Ltd.; EQT Corporation; OZ Overseas Fund II, Ltd.
20171641	G	ArcLight Energy Partners Fund VI, L.P.; Halcon Resources Corporation; ArcLight Energy Partners Fund VI, L.P.
20171649	G	Golden Gate Capital Opportunity Fund, L.P.; Summit Park II, L.P.; Golden Gate Capital Opportunity Fund, L.P.
20171652	G	EQT Infrastructure III (No. 1) SCSp; Jacques R. and Naila Saade; EQT Infrastructure III (No. 1) SCSp.
20171656	G	Michael Gregory O'Hara; Alexandre Chemla; Michael Gregory O'Hara.
20171657	G	Magellan Health, Inc.; TA XI L.P.; Magellan Health, Inc.
20171662	G	China Regenerative Medicine International Limited; Valeant Pharmaceuticals International, Inc.; China Regenerative Medicine International Limited.
20171666	G	AI Fresh Parent, Inc.; FS Equity Partners VI, L.P.; AI Fresh Parent, Inc.
20171670	G	DENSO Corporation; Fujitsu Limited; DENSO Corporation.
20171675	G	Blackstone Capital Partners VII L.P.; Providence Equity Partners VII–A L.P.; Blackstone Capital Partners VII L.P.
20171679	G	Konica Minolta, Inc.; Ambry Genetics Corporation; Konica Minolta, Inc.

EARLY TERMINATIONS GRANTED—Continued

[August 1, 2017 through August 31, 2017]

20171681	G	AE Industrial Partners Fund I, L.P.; CDI Corp.; AE Industrial Partners Fund I, L.P.
20171684	G	Platinum Equity Capital Partners IV, L.P.; USS Ultimate Holdings, Inc.; Platinum Equity Capital Partners IV, L.P.
08/08/2017		
20171636	G	MetLife Inc.; Fortress Investment Group LLC; MetLife Inc.
20171659	G	Oaktree Capital Group Holdings, L.P.; Fifth Street Holdings, L.P.; Oaktree Capital Group Holdings, L.P.
20171661	G	Royal Dutch Shell plc; MP2 Energy LLC; Royal Dutch Shell plc.
20171683	G	Centerbridge Capital Partners III, L.P.; Warburg Pincus Private Equity XI, L.P.; Centerbridge Capital Partners III, L.P.
08/09/2017		
20171630	G	Campbell Soup Company; Charles W. Eggert; Campbell Soup Company.
08/10/2017		
20171677	G	University of MD Medical System, Corp.; Dimensions Health Corporation; University of MD Medical System, Corp.
08/14/2017		
20171616	G	Tiger Global Private Investment Partners VII, L.P.; InVisionapp Inc.; Tiger Global Private Investment Partners VII, L.P.
20171617	G	Tiger Global Private Investment Partners VIII, L.P.; InVisionapp Inc.; Tiger Global Private Investment Partners VIII, L.P.
20171619	G	LSC Communications, Inc.; Allan H. Creel and Deborah J. Creel; LSC Communications, Inc.
20171646	G	Markel Corporation; Costa Nursery Farms Holdings, Inc.; Markel Corporation.
20171651	G	McCormick & Company Incorporated; Reckitt Benckiser Group plc; McCormick & Company Incorporated.
20171660	G	Central Valley Ag Cooperative; Farmway Co-op, Inc.; Central Valley Ag Cooperative.
20171671	G	MPLX LP; Marathon Petroleum Corporation; MPLX LP.
20171672	G	MPLX LP; Explorer Pipeline Company; MPLX LP.
20171689	G	Innophos Holdings, Inc.; GenNx360 Capital Partners II, L.P.; Innophos Holdings, Inc.
20171691	G	Wyndham Worldwide Corporation; Northcott Hospitality International, LLC; Wyndham Worldwide Corporation.
20171696	G	Jabil Inc.; Douglas A. Hill; Jabil Inc.
20171706	G	The E.W. Scripps Company; Katz Broadcasting Holdings, LLC; The E.W. Scripps Company.
20171707	G	The E.W. Scripps Company; Bounce Media, LLC; The E.W. Scripps Company.
20171708	G	Border States Industries, Inc.; Kriz-Davis Co.; Border States Industries, Inc.
20171716	G	Carlyle Europe Partners IV, L.P.; Paiperlek Investments S.a.r.l.; Carlyle Europe Partners IV, L.P.
20171718	G	Carlyle Europe Partners IV, L.P.; Secura TopCo Sarl; Carlyle Europe Partners IV, L.P.
20171719	G	Callaway Golf Company; travisMathew, LLC; Callaway Golf Company.
20171720	G	Michael Kors Holdings Limited; Agnaten SE; Michael Kors Holdings Limited.
20171732	G	Decade Holding Company, Inc.; Ten-X, LLC; Decade Holding Company, Inc.
08/15/2017		
20171687	G	Bridge Growth Partners, LP; BackOffice Associates Holdings, LLC; Bridge Growth Partners, LP.
20171702	G	Rockland Power Partners III, LP; Dynegy Inc.; Rockland Power Partners III, LP.
20171712	G	WME Entertainment Parent, LLC; Zuffa Parent, LLC; WME Entertainment Parent, LLC.
20171717	G	KKR Americas Fund XII, L.P.; Carlyle Partners V, L.P.; KKR Americas Fund XII, L.P.
20171731	G	Mercuria Energy Group Holding Limited; Noble Group Limited; Mercuria Energy Group Holding Limited.
20171749	G	Open Text Corporation; Guidance Software, Inc.; Open Text Corporation.
08/16/2017		
20171634	G	Mylan N.V.; Medicure, Inc.; Mylan N.V.
20171673	G	H&E Equipment Services, Inc.; Wayzata Opportunities Fund II, L.P.; H&E Equipment Services, Inc.
20171709	G	West Fraser Timber Co. Ltd.; The Howard Gilman Foundation, Inc.; West Fraser Timber Co. Ltd.
20171710	G	Starwood Energy Infrastructure Fund II Investor, L.L.C.; Dynegy Inc.; Starwood Energy Infrastructure Fund II Investor, L.L.C.
08/17/2017		
20171486	G	Eventbrite, Inc.; Pandora Media, Inc.; Eventbrite, Inc.
08/18/2017		
20171632	G	Kinnevik AB; Betterment Holdings, Inc.; Kinnevik AB.
20171645	G	Sean Rad; IAC/InterActiveCorp; Sean Rad.
20171648	G	Paysafe Group PLC; Delta Card Services, Inc.; Paysafe Group PLC.
20171723	G	Softbank Group Corp.; Kabbage Inc.; Softbank Group Corp.
20171725	G	Stichting Administratiekantoor Lauwerecht; American Midstream Partners, LP; Stichting Administratiekantoor Lauwerecht.
20171728	G	Energy Future Holdings Corp.; InfraREIT, Inc.; Energy Future Holdings Corp.
08/21/2017		
20171721	G	Dr. Gilles G. Martin; DiscoveRx Corporation; Dr. Gilles G. Martin.
20171724	G	Johnson & Johnson; TearScience, Inc.; Johnson & Johnson.

EARLY TERMINATIONS GRANTED—Continued

[August 1, 2017 through August 31, 2017]

20171734	G	Markel Corporation; State National Companies, Inc.; Markel Corporation.
20171735	G	Kayne Private Energy Income Fund, L.P.; QEP Resources, Inc.; Kayne Private Energy Income Fund, L.P.
20171736	G	KKR North America XI (Indigo) Blocker Parent L.P.; KKR North America Fund XI, L.P.; KKR North America XI (Indigo) Blocker Parent L.P.
20171738	G	KKR North America XI (Indigo) Blocker Parent L.P.; WebMD Health Corp.; KKR North America XI (Indigo) Blocker Parent L.P.
20171739	G	Fortive Corporation; McElhattan Family Enterprises, L.P.; Fortive Corporation.
20171740	G	Oak Hill Capital Partners IV (Onshore), L.P.; Carlyle Global Financial Services Partners II, LP; Oak Hill Capital Partners IV (Onshore), L.P.
20171760	G	Wells Fargo & Company; Seneca Mortgage Investments, L.P.; Wells Fargo & Company.
20171762	G	AEA Investors Fund VI LP; Trilantic Capital Partners V (North America) AIV L.P.; AEA Investors Fund VI L.P.
20171769	G	Insight Venture Partners VII, L.P.; Udemy, Inc.; Insight Venture Partners VII, L.P.
20171771	G	Wrangler Aggregator L.P.; MIP Waste Holdings, L.P.; Wrangler Aggregator L.P.
20171772	G	Johnson & Johnson; Bavarian Nordic A/S; Johnson & Johnson.
20171774	G	Mitel Networks Corporation; ShoreTel, Inc.; Mitel Networks Corporation.
20171780	G	Genesis Energy, L.P.; Tronox Limited; Genesis Energy, L.P.
20171781	G	Beitlich Familienstiftung; Century Park Capital Partners II, L.P.; Beitlich Familienstiftung.
20171784	G	Sony Corporation; FUNimation Holdings, LLC; Sony Corporation.
20171786	G	Housatonic Equity Investors VI, L.P.; Douglas Libertore; Housatonic Equity Investors VI, L.P.
20171796	G	Marsh & McLennan Companies, Inc.; Elliott International Limited; Marsh & McLennan Companies, Inc.
		08/22/2017
20171775	G	VEPF III AIV VI, L.P.; Global Payments Inc.; VEPF III AIV VI, L.P.
20171776	G	Global Payments Inc.; Athlaction Topco, LLC; Global Payments Inc.
20171777	G	VEPF IV AIV VII, L.P.; Global Payments Inc.; VEPF IV AIV VII, L.P.
20171778	G	VEP Global Aggregator, LLC; Global Payments Inc.; VEP Global Aggregator, LLC.
20171787	G	Thoma Bravo Fund XII, L.P.; Frontline Technologies Group Holding LLC; Thoma Bravo Fund XII, L.P.
20171790	G	Laboratory Corporation of America Holdings; The Myers Business Trust; Laboratory Corporation of America Holdings.
20171794	G	Laurene Powell Jobs; David Bradley; Laurene Powell Jobs.
		08/23/2017
20171694	G	SES Legacy Holdings, Inc.; Rockwater Energy Solutions, Inc.; SES Legacy Holdings, Inc.
20171695	G	SCF–VI, L.P.; SES Legacy Holdings, Inc.; SCF–VI, L.P.
20171748	G	Emergent BioSolutions, Inc.; Sanofi; Emergent BioSolutions, Inc.
20171763	G	Carlyle U.S. Equity Opportunity Fund II, L.P.; Charlesbank Equity Fund VII, Limited Partnership; Carlyle U.S. Equity Opportunity Fund II, L.P.
20171767	G	Eli Lilly and Company; Nektar Therapeutics; Eli Lilly and Company.
20171782	G	PRA Health Sciences, Inc.; STG III, L.P.; PRA Health Sciences, Inc.
		08/24/2017
20171669	G	Korber-Stiftung; Accel-KKR Capital Partners III, LP; Korber-Stiftung.
20171733	G	G Holdings Inc.; GCP Applied Technologies, Inc.; G Holdings Inc.
		08/25/2017
20171567	G	Stryker Corporation; NOVADAQ Technologies Inc.; Stryker Corporation.
20171714	G	Verisk Analytics, Inc.; Brazos Equity Fund III, L.P.; Verisk Analytics, Inc.
20171747	G	New Media Investment Group Inc.; William S. Morris III and Mary Sue Morris; New Media Investment Group Inc.
20171797	G	FS Equity Partners VII, L.P.; SKM Equity Fund III, L.P.; FS Equity Partners VII, L.P.
20171801	G	KKR Americas Fund XII, L.P.; PharMerica Corporation; KKR Americas Fund XII, L.P.
20171804	G	Levine Leichtman Capital Partners V, L.P.; Francisco Partners III (Domestic AIV), L.P.; Levine Leichtman Capital Partners V, L.P.
20171807	G	ACP Investment Fund III–A, L.P.; SYFS Intermediate Holdings, LLC; ACP Investment Fund III–A, L.P.
20171814	G	Levine Leichtman Capital Partners VI, L.P.; Kent P. Dauten; Levine Leichtman Capital Partners VI, L.P.
20171817	G	General Atlantic Partners (Bermuda) III, L.P.; Hyperion Insurance Group Limited; General Atlantic Partners (Bermuda) III, L.P.
20171821	G	KKR Americas Fund XII, L.P.; Covenant Surgical Investors, LLC; KKR Americas Fund XII, L.P.
20171829	G	Mexichem, S.A.B. de C.V.; Permira IV Continuing L.P.2; Mexichem, S.A.B. de C.V.
		08/28/2017
20171722	G	Aldo Bensadoun; Estate of Vincent Camuto; Aldo Bensadoun.
20171793	G	Bristol-Myers Squibb Company; IFM Therapeutics, Inc.; Bristol-Myers Squibb Company.
20171806	G	Allscripts Healthcare Solutions, Inc.; McKesson Corporation; Allscripts Healthcare Solutions, Inc.
		08/29/2017
20171741	G	PS Holdings Indpendent Trust; Automatic Data Processing, Inc.; PS Holdings Indpendent Trust.
20171742	G	Pershing Square VI International, L.P.; Automatic Data Processing, Inc.; Pershing Square VI International, L.P.
20171743	G	Pershing Square International, Ltd.; Automatic Data Processing, Inc.; Pershing Square International, Ltd.

EARLY TERMINATIONS GRANTED—Continued

[August 1, 2017 through August 31, 2017]

20171744	G	Pershing Square, L.P.; Automatic Data Processing, Inc.; Pershing Square, L.P.
08/30/2017		
20171737	G	Equiniti Group plc; Wells Fargo & Company; Equiniti Group plc.
20171792	G	Klaus-Michael Kuhne; Alfred P. Kuehlewind; Klaus-Michael Kuhne.
20171815	G	Mallinckrodt plc; Longitude Venture Partners, LP; Mallinckrodt plc.
20171830	G	Sarissa Capital Domestic Fund LP; Biogen Inc.; Sarissa Capital Domestic Fund LP.
08/31/2017		
20171726	G	Multi-Color Corporation; Wendel SE; Multi-Color Corporation.
20171727	G	Wendel SE; Multi-Color Corporation; Wendel SE.
20171834	G	Straumann Holding AG; ClearCorrect Holdings, Inc.; Straumann Holding AG.

For Further Information Contact

Theresa Kingsberry, Program Support Specialist, Federal Trade Commission Premerger Notification Office, Bureau of Competition, Room CC–5301, Washington, DC 20024, (202) 326–3100.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2017–19616 Filed 9–14–17; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 172 3171]

Tru Communication, 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 or deceptive acts or practices. 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 October 10, 2017.

ADDRESSES: Interested parties may file a comment 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 Tru Communication, Inc., File No. 172 3171'' on your comment, and file your comment online at *https://ftcpublic.commentworks.com/ftc/trucommunicationconsent* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''In the Matter of Tru Communication, Inc., File No. 172 3171'' 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: Monique Einhorn (202–326–2575), Bureau of Consumer Protection, 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 a 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 September 8, 2017), on the World Wide Web, at *https://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 October 10, 2017. Write ''In the Matter of Tru Communication, Inc., File No. 172 3171'' 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/trucommunicationconsent* 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 Tru Communication, Inc., File No. 172 3171'' 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. 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 *https://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 FTC 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 October 10, 2017. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (''FTC'' or ''Commission'') has accepted, subject to final approval, a consent agreement applicable to Tru Communication, Inc. dba TCPrinting.net (''TCP'').

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement's proposed order.

This matter concerns alleged false or misleading representations that TCP made to consumers concerning its participation in the EU-U.S. Privacy Shield framework agreed upon by the U.S. and the European Union (''EU''). The EU-U.S. Privacy Shield framework allows U.S. companies to transfer data outside the EU consistent with EU law. To join the EU-U.S. Privacy Shield framework, a company must self-certify to the U.S. Department of Commerce (''Commerce'') that it complies with a set of principles and related requirements that have been deemed by the European Commission as providing ''adequate'' privacy protection. These principles include notice; choice; accountability for onward transfer; security; data integrity and purpose limitation; access; and recourse, enforcement, and liability. Commerce maintains a public Web site, *https://www.privacyshield.gov/list,* where it posts the names of companies that have self-certified to the EU-U.S. Privacy Shield framework. The listing of companies indicates whether their self-certification is current. Companies are required to re-certify every year in order to retain their status as current members of the EU-U.S. Privacy Shield framework.

TCP provides printing services such as copying, binding and scanning of documents. According to the Commission's complaint, TCP has set forth on its Web site, *www.tcprinting.net/info/lpi-privacy-policy.php,* privacy policies and statements about its practices, including statements related to its participation in the EU-U.S. Privacy Shield framework.

The Commission's complaint alleges that TCP falsely represented that it was certified to participate in the EU-U.S. Privacy Shield framework when, in fact, TCP never completed the necessary steps to finalize its application and thus, was not certified to participate in the EU-U.S. Privacy Shield framework.

Part I of the proposed order prohibits TCP from making misrepresentations about its membership in any privacy or security program sponsored by the government or any other self-regulatory or standard-setting organization, including, but not limited to, the EU-U.S. Privacy Shield framework.

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires acknowledgement of the order and dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part III ensures notification to the FTC of changes in corporate status and mandates that TCP submit an initial compliance report to the FTC. Part IV requires TCP to retain documents relating to its compliance with the order for a five-year period.

Part V mandates that TCP make available to the FTC information or subsequent compliance reports, as requested. Part VI is a provision ''sunsetting'' the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order's terms in any way.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 2017–19619 Filed 9–14–17; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Notice of Meetings

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Notice of Five AHRQ Subcommittee Meetings.

SUMMARY: The subcommittees listed below are part of AHRQ's Health Services Research Initial Review Group Committee. Grant applications are to be reviewed and discussed at these meetings. Each subcommittee meeting will commence in open session before closing to the public for the duration of the meeting.

DATES: See below for dates of meetings:

1. *Health System and Value Research (HSVR)*
   Date: October 18, 2017 (Open from 8:00 a.m. to 9:00 a.m. on October 18th and closed for remainder of the meeting)
2. *Healthcare Safety and Quality Improvement Research (HSQR)*
   Date: October 18–19, 2017 (Open from 7:30 a.m. to 8:30 a.m. on October 18th and closed for remainder of the meeting)
3. *Healthcare Effectiveness and Outcomes Research (HEOR)*
   Date: October 18–19, 2017 (Open from 8:30 a.m. to 9:30 a.m. on October 18th and closed for remainder of

the meeting)

4. *Health Care Research and Training (HCRT)*

Date: October 19–20, 2017 (Open from 8:00 a.m. to 9:00 a.m. on October 19th and closed for remainder of the meeting)

5. *Healthcare Information Technology Research (HITR)*

Date: October 26–27, 2017 (Open from 8:00 a.m. to 9:00 a.m. on October 26th and closed for remainder of the meeting)

ADDRESSES: (Below specifics where each hotel will be held) Hilton Rockville, 1750 Rockville Pike, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: (To obtain a roster of members, agenda or minutes of the non-confidential portions of the meetings.) Mrs. Bonnie Campbell, Committee Management Officer, Office of Extramural Research Education and Priority Populations, Agency for Healthcare Research and Quality (AHRQ), 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 427–1554.

SUPPLEMENTARY INFORMATION: These meetings will be closed to the public in accordance with 5 U.S.C. App. 2 section 10(d), 5 U.S.C. 552b(c)(4), and 5 U.S.C. 552b(c)(6). In accordance with section 10 (a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), AHRQ announces meetings of the above-listed scientific peer review groups, which are subcommittees of AHRQ's Health Services Research Initial Review Group Committees. Each subcommittee meeting will commence in open session before closing to the public for the duration of the meeting. The subcommittee meetings will be closed to the public in accordance with the provisions set forth in 5 U.S.C. App. 2 section 10(d), 5 U.S.C. 552b(c)(4), and 5 U.S.C. 552b(c)(6). 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.

Agenda items for these meetings are subject to change as priorities dictate.

Sharon B. Arnold,

Deputy Director.

[FR Doc. 2017–19643 Filed 9–14–17; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Notice.

SUMMARY: As part of a Federal Government-wide effort to streamline the process to seek feedback from the public on service delivery, AHRQ has submitted a Generic Information Collection Request (Generic ICR): ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.''

This proposed information collection was previously published in the **Federal Register** on May 30, 2017, and allowed 60 days for public comment. No substantive comments were received. The purpose of this notice is to allow an additional 30 days for public comment.

DATES: Comments on this notice must be received by October 16, 2017.

ADDRESSES: Written comments should be submitted to: AHRQ's OMB Desk Officer by fax at (202) 395–6974 (attention: AHRQ's desk officer) or by email at *OIRA_submission@omb.eop.gov* (attention: AHRQ's desk officer).

SUPPLEMENTARY INFORMATION:

Proposed Project

Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

AHRQ has submitted a Generic Information Collection Request (Generic ICR): ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery'' to OMB for approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et. seq.*). The information collection activity will gather qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration's commitment to improving service delivery.

Qualitative feedback is information that provides useful insights on perceptions and opinions, but is not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders. The feedback will contribute directly to the improvement of program management. The current clearance was approved on November 11, 2014 (OMB Control Number 0935–0179) and will expire on November 30, 2017.

Below we provide AHRQ's projected average annual estimates for the next three years:

Current Actions: New collection of information.

Type of Review: New Collection.

Affected Public: Individuals and Households, Businesses and Organizations, State, Local or Tribal Government.

Average Expected Annual Number of activities: 10.

Respondents: 10,900.

Annual responses: 10,900.

Frequency of Response: Once per request.

The total number of respondents across all 10 activities in a given year is 10,900.

Average minutes per response: 19.

Burden hours: 3,452.

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 Office of Management and Budget control number.

Request for Comments

In accordance with the Paperwork Reduction Act, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ healthcare research and healthcare information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) 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 upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent

request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Sharon B. Arnold,

Deputy Director.

[FR Doc. 2017–19621 Filed 9–14–17; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Agency for Healthcare Research and Quality, HHS.

ACTION: Notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the proposed information collection project: ''*Voluntary Customer Survey Generic Clearance for the Agency for Healthcare Research and Quality.*''

This proposed information collection was previously published in the **Federal Register** on May 30, 2017 and allowed 60 days for public comment. No comments were received. The purpose of this notice is to allow an additional 30 days for public comment.

DATES: Comments on this notice must be received by October 16, 2017.

ADDRESSES: Written comments should be submitted to: Doris Lefkowitz, Reports Clearance Officer, AHRQ, by email at *doris.lefkowitz@AHRQ.hhs.gov.*

Copies of the proposed collection plans, data collection instruments, and specific details on the estimated burden can be obtained from the AHRQ Reports Clearance Officer.

FOR FURTHER INFORMATION CONTACT: Doris Lefkowitz, AHRQ Reports Clearance Officer, (301) 427–1477, or by email at *doris.lefkowitz@AHRQ.hhs.gov.*

SUPPLEMENTARY INFORMATION:

Proposed Project

Voluntary Customer Survey Generic Clearance for the Agency for Healthcare Research and Quality

In accordance with the Paperwork Reduction Act, 44 U.S.C. 3501–3520, AHRQ invites the public to comment on this proposed information collection. This is a request for the Office of Management and Budget (OMB) to re-approve for an additional 3 years, under the Paperwork Reduction Act of 1995, the generic clearance for the Agency for Healthcare Research and Quality (AHRQ) to survey the users of AHRQ's work products and services, OMB control number 0935–0106.

AHRQ will undertake customer surveys to assess its work products and services provided to its customers, to identify problem areas, and to determine how they can be improved. Surveys conducted under this generic clearance are not required by regulation and will not be used by AHRQ to regulate or sanction its customers. Surveys will be entirely voluntary, and information provided by respondents will be combined and summarized so that no individually identifiable information will be released. Proposed information collections submitted under this generic clearance will be reviewed and acted upon by OMB within 14 days of submission.

Method of Collection

The information collected through focus groups and voluntary customer surveys will be used by AHRQ to identify strengths and weaknesses in products and services to make improvements that are practical and feasible. Information from these customer surveys will be used to plan and redirect resources and efforts to improve or maintain a high quality of service to the lay and health professional public.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated total burden hours for the respondents. Mail surveys are estimated to average 15 minutes, telephone surveys 40 minutes, web-based surveys 10 minutes, focus groups two hours, and in-person interviews are estimated to average 50 minutes. Mail surveys may also be sent to respondents via email, and may include a telephone non-response follow-up. Telephone non-response follow-up for mailed surveys does not count as a telephone survey. The total burden hours for the 3 years of the clearance is estimated to be 10,150 hours.

Exhibit 2 shows the estimated cost burden for the respondents. The total cost burden for the 3 years of the clearance is estimated to be $340,127.

EXHIBIT 1—ESTIMATED BURDEN HOURS OVER 3 YEARS

Type of information collection	Number of respondents	Number of responses per respondent	Hours per response	Total burden hours
Mail/email *	15,000	1	15/60	3,750
Telephone	600	1	40/60	400
Web-based	15,000	1	10/60	2,500
Focus Groups	1,500	1	2.0	3,000
In-person	600	1	50/60	500
Total	32,700	na	na	10,150

* May include telephone non-response follow-up in which case the burden will not change.

EXHIBIT 2—ESTIMATED COST BURDEN OVER 3 YEARS

Type of information collection	Number of respondents	Total burden hours	Average hourly wage rate *	Total cost burden
Mail/email	15,000	3,750	$33.51	$125,663
Telephone	600	400	33.51	13,404
Web-based	15,000	2,500	33.51	83,775
Focus Groups	1,500	3,000	33.51	100,530

EXHIBIT 2—ESTIMATED COST BURDEN OVER 3 YEARS—Continued

Type of information collection	Number of respondents	Total burden hours	Average hourly wage rate *	Total cost burden
In-person	600	500	33.51	16,755
Total	32,700	10,150	na	340,127

*Based upon the average wages for 29–000 (Healthcare Practitioner and Technical Occupations), ''National Compensation Survey: Occupational Wages in the United States, May 2009,'' U.S. Department of Labor, Bureau of Labor Statistics.

Request for Comments

In accordance with the Paperwork Reduction Act, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ healthcare research and healthcare information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) 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 upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Sharon B. Arnold,

Deputy Director.

[FR Doc. 2017–19620 Filed 9–14–17; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–R–138 and CMS–10332]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected; and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by October 16, 2017.

ADDRESSES: When commenting on the proposed information collections, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be received by the OMB desk officer via one of the following transmissions: OMB, Office of Information and Regulatory Affairs, Attention: CMS Desk Officer, Fax Number: (202) 395–5806 *or*, Email: *OIRA_submission@omb.eop.gov.*

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' Web site address at *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.html.*

2. Email your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov.*

3. Call the Reports Clearance Office at (410) 786–1326.

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicare Geographic Classification Review Board Procedures and Criteria; *Use:* During the first few years of IPPS, hospitals were paid strictly based on their physical geographic location concerning the wage index (Metropolitan Statistical Areas (MSAs)) and the standardized amount (rural, other urban, or large urban). However, a growing number of hospitals became concerned that their payment rates were not providing accurate compensation. The hospitals argued that they were not competing with the hospitals in their own geographic area, but instead that they were competing with hospitals in neighboring geographic areas. At that point, Congress enacted Section 1886(d)(10) of the Act which enabled hospitals to apply to be considered part of neighboring geographic areas for payment purposes based on certain criteria. The application and decision process is administered by the MGCRB which is not a part of CMS so that CMS could not be accused of any untoward

action. However, CMS needs to remain apprised of any potential payment changes. Hospitals are required to provide CMS with copy of any applications that they made to the MGCRB. CMS also developed the guidelines for the MGCRB that were the interim final issue of the **Federal Register**, and must ensure that the MGCRB properly applied the guidelines. This check and balance process also contributes to limiting the number of hospitals that ultimately need to appeal their MGCRB decisions to the CMS Administrator. *Form Number:* CMS–R–138 (OMB control number: 0938–0573); *Frequency:* Occasionally; *Affected Public:* Businesses or other for-profits and Not-for-profit institutions; *Number of Respondents:* 300; *Total Annual Responses:* 300; *Total Annual Hours:* 300. (For policy questions regarding this collection contact Noel Manlove at 410–786–5161.)

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Disclosure Requirement for the In-Office Ancillary Services Exception; *Use:* Section 6003 of the ACA established a disclosure requirement for the in-office ancillary services exception to the prohibition of physician self-referral for certain imaging services. This section of the ACA amended section 1877(b)(2) of the Social Security Act by adding a requirement that the referring physician informs the patient, at the time of the referral and in writing, that the patient may receive the imaging service from another supplier. The implementing regulations are at 42 CFR 411.355(b)(7).

Physicians who provide certain imaging services (MRI, CT, and PET) under the in-office ancillary services exception to the physician self-referral prohibition are required to provide the disclosure notice as well as the list of other imaging suppliers to the patient. The patient will then be able to use the disclosure notice and list of suppliers in making an informed decision about his or her course of care for the imaging service. CMS would use the collected information for enforcement purposes. Specifically, if we were investigating the referrals of a physician providing advanced imaging services under the in-office ancillary services exception, we would review the written disclosure in order to determine if it satisfied the requirement. *Form Number:* CMS–10332 (OMB control number: 0938–1133); *Frequency:* Occasionally; *Affected Public:* State, Local, and Tribal Governments; *Number of Respondents:* 7,100; *Total Annual Responses:* 759,700; *Total Annual Hours:* 19,638. (For policy questions regarding this collection contact Laura Dash at 410–786–8623.)

Dated: September 11, 2017.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2017–19521 Filed 9–14–17; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities; Proposed Collection; Public Comment Request; Revision of a Currently Approved Information Collection (ICR–REV); State Plan for Assistive Technology (OMB Approval Number 0985–0048)

AGENCY: Administration for Community Living, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Administration for Community Living (ACL) is announcing an opportunity for the public to comment on ACL's intention to collect information necessary to determine grantee compliance with Section 4 of the Assistive Technology Act of 1998, as amended (AT Act). Under the Paperwork Reduction Act of 1995 (PRA), Federal agencies are required to publish a notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the proposed action. This notice solicits comments on a proposed revision to an existing information collection related to the State Grants for Assistive Technology Program State Plan for AT, formerly the 664 Report.

DATES: Submit written or electronic comments on the collection of information by November 14, 2017.

ADDRESSES: Submit electronic comments on the collection of information to: *Robert.Groenendaal@acl.hhs.gov.* Submit written comments on the collection of information by mail to Robert Groenendaal, U.S. Department of Health and Human Services, Administration for Community Living, Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: Robert Groenendaal at (202) 795–7356 or *Robert.Groenendaal@acl.hhs.gov.*

SUPPLEMENTARY INFORMATION: Section 4 of the AT Act establishes formula grants to states to support comprehensive statewide programs (Statewide AT Programs) that conduct activities that improve access to and acquisition of AT devices and services for individuals with disabilities across the lifespan and across a wide array of disabilities, and their family members, guardians, advocates, and authorized representatives. State Grants for AT program conducts the following state-level and state leadership activities: State financing, device demonstration, device loans, device reutilization, training and technical assistance, public awareness, and information and referral. Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or update of an existing collection of information, before submitting the collection to OMB for approval. The proposed data collection represents a revision of a currently approved collection (ICR–Rev). In order to comply with the above requirement, ACL is requesting approval of a revision of a previously approved collection, the State Grants for Assistive Technology Program State Plan for AT, formerly known as the 664 report (0985–0048).

With respect to the following collection of information, ACL invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of ACL's functions, including whether the information will have practical utility; (2) the accuracy of ACL's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques when appropriate, and other forms of information technology.

The State Plan for AT is submitted every three years and updated annually by all State Grants for AT programs

receiving formula funds under Section 4 of the Assistive Technology Act of 1998, as Amended (AT Act). The State Plan for AT is used by ACL to assess grantees' compliance with Section 4 of the AT Act and enables ACL to analyze qualitative and quantitative information to track performance outcomes and efficiency measures of the State Grants for AT programs; support budget requests; comply with the GPRA Modernization Act of 2010 (GPRAMA) reporting requirements; provide national benchmark information; and inform program development and management activities. The burden table below identifies the data collection activities for the instrument as well as the estimates for record keeping and entry of aggregate data. In addition to submitting a State Plan every three years, states and outlying areas are required to submit annual progress reports on their activities. The data required for these progress reports is specified in Section 4(f) of the AT Act.

The proposed State Grants for Assistive Technology Program State Plan for AT may be found on the ACL Web site at: *https://www.acl.gov/about-acl/public-input.*

Burden Estimates

ACL estimates the burden of this collection of information as follows:

The total estimated hour burden per respondent for the proposed State Plan for AT will decrease from the 74 hours per respondent estimated in FY 2015 to 73 hours estimated for FY 2018, an estimated reduction of one hour per respondent or 56 hours in total. The proposed State Plan for AT changes focus on a streamline of drop down choice lists in the current instrument. Actual expenditure data elements for state-level and state leadership tracking replaces the budget projections to provide more accurate fiscal data to ACL and to ensure compliance with AT Act requirements for expenditures. The proposed instrument simplifies the coordination and collaboration items to focus on activities conducted through a formal written agreement to ensure consistency and usefulness of data reported. The revised instrument aligns demographic data elements with the AT Annual Performance Report (APR), so that the data will be: Entered once, then only updated from that point on; used for both the State Plan and APR; updated quarterly with reminders; and used to populate the online State AT Program listing to ensure currency and accuracy. The reduction in burden is a result of a data collection workgroup composed of State AT program staff that met to suggest revisions to the current instrument. The workgroup solicited feedback from all of the grantees through face-to-face meetings and webinar presentations. The number of hours is multiplied by 56 AT State Grants programs, resulting in a total estimated hour burden of 4,088 hours.

Respondent/data collection activity	Number of respondents	Responses per respondent	Hours per response	Annual burden hours
State Plan for AT Annual Progress Report (AT APR)	56	1	73.0	4,088

Dated: September 7, 2017.

Mary Lazare,

Principal Deputy Administrator.

[FR Doc. 2017–19570 Filed 9–14–17; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities; Proposed Collection; Public Comment Request; Extension of a Currently Approved Information Collection; Annual Performance Reports for the Centers for Independent Living (CILs), Designated State Entities (DSEs), and Statewide Independent Living Councils (SILC) (704 Parts I and II Reports)

AGENCY: Independent Living Administration, Administration on Disabilities, Administration for Community Living, HHS.

ACTION: Notice.

SUMMARY: The Administration for Community Living (ACL) is announcing that the proposed collection of information listed above has been submitted to the Office of Management and Budget (OMB) for review and clearance as required under the Paperwork Reduction Act of 1995 (the PRA). This 30-day notice requests comments on the information collection requirements related to a proposed Extension Without Changes of a Currently Approved Information Collection (ICR Ext) (OMB approval number 0985–0023). The extension would allow ACL to continue to collect information necessary to determine grantee compliance with Title VII of the Rehabilitation Act of 1973, as Amended by the Workforce Innovation and Opportunity Act of 2014.

ACL received a large number of public comments resulting from a 60-day **Federal Register** notice for the 704 Part II report. In response to the comments, ACL is proposing to extend the currently approved forms for one year while we work on a revision that addresses all the comments from the 60-day notice regarding the updated form.

DATES: Submit written comments on the collection of information by October 16, 2017.

ADDRESSES: Submit written comments on the collection of information: By fax at 202.395.5806 or by email to *OIRA_submission@omb.eop.gov,* Attn: OMB Desk Officer for ACL.

FOR FURTHER INFORMATION CONTACT: Veronica Hogan at (202) 795–7365 or *veronica.hogan@acl.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or update of an existing collection of information, before submitting the collection to OMB for approval. The proposed data collection represents an extension of a currently approved information collection.

In order to comply with the above requirement, the Independent Living Administration (ILA) is requesting approval of an extension of a previously approved collection, the Centers for Independent Living Program Performance Report (704 Part II), and the Independent Living Services Program Performance Report (704 Part I) annual reports (0985–0043). Sections 704(m)(4)(D), 706(d), 721(b)(3), and 725(c) of the Rehabilitation Act of 1973

(Rehabilitation Act), as amended by the Workforce Innovation and Opportunity Act (WIOA, Pub. L. 113–128), and the corresponding regulations at 45 CFR part 1329, require centers for independent living (CILs) to submit annual performance reports to the Administrator of the Administration for Community Living (ACL) in order to receive continuation funding under the IL Parts B and C programs.

The 704 reports are submitted annually by all Centers for Independent Living, designated State entities and Statewide Independent Living Councils receiving IL Parts B and C funds. The 704 Parts I and II reports are used by ACL to assess grantees' compliance with title VII of the Act, with section 1329 of the Code of Federal Regulations, and with applicable provisions of the HHS regulations at 45 CFR part 75. The 704 Parts I and II reports serve as the primary basis for ACL's monitoring activities in fulfillment of its responsibilities under sections 706 and 722 of the Act. The 704 Parts I and II reports also enable ACL to collect qualitative and quantitative data to track performance outcomes and efficiency measures of the IL programs with respect to the annual and long-term performance targets established in compliance with the GPRA Modernization Act of 2010 (GPRAMA) reporting requirements. The 704 Parts I and II reports are also used by ACL to design CIL and SILC training and technical assistance programs authorized by section 721 of the Act.

Comments in Response to the 60-Day Federal Register Notice

A 60-day notice was published in the **Federal Register** in Vol. 82, No. 35, pg. 11471 on February 23rd, 2017. A Notice of Correction was published in the **Federal Register** in Vol. 82, No. 42 pg. 12610 on March 6th, 2017, announcing that ACL had made changes to the submission instructions, the public comments closing date was incorrect, the public comments email box was incorrect, and the core services were misstated in the original **Federal Register** posting ACL received comments from 50 (Fifty) organizations that provided 221 (Two Hundred and Twenty-One) individual comments about the proposed information collection. ACL reviewed all of the comments. The majority of the comments that ACL received expressed concerns over inclusion of sexual orientation and gender identity questions in the reporting instrument and asked that those questions be removed; the separate demographics and services provided to individuals with significant disabilities, and the need for clarification on the definitions and instructions as well as revisions to the IL core services and additional services sections of the updated reporting instrument. Further deliberation is needed to ensure that we appropriately address all of the concerns. This work will inform a redesign of the proposed information collection forms prior to the expiration of the extension.

Annual Burden Estimates

A copy of the existing Centers for Independent Living (CILs), designated State entities (DSEs) and Statewide Independent Living Councils (SILCs) Annual Performance Reports (704 Parts I and II reports can be found on ACL's Web site at: *https://www.acl.gov/about-acl/public-input.* The 704 Report's estimated hour burden per respondent each for the Part I (IL Part B) and Part II (IL Part C) in 2017 remains unchanged at 35 hours from 2014 because the current data collection instrument is the same as the one approved in 2014.

The total estimated hour burden also remains the same because the number of respondents, 412, has not changed since the 2014 approval.

The aggregate total hour burden for 412 Parts I and II 704 Report is estimated at 14,385, as follows:

Report	Number of DSEs and SILCs (Part B)	Frequency of responses per year	Average burden hours per response	Total annual burden hours
704 Report, Part I	55	1	35	1,925

Report	Number of IL Centers (Part C)	Frequency of responses per year	Average burden hours per response	Total annual burden hours
704 Report, Part II	356	1	35	12,460

Estimated Total Annual Burden Hours: 14,385.

Dated: September 11, 2017.

Mary Lazare,

Principal Deputy Administrator.

[FR Doc. 2017–19560 Filed 9–14–17; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–D–2462]

The Index of Legally Marketed Unapproved New Animal Drugs for Minor Species; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of draft guidance for industry (GIF) #210 entitled ''The Index of Legally Marketed Unapproved New Animal Drugs for Minor Species.'' This draft guidance describes the process for adding a new animal drug to the Index of Legally Marketed Unapproved New Animal Drugs for Minor Species (the Index). The Index consists of a list of legally marketed unapproved new animal drugs for minor species that meet the requirements of the Federal Food, Drug, and Cosmetic Act (the FD&C Act).

DATES: Submit either electronic or written comments on the draft guidance by November 14, 2017 to ensure that the Agency considers your comments on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2017–D–2462 for ''The Index of Legally Marketed Unapproved New Animal Drugs for Minor Species.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- *Confidential Submissions*—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)). Submit written requests for single copies of the guidance to the Policy and Regulations Staff (HFV–6), Center for Veterinary Medicine, Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Dorothy Bailey, Center for Veterinary Medicine (HFV–50), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 240–402–0565, *dorothy.bailey@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Minor Use and Minor Species Animal Health Act of 2004 (MUMS Act) (Pub. L. 108–282) amended the FD&C Act to provide animal drug companies with incentives to develop new animal drugs for minor species and minor uses in major species, while still ensuring appropriate safeguards for animal and human health.

One of the incentives established by the MUMS Act is the Index of Legally Marketed Unapproved New Animal Drugs for Minor Species, also referred to as ''the Index.'' The Index is available for new animal drugs intended for use in minor species; the Index is not available for drugs intended for minor use in major species (horses, cattle, pigs, turkeys, chickens, dogs, and cats).

The Index consists of a list of legally marketed unapproved new animal drugs for minor species that meet the requirements of section 572 of the FD&C Act (21 U.S.C. 360ccc–1). We refer to the process of adding a new animal drug to the Index as ''indexing.'' Indexing represents a pathway for legally marketing unapproved new animal drugs for minor species.

In the **Federal Register** of December 6, 2007, FDA published final regulations establishing administrative procedures and criteria for listing a new animal drug for use in a minor species in the Index (72 FR 69108). These regulations, which are codified at 21 CFR part 516, subpart C, are administered by the Office of Minor Use and Minor Species Animal Drug Development (OMUMS) within FDA's Center for Veterinary Medicine (CVM). That office also maintains the Index, which is available to the public through FDA's Web site at *http://www.fda.gov/AnimalVeterinary/DevelopmentApprovalProcess/MinorUseMinorSpecies/ucm125452.htm.*

FDA is announcing the availability of a draft GIF #210 entitled ''The Index of Legally Marketed Unapproved New Animal Drugs for Minor Species.'' This draft guidance describes the process for adding a new animal drug to the Index.

II. Significance of Guidance

This level 1 draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''The Index of Legally Marketed Unapproved New Animal Drugs for Minor Species.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

III. Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information are

subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR 516.119 through 516.165 have been approved under OMB control number 0910–0620.

IV. Electronic Access

Persons with access to the internet may obtain the draft guidance at either *http://www.fda.gov/AnimalVeterinary/GuidanceComplianceEnforcement/GuidanceforIndustry/default.htm* or *https://www.regulations.gov.*

Dated: September 11, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19609 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–D–4792]

Regulatory Considerations for Microneedling Devices; Draft Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of the draft guidance entitled ''Regulatory Considerations for Microneedling Devices—Draft Guidance for Industry and Food and Drug Administration Staff.'' This draft guidance is being issued to assist industry in understanding when a microneedling product is a device as defined in the Federal Food, Drug, and Cosmetic Act (the FD&C Act). This draft guidance is not final nor is it in effect at this time.

DATES: Submit either electronic or written comments on the draft guidance by November 14, 2017 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2017–D–4792 for ''Regulatory Considerations for Microneedling Devices—Draft Guidance for Industry and Food and Drug Administration Staff.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)). An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the draft guidance document entitled ''Regulatory Considerations for Microneedling Devices—Draft Guidance for Industry and Food and Drug Administration Staff'' to the Office of the Center Director, Guidance and Policy Development, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Peter Yang, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1551, Silver Spring, MD 20993–0002, 301–796–6477.

SUPPLEMENTARY INFORMATION:

I. Background

''Microneedling products'' is a generic term that encompasses instruments with common technological features that include an array of needles, ''micro-protrusion'' tips, or pins, which can be

blunt or sharp, and of varying lengths. This document discusses when microneedling products are devices as defined under section 201(h) of the FD&C Act (21 U.S.C. 321(h)). This draft guidance also provides clarity on the regulatory pathway to market for microneedling devices, resulting in more transparency and predictability to firms and stakeholders, which may translate into more efficient device development and patient access to such devices. The scope of this guidance document does not include microneedling combination products, acupuncture needles, hypodermic needles or other needles for injection, tattoo machine needles, and needle probes that emit any type of energy (*e.g.,* radiofrequency needles) or deliver any type of energy to a patient (*e.g.,* LASER, ultrasound).

II. Significance of Guidance

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

III. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/default.htm.* This guidance document is also available at *https://www.regulations.gov.* Persons unable to download an electronic copy of ''Regulatory Considerations for Microneedling Devices—Draft Guidance for Industry and Food and Drug Administration Staff'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number 1500036 to identify the guidance you are requesting.

IV. Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 807, subpart E, regarding premarket notification submissions, have been approved under OMB control number 0910–0120, and the collections of information in 21 CFR part 801, regarding device labeling, have been approved under OMB control number 0910–0485.

Dated: September 7, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19614 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–P–1108]

Determination That TIMOPTIC (Timolol Maleate Ophthalmic Solution), 0.25 Percent and 0.5 Percent, Was Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that TIMOPTIC (timolol maleate ophthalmic solution), 0.25 percent and 0.5 percent, was not withdrawn from sale for reasons of safety or effectiveness. This determination means that FDA will not begin procedures to withdraw approval of abbreviated new drug applications (ANDAs) that refer to this drug product, and it will allow FDA to continue to approve ANDAs that refer to the product as long as they meet relevant legal and regulatory requirements.

FOR FURTHER INFORMATION CONTACT: Robin Fastenau, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6236, Silver Spring, MD 20993–0002, 240–402–4510.

SUPPLEMENTARY INFORMATION: In 1984, Congress enacted the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) (the 1984 amendments), which authorized the approval of duplicate versions of drug products under an ANDA procedure. ANDA applicants must, with certain exceptions, show that the drug for which they are seeking approval contains the same active ingredient in the same strength and dosage form as the listed drug, which is a version of the drug that was previously approved. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

The 1984 amendments include what is now section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)), which requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the ''Approved Drug Products with Therapeutic Equivalence Evaluations,'' which is known generally as the Orange Book. Under FDA regulations, a drug is removed from the list if the Agency withdraws or suspends approval of the drug's NDA or ANDA for reasons of safety or effectiveness or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

A person may petition the Agency to determine, or the Agency may determine on its own initiative, whether a listed drug was withdrawn from sale for reasons of safety or effectiveness. This determination may be made at any time after the drug has been withdrawn from sale, but must be made prior to approving an ANDA that refers to the listed drug (§ 314.161 (21 CFR 314.161)). FDA may not approve an ANDA that does not refer to a listed drug.

TIMOPTIC (timolol maleate ophthalmic solution), 0.25 percent and 0.5 percent, is the subject of NDA 018086, held by Aton Pharma, Inc. and initially approved on August 17, 1978. TIMOPTIC is indicated for the treatment of elevated intraocular pressure in patients with ocular hypertension or open-angle glaucoma.

TIMOPTIC (timolol maleate ophthalmic solution), 0.25 percent and 0.5 percent, is currently listed in the ''Discontinued Drug Product List'' section of the Orange Book. Orbicular Pharmaceutical Technologies, Pvt. Ltd., submitted a citizen petition dated February 22, 2017 (Docket No. FDA–2017–P–1108), under 21 CFR 10.30, requesting that the Agency determine whether TIMOPTIC (timolol maleate ophthalmic solution), 0.25 percent and 0.5 percent, was withdrawn from sale for reasons of safety or effectiveness.

After considering the citizen petition and reviewing Agency records and based on the information we have at this time, FDA has determined under § 314.161 that TIMOPTIC (timolol maleate ophthalmic solution), 0.25 percent and 0.5 percent, was not withdrawn for reasons of safety or effectiveness. The petitioner has identified no data or other information suggesting that this drug product was

withdrawn for reasons of safety or effectiveness. We have carefully reviewed our files for records concerning the withdrawal of TIMOPTIC (timolol maleate ophthalmic solution), 0.25 percent and 0.5 percent, from sale. We have also independently evaluated relevant literature and data for possible postmarketing adverse events. We have found no information that would indicate that this drug product was withdrawn from sale for reasons of safety or effectiveness.

Accordingly, the Agency will continue to list TIMOPTIC (timolol maleate ophthalmic solution), 0.25 percent and 0.5 percent, in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' delineates, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness. FDA will not begin procedures to withdraw approval of approved ANDAs that refer to this drug product. Additional ANDAs for this drug product may also be approved by the Agency as long as they meet all other legal and regulatory requirements for the approval of ANDAs. If FDA determines that labeling for this drug product should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Dated: September 11, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19610 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA–2016–M–4529 and FDA–2017–M–3899]

Medical Devices Regulated by the Center for Biologics Evaluation and Research; Availability of Safety and Effectiveness Summaries for Premarket Approval Applications

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is publishing a list of premarket approval applications (PMAs) that have been approved by the Center for Biologics Evaluation and Research (CBER). This list is intended to inform the public of the availability of safety and effectiveness summaries of approved PMAs through the internet and the Agency's Dockets Management Staff.

ADDRESSES: You may submit comments as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket Nos. FDA–2016–M–4529 and FDA–2017–M–3899 for ''Medical Devices Regulated by the Center for Biologics Evaluation and Research; Availability of Safety and Effectiveness Summaries for Premarket Approval Applications.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff Office between 9 a.m. and 4 p.m., Monday through Friday.

- *Confidential Submissions*—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff Office. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff office, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Jonathan McKnight, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with sections 515(d)(4) and (e)(2) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360e(d)(4) and (e)(2)), notification of an order approving, denying, or withdrawing approval of a PMA will continue to include a notice of opportunity to request review of the order under section 515(g) of the FD&C Act. The 30-day period for requesting

reconsideration of an FDA action under § 10.33(b) (21 CFR 10.33(b)) for notices announcing approval of a PMA begins on the day the notice is placed on the internet. Section 10.33(b) provides that FDA may, for good cause, extend this 30-day period. Reconsideration of a denial or withdrawal of approval of a PMA may be sought only by the applicant; in these cases, the 30-day period will begin when the applicant is notified by FDA in writing of its decision.

The regulations (21 CFR 814.44(d) and 814.45(d)) provide that FDA publish a quarterly list of available safety and effectiveness summaries of PMA approvals and denials that were announced during that quarter. The following is a list of PMAs approved by CBER for which safety and effectiveness summaries were placed on the internet from October 1, 2016, through June 30, 2017. There were no denial actions during this period. The list provides the manufacturer's name, the product's generic name or the trade name, and the approval date.

TABLE 1—LIST OF SAFETY AND EFFECTIVENESS SUMMARIES FOR APPROVED PMAS MADE AVAILABLE FROM OCTOBER 1, 2016, THROUGH JUNE 30, 2017

PMA No./Docket No.	Applicant	Trade name	Approval date
BP150318, FDA–2016–M–4529	Hologic, Inc	Aptima HIV-1 Quant Assay	December 22, 2016.
BP160050, FDA–2017–M–3899	Roche Diagnostics	Elecsys HIV Combi-PT	June 21, 2017.

II. Electronic Access

Persons with access to the internet may obtain the documents at *https://www.fda.gov/BiologicsBloodVaccines/BloodBloodProducts/ApprovedProducts/PremarketApprovalsPMAs/default.htm.*

Dated: September 11, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19607 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2009–D–0386]

Establishing the Performance Characteristics of In Vitro Diagnostic Devices for the Detection or Detection and Differentiation of Human Papillomaviruses; Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of the guidance entitled ''Establishing the Performance Characteristics of In Vitro Diagnostic Devices for the Detection or Detection and Differentiation of Human Papillomaviruses.'' This guidance provides recommendations to facilitate study designs to establish the performance characteristics of *in vitro* diagnostic devices (IVDs) intended for the detection, or detection and differentiation, of human papillomaviruses (HPVs). This guidance replaces a previously issued final guidance entitled ''Establishing the Performance Characteristics of In Vitro Diagnostic Devices for the Detection, or Detection and Differentiation of Human Papillomaviruses,'' dated November 28, 2011.

DATES: The announcement of the guidance is published in the **Federal Register** on September 15, 2017.

ADDRESSES: You may submit either written or electronic comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2009–D–0386 for ''Establishing the Performance Characteristics of In Vitro Diagnostic Devices for the Detection or Detection and Differentiation of Human Papillomaviruses.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- *Confidential Submissions*—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management

Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the guidance document entitled ''Establishing the Performance Characteristics of In Vitro Diagnostic Devices for the Detection or Detection and Differentiation of Human Papillomaviruses'' to the Office of the Center Director, Guidance and Policy Development, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Natalia Comella, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4536, Silver Spring, MD 20993–0002, 301–796–6226, *Natalia.Comella@fda.hhs.gov* or Marina Kondratovich, Center for Devices and Radiological Health, Food and Drug Administration, New Hampshire Ave., Bldg. 66, Rm. 4672, Silver Spring, MD 20993–0002, 301–796–6036, *Marina.Kondratovich@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

This guidance provides recommendations to facilitate study designs to establish the performance characteristics of IVDs intended for the detection, or detection and differentiation, of high risk HPV genotypes. These devices are used either in conjunction with cervical cytology to aid in screening for cervical cancer or as first-line primary cervical cancer screening devices. This guidance provides recommendations for HPV devices that detect a group of HPV genotypes, particularly high risk HPVs, as well as devices that detect more than one genotype of HPV and further differentiate among them to indicate which genotypes of HPV are present. This guidance is expected to provide detailed information on the types of studies FDA recommends to support a premarket application for these devices.

This guidance is limited to studies intended to establish the performance characteristics of *in vitro* diagnostic HPV devices that are used in conjunction with cervical cytology for cancer screening or as first-line primary cervical cancer screening devices. While this guidance specifically addresses devices that qualitatively detect HPV nucleic acid from cervical specimens, but many of the recommendations will also be applicable to devices that detect HPV proteins. This guidance provides FDA's recommendations for three types of cervical cancer screening modalities, however, FDA does not make any assertions on which method of screening is preferred. This guidance does not address HPV testing from non-cervical specimens such as pharyngeal, vaginal, penile, or anal specimens, or testing for susceptibility to HPV infection. It does not address quantitative or semi-quantitative assays for HPV.

In the **Federal Register** of August 14, 2015 (80 FR 48879), FDA announced the availability of the draft of this guidance and interested persons were invited to comment by November 12, 2015. FDA has considered all of the public comments received in finalizing this guidance.

II. Significance of Guidance

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). This guidance represents the current thinking of FDA on ''Establishing the Performance Characteristics of In Vitro Diagnostic Devices for the Detection or Detection and Differentiation of Human Papillomaviruses.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

III. Electronic Access

Persons interested in obtaining a copy of the guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/default.htm.* Guidance documents are also available at *https://www.regulations.gov.* Persons unable to download an electronic copy of ''Establishing the Performance Characteristics of In Vitro Diagnostic Devices for the Detection or Detection and Differentiation of Human Papillomaviruses'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number 1740 to identify the guidance you are requesting.

IV. Paperwork Reduction Act of 1995

This guidance refers to previously approved collections of information found in FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 814 have been approved under OMB control number 0910–0231; the collections of information in 21 CFR part 812 have been approved under OMB control number 0910–0078; the collections of information in 21 CFR parts 801 and 809 have been approved under OMB control number 0910–0485; the collections of information in the guidance document entitled ''Informed Consent For In Vitro Diagnostic Device Studies Using Leftover Human Specimens That Are Not Individually Identifiable'' have been approved under OMB control number 0910–0582; and the collections of information in the guidance document entitled ''Requests for Feedback on Medical Device Submissions: The Pre-Submission Program and Meetings with Food and Drug Administration Staff'' have been approved under OMB control number 0910–0756.

Dated: September 6, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19612 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–N–3137]

Advisory Committee; Nonprescription Drugs Advisory Committee, Renewal

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; renewal of advisory committee.

SUMMARY: The Food and Drug Administration (FDA) is announcing the renewal of the Nonprescription Drugs Advisory Committee by the Commissioner of Food and Drugs (the Commissioner). The Commissioner has determined that it is in the public interest to renew the Nonprescription Drugs Advisory Committee for an additional 2 years beyond the charter expiration date. The new charter will be in effect until August 27, 2019.

DATES: Authority for the Nonprescription Drugs Advisory Committee will expire on August 27, 2017, unless the Commissioner formally determines that renewal is in the public interest.

FOR FURTHER INFORMATION CONTACT: Moon Hee Choi, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2417, Silver Spring, MD 20993–0002, 301–796–9001, email: *NDAC@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 41 CFR 102–3.65 and approval by the Department of Health and Human Services pursuant to 45 CFR part 11 and by the General Services Administration, FDA is announcing the renewal of the Nonprescription Drugs Advisory Committee (Committee). The Committee is a discretionary Federal advisory committee established to provide advice to the Commissioner. The Committee advises the Commissioner or designee in discharging responsibilities as they relate to helping to ensure safe and effective drugs for human use and, as required, any other product for which FDA has regulatory responsibility.

The Committee reviews and evaluates data concerning the safety and effectiveness of over-the-counter (nonprescription) human drug products, or any other FDA-regulated product, for use in the treatment of a broad spectrum of human symptoms and diseases and advises the Commissioner either on the issuance of monographs establishing conditions under which these drugs are generally recognized as safe and effective and not misbranded or on the approval of new drug applications for such drugs. The Committee serves as a forum for the exchange of views regarding the prescription and nonprescription status, including switches from one status to another, of these various drug products and combinations thereof. The Committee may also conduct peer review of Agency sponsored intramural and extramural scientific biomedical programs in support of FDA's mission and regulatory responsibilities.

The Committee shall consist of a core of 10 voting members including the Chair. Members and the Chair are selected by the Commissioner or designee from among authorities knowledgeable in the fields of internal medicine, family practice, clinical toxicology, clinical pharmacology, pharmacy, dentistry, and related specialties. Members will be invited to serve for overlapping terms of up to 4 years. Almost all non-Federal members of this committee serve as Special Government Employees. The core of voting members may include one technically qualified member, selected by the Commissioner or designee, who is identified with consumer interests and is recommended by either a consortium of consumer-oriented organizations or other interested persons. In addition to the voting members, the Committee may include one non-voting member who is identified with industry interests.

Further information regarding the most recent charter and other information can be found at *http://www.fda.gov/AdvisoryCommittees/CommitteesMeetingMaterials/Drugs/NonprescriptionDrugsAdvisoryCommittee/default.htm* or by contacting the Designated Federal Officer (see **FOR FURTHER INFORMATION CONTACT**). In light of the fact that no change has been made to the committee name or description of duties, no amendment will be made to 21 CFR 14.100.

This document is issued under the Federal Advisory Committee Act (5 U.S.C. app.). For general information related to FDA advisory committees, please visit us at *http://www.fda.gov/AdvisoryCommittees/default.htm.*

Dated: September 11, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19670 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–N–4758]

Determination That CORTONE (Cortisone Acetate) Tablets and Other Drug Products Were Not Withdrawn From Sale for Reasons of Safety or Effectiveness

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) has determined that the drug products listed in this document were not withdrawn from sale for reasons of safety or effectiveness. This determination means that FDA will not begin procedures to withdraw approval of abbreviated new drug applications (ANDAs) that refer to these drug products, and it will allow FDA to continue to approve ANDAs that refer to the products as long as they meet relevant legal and regulatory requirements.

FOR FURTHER INFORMATION CONTACT: Stacy Kane, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 6236, Silver Spring, MD 20993–0002, 301–796–8363, *Stacy.Kane@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In 1984, Congress enacted the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98–417) (the 1984 amendments), which authorized the approval of duplicate versions of drug products approved under an ANDA procedure. ANDA applicants must, with certain exceptions, show that the drug for which they are seeking approval contains the same active ingredient in the same strength and dosage form as the ''listed drug,'' which is a version of the drug that was previously approved. ANDA applicants do not have to repeat the extensive clinical testing otherwise necessary to gain approval of a new drug application (NDA).

The 1984 amendments include what is now section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(7)), which requires FDA to publish a list of all approved drugs. FDA publishes this list as part of the ''Approved Drug Products With Therapeutic Equivalence Evaluations,'' which is generally known as the ''Orange Book.'' Under FDA regulations, a drug is removed from the list if the Agency withdraws or suspends

approval of the drug's NDA or ANDA for reasons of safety or effectiveness, or if FDA determines that the listed drug was withdrawn from sale for reasons of safety or effectiveness (21 CFR 314.162).

Under § 314.161(a) (21 CFR 314.161(a)), the Agency must determine whether a listed drug was withdrawn from sale for reasons of safety or effectiveness: (1) Before an ANDA that refers to that listed drug may be approved, (2) whenever a listed drug is voluntarily withdrawn from sale and ANDAs that refer to the listed drug have been approved, and (3) when a person petitions for such a determination under 21 CFR 10.25(a) and 10.30. Section 314.161(d) provides that if FDA determines that a listed drug was withdrawn from sale for safety or effectiveness reasons, the Agency will initiate proceedings that could result in the withdrawal of approval of the ANDAs that refer to the listed drug.

FDA has become aware that the drug products listed in the table are no longer being marketed.

Application No.	Drug name	Active ingredient(s)	Strength(s)	Dosage form/route	Applicant
NDA 007750	CORTONE	Cortisone Acetate	25 milligrams (mg)	Tablet; Oral	Merck & Co., Inc.
NDA 008662	NYDRAZID	Isoniazid	100 mg/milliliter (mL)	Injectable; Injection	Sandoz Canada Inc.
NDA 010571	COMPAZINE	Prochlorperazine Maleate.	Equivalent to (EQ) 5 mg Base; EQ 10 mg Base; EQ 25 mg Base.	Tablet; Oral	SmithKline Beecham Corporation d/b/a GlaxoSmithKline.
NDA 010670	ORINASE	Tolbutamide	250 mg; 500 mg	Tablet; Oral	Pharmacia and Upjohn Co.
NDA 011127	COMPAZINE	Prochlorperazine	2.5 mg; 5 mg; 25 mg	Suppository; Rectal	SmithKline Beecham Corporation d/b/a GlaxoSmithKline.
NDA 011808	MELLARIL	Thioridazine Hydrochloride (HCl).	30 mg/mL; 100 mg/mL	Concentrate; Oral	Novartis Pharmaceuticals Corp.
NDA 012145	PROLIXIN	Fluphenazine HCl	2.5 mg/5 mL	Elixir; Oral	Apothecon Inc., Division of Bristol Myers Squibb.
NDA 014713	ETRAFON 2–10; ETRAFON 2–25; ETRAFON–A; ETRAFON–FORTE.	Perphenazine; Amitriptyline HCl.	2 mg/10 mg; 2 mg/25 mg; 4 mg/10 mg; 4 mg/25 mg.	Tablet; Oral	Schering Corp.
NDA 014715	TRIAVIL 2–10; TRIAVIL 2–25; TRIAVIL 4–10; TRIAVIL 4–25; TRIAVIL 4–50.	Perphenazine; Amitriptyline HCl.	2 mg/10 mg; 2 mg/25 mg; 4 mg/10 mg; 4 mg/25 mg; 4 mg/50 mg.	Tablet; Oral	New River Pharmaceuticals Inc.
NDA 015539	SERAX	Oxazepam	10 mg; 15 mg; 30 mg; 15 mg.	Capsule; Oral Tablet; Oral	Alpharma U.S. Pharmaceuticals Division.
NDA 015922	HALDOL	Haloperidol Lactate	EQ 2 mg Base/mL	Concentrate; Oral	Ortho-McNeil Pharmaceutical.
NDA 016584	NAVANE	Thiothixene	1 mg; 2 mg; 5 mg; 10 mg; 20 mg.	Capsule; Oral	Pfizer Inc.
NDA 016721	DALMANE	Flurazepam HCl	15 mg; 30 mg	Capsule; Oral	Valeant Pharmaceuticals International.
NDA 017923	MELLARIL–S	Thioridazine	EQ 25 mg HCl/5 mL; EQ 100 mg HCl/5mL.	Suspension; Oral	Novartis Pharmaceuticals Corp.
NDA 018374	BACTRIM	Sulfamethoxazole; Trimethoprim.	80 mg/mL; 16 mg/mL	Injectable; Injection	Sun Pharmaceutical Industries, Inc.
NDA 018485	ISOPTIN	Verapamil HCl	2.5 mg/mL	Injectable; Injection	Mt. Adams Technologies LLC.
NDA 018596	INTAL	Cromolyn Sodium	10 mg/mL	Solution; Inhalation	King Pharmaceuticals LLC.
NDA 018644	WELLBUTRIN	Bupropion HCl	50 mg; 75 mg; 100 mg	Tablet; Oral	GlaxoSmithKline LLC.
NDA 019287	DIZAC	Diazepam	5 mg/mL	Injectable; Injection	Pharmacia and Upjohn Co.
NDA 019982	ZEBETA	Bisoprolol Fumarate	5 mg; 10 mg	Tablet; Oral	Teva Branded Pharmaceutical Products R&D, Inc.
NDA 020007	ZOFRAN; ZOFRAN PRESERVATIVE FREE.	Ondansetron HCl	EQ 2 mg Base/mL	Injectable; Injection	Novartis Pharmaceuticals Corp.
NDA 020205	PSORCON	Diflorasone Diacetate	0.05%	Cream; Topical	Taro Pharmaceuticals North America Inc.
NDA 020947	PENNSAID	Diclofenac Sodium	1.5%	Solution; Topical	Nuvo Pharmaceuticals Inc.
NDA 021575	FOSAMAX	Alendronate Sodium	EQ 70 mg Base/75 mL	Solution; Oral	Merck Sharp & Dohme Corp., a subsidiary of Merck & Co., Inc.
NDA 050542	AMOXIL	Amoxicillin	125 mg; 250 mg	Chewable Tablet; Oral	Dr. Reddy's Laboratories, Inc.
NDA 050564	AUGMENTIN '250'; AUGMENTIN '500'.	Amoxicillin; Clavulanate Potassium.	250 mg/EQ 125 mg Base; 500 mg/EQ 125 mg Base.	Tablet; Oral	Do.
NDA 050581	MEFOXIN IN SODIUM CHLORIDE 0.9% IN PLASTIC CONTAINER; MEFOXIN IN DEXTROSE 5% IN PLASTIC CONTAINER.	Cefoxitin Sodium	EQ 20 mg Base/mL; EQ 40 mg Base/mL; EQ 20 mg Base/mL; EQ 40 mg Base/mL.	Injectable; Injection	Merck & Co., Inc.
NDA 050591	BACTROBAN	Mupirocin	2%	Ointment; Topical	SmithKline Beecham (Cork) Ltd., Ireland.
NDA 050594	ERYCETTE	Erythromycin	2%	Swab; Topical	Johnson & Johnson Consumer Inc.
NDA 050754	AMOXIL	Amoxicillin	500 mg; 875 mg	Tablet; Oral	Dr. Reddy's Laboratories, Inc.
NDA 050760	AMOXIL	Amoxicillin	200 mg/5 mL; 400 mg/5 mL	For Suspension; Oral	Do.

FDA has reviewed its records and, under § 314.161, has determined that the drug products listed were not withdrawn from sale for reasons of safety or effectiveness. Accordingly, the Agency will continue to list the drug products in the ''Discontinued Drug Product List'' section of the Orange Book. The ''Discontinued Drug Product List'' identifies, among other items, drug products that have been discontinued from marketing for reasons other than safety or effectiveness.

Approved ANDAs that refer to the NDAs and ANDAs listed are unaffected by the discontinued marketing of the products subject to those NDAs and ANDAs. Additional ANDAs that refer to these products may also be approved by the Agency if they comply with relevant legal and regulatory requirements. If FDA determines that labeling for these drug products should be revised to meet current standards, the Agency will advise ANDA applicants to submit such labeling.

Dated: September 11, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19611 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–D–4886]

Utilizing Animal Studies To Evaluate Organ Preservation Devices; Draft Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of the draft guidance entitled ''Utilizing Animal Studies to Evaluate Organ Preservation Devices.'' The intent of this draft guidance is to provide recommendations regarding best practices for utilizing animal studies for the evaluation of organ preservation devices. This draft guidance is not final nor is it in effect at this time.

DATES: Submit either electronic or written comments on the draft guidance by November 14, 2017 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2017–D–4886 for ''Utilizing Animal Studies to Evaluate Organ Preservation Devices.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- *Confidential Submissions*—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)). An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the draft guidance document entitled ''Utilizing Animal Studies to Evaluate Organ Preservation Devices'' to the Office of the Center Director, Guidance and Policy Development, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Elizabeth Kunkoski, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 1504, Silver Spring, MD 20993–0002, 301–796–6439.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft leapfrog guidance for industry and FDA staff entitled ''Utilizing Animal Studies to Evaluate Organ Preservation Devices.'' The intent of this draft guidance is to provide recommendations regarding best practices for utilizing animal studies for the evaluation of organ preservation devices, with careful considerations of regulatory least burdensome principles, as well as, ethical principles in animal testing. This draft guidance provides clarity on premarket recommendations to develop animal transplant models for organ preservation technologies, which will streamline initiation of clinical studies. Optimizing animal and clinical study designs for premarket submissions will allow us to bring novel organ preservation devices to the market faster to increase the availability of organs for transplant for patients awaiting transplants. Early stakeholder feedback was sought to inform the development of this draft guidance through CDRH's notice on the fiscal year 2016 proposed guidance development issued December 29, 2015 (80 FR 81335), available at *https://www.federalregister.gov/documents/2015/12/29/2015-32726/medical-device-user-fee-and-modernization-act-notice-to-public-of-web-site-location-of-fiscal-year#h-14.* Specific questions were posed to solicit input into the context of the guidance and comments were collected through Docket No. FDA–2012–N–1021.

This draft guidance is a leapfrog guidance; leapfrog guidances are intended to serve as a mechanism by which the Agency can share initial thoughts regarding the content of premarket submissions for emerging technologies and new clinical applications that are likely to be of public health importance very early in product development. This leapfrog draft guidance represents the Agency's initial thinking, and our recommendations may change as more information becomes available. The Agency strongly encourages manufacturers to engage with CDRH through the Pre-Submission process to obtain more detailed feedback regarding their organ preservation device. For more information on Pre-Submissions, please see ''Requests for Feedback on Medical Device Submissions: The Pre-Submission Program and Meetings with Food and Drug Administration Staff'' at (*https://www.fda.gov/downloads/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/UCM311176.pdf*).

II. Significance of Guidance

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Utilizing Animal Studies to Evaluate Organ Preservation Devices.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

III. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *https://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/GuidanceDocuments/default.htm.* This guidance document is also available at *https://www.regulations.gov.* Persons unable to download an electronic copy of ''Utilizing Animal Studies to Evaluate Organ Preservation Devices'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number 1500083 to identify the guidance you are requesting.

IV. Paperwork Reduction Act of 1995

This draft guidance document refers to previously approved collections of information found in FDA regulations and guidances. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR part 58 regarding good laboratory practices have been approved under OMB control number 0910–0119. The collections of information in 21 CFR part 801 regarding labeling have been approved under OMB control number 0910–0485. The collections of information in 21 CFR part 807, subpart E regarding premarket notification have been approved under OMB control number 0910–0120. The collections of information in 21 CFR part 812 regarding investigational device exemptions have been approved under OMB control number 0910–0078. The collections of information in 21 CFR part 814, subparts A through E regarding premarket approval have been approved under OMB control number 0910–0231. The collections of information in 21 CFR part 814, subpart H have been approved under OMB control number 0910–0332. The collections of information in 21 CFR part 820 regarding the Quality System regulation have been approved under OMB control number 0910–0073. The collections of information in the guidance document entitled ''Requests for Feedback on Medical Device Submissions: The Pre-Submission Program and Meetings with Food and Drug Administration Staff'' have been approved under OMB control number 0910–0756.

Dated: September 6, 2017.

Anna K. Abram,

Deputy Commissioner for Policy, Planning, Legislation, and Analysis.

[FR Doc. 2017–19613 Filed 9–14–17; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Information Collection Request Title: Poison Help General Population Survey, OMB No. 0915–0343, Reinstatement

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. The ICR is for reinstatement with change of a previously approved information collection assigned OMB control number 0915–0343 that expired on May 31, 2014. OMB will accept further comments from the public during the review and approval period.

DATES: Comments on this ICR should be received no later than October 16, 2017.

ADDRESSES: Submit your comments, including the ICR Title, to the desk officer for HRSA, either by email to *OIRA_submission@omb.eop.gov* or by fax to 202–395–5806.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email the HRSA Information Collection Clearance Officer, Lisa Wright-Solomon, at *paperwork@hrsa.gov* or call (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference, in compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995.

Information Collection Request Title: Poison Help General Population Survey OMB Number 0915–0343, Reinstatement.

Abstract: HRSA is requesting approval by OMB for reinstatement with change of a previously approved collection of information (OMB control number 0915–0343). Annually, poison control centers (PCCs) in the U.S. manage approximately 2.8 million calls, providing ready and direct access to vital public health emergency information and response. In 2001, the Poison Help line, a single, national toll-free phone number (800–222–1222) was established to ensure universal access to PCC services, 24 hours a day, 7 days a week. The Poison Help campaign is the only national media effort to promote awareness and use of the national toll-free phone number.

The Poison Help campaign aims to reach a wide audience, as individuals of all ages are at risk for poisoning and may need to access PCC services. The ''Poison Help General Population Survey'' is a 10-minute telephone survey designed to assess the campaign's impact among 2,000 households in the United States. The survey is conducted with an adult household member and addresses topics related to the types of individuals or organizations to contact for information, advice, and treatment related to a poisoning.

Need and Proposed Use of the Information: Survey results will be used to guide future communication, education, and outreach efforts and will allow the tracking of longitudinal data from near-identical prior surveys conducted in 2008 and 2011. The survey has been updated to include questions regarding one of the Secretary of HHS' priority areas, addressing the opioid crisis, and to definitively ascertain respondents' knowledge of the Poison Help Line and phone usage.

Likely Respondents: This study includes two respondent groups, individuals and households with an adult member 18 years and older.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN—HOURS

Instrument	Number of respondents	Responses per respondent	Total responses	Hours per response	Total burden hours
Survey Respondents	2000	1	2000	.166	332
Screened households	2600	1	2600	.016	41.6
Total	4600		4600		374

Amy McNulty.

Acting Director, Division of the Executive Secretariat.

[FR Doc. 2017–19608 Filed 9–14–17; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

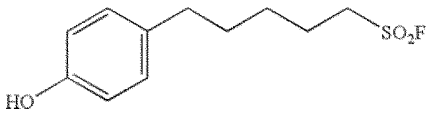
SUMMARY: Government owned intellectual property covering imaging agents with improved renal clearance available for licensing and commercialization.

FOR FURTHER INFORMATION CONTACT: Licensing information and copies of the patent applications listed below may be obtained by emailing the indicated licensing contact at the National Heart, Lung, and Blood, Office of Technology Transfer and Development Office of Technology Transfer, 31 Center Drive, Room 4A29, MSC2479, Bethesda, MD 20892–2479; telephone: 301–402–5579. A signed Confidential Disclosure Agreement may be required to receive copies of the patent applications.

SUPPLEMENTARY INFORMATION: The inventions listed below are owned by an agency of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 209 and 37 CFR part 404 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing. A description of the technology available for licensing follows.

Methods of Using Inhibitors To Enhance Therapeutic Uses of Endocannabinoids

Description of Technology: The invention pertains to methods of using compounds that inhibit fatty acid amide hydrolase (FAAH) enzymes that are responsible for the degradation of oleamide and anandamide. Inhibition of degradation can be used as treatment modality for hypertension and for sleep disorders. The issued patent lists potentially useful compounds, one such useful compound in particular is



Potential Commercial Applications:
- Therapeutics for hypertension
- Therapeutics for anxiety disorders
- Therapeutics for sleep disorders

Development Stage:
- In vivo data available

Inventors: George Kunos and Alexandros Makriyannis (both of NIAAA)

Intellectual Property: HHS Reference No. E–211–2006/0–US–06.
- U.S. Patent 8,293,724 filed April 6, 2010, issued October 23, 2012.

Licensing Contact: Michael Shmilovich, Esq, CLP; 301–435–5019; *shmilovm@nih.gov.*

Collaborative Research Opportunity: The National Institute of Environmental Health Sciences seeks statements of capability or interest from parties interested in collaborative research to further develop and evaluate, please contact Peg Koelble, Office of Technology Transfer, National Heart, Lung and Blood Institute, *koelblep@nhlbi.nih.gov,* 301–594–4095.

Dated: September 7, 2017.

Michael Shmilovich,

Senior Licensing and Patenting Manager, National Heart, Lung, and Blood Institute, Office of Technology Transfer and Development.

[FR Doc. 2017–19590 Filed 9–14–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by an agency of the U.S. Government and are available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Chris Kornak, 240–627–3705, *chris.kornak@nih.gov.* Licensing information and copies of the U.S. patent applications listed below may be obtained by communicating with the indicated licensing contact at the Technology Transfer and Intellectual Property Office (TTIPO), 5601 Fishers Lane, Suite 6D, MSC 9804, Rockville, MD 20892, tel: 301–496–2644, fax: 240–627–3117. A signed Confidential Disclosure Agreement will be required to receive copies of unpublished patent applications.

SUPPLEMENTARY INFORMATION: Technology description follows.

Recombinant HIV-1 Envelope Proteins and Their Use

Description of Technology: Millions of people are infected with HIV-1 worldwide. In the U.S., there are about 30,000 new cases of HIV infection reported annually. Currently, there are effective, anti-retroviral therapeutics available to treat or prevent HIV infection. However, available anti-retroviral therapeutics require life-long administration.

During infection, proteases of the host cell cleave gp160 into gp120 and gp41. Gp41 is an integral membrane protein, while gp120 protrudes from the mature virus. Together gp120 and gp41 aggregate as trimers that make up the HIV-1 envelope (''Env'') spike, which is a target for neutralizing antibodies.

NIAID researchers have constructed a recombinant HIV-1 trimer immunogen. In particular, the recombinant gp120 protein in the trimer is stabilized in a closed conformation, preventing it from binding to CD4. The advantage of the closed conformation is that it can stabilize the epitopes that bind to broadly neutralizing antibodies, minimize the binding of gp120 with weakly or non-neutralizing antibodies, and prevent conformational changes induced by CD4 as well as immunogen sequestration by CD4 *in vivo.* Research has also indicated that recombinant Env ectodomain trimers can induce higher neutralizing antibody titers than wild type Env trimers in animal models.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404, as well as for further development and evaluation under a research collaboration.

Potential Commercial Applications:
- HIV-1 immunogen
- New methods for isolating broadly neutralizing antibodies

Competitive Advantages:
- A new strategy in inducing immune response against HIV-1

Development Stage:
- Pre-Clinical; Proof-of-concept studies in nonhuman primate models

Inventors:
Paolo Lusso, NIAID, NIH
Peng Zhang, NIAID, NIH

Publications: Pending.

Intellectual Property: HHS Reference No. E–102–2016/0—PCT Application No. PCT/US2017/021573 filed on 03/09/2017.

Licensing Contact: Chris Kornak, 240–627–3705, *chris.kornak@nih.gov.*

Collaborative Research Opportunity: The Technology Transfer and Intellectual Property Office (TTIPO) is seeking parties interested in collaborative research to further develop the technology. In particular, NIAID is interested in partnerships utilizing vector vaccine platforms for expressing these immunogens.

However, NIAID is willing to discuss other applications of this technology. For collaboration opportunities, please contact Chris Kornak, 240–627–3705, *chris.kornak@nih.gov.*

Dated: September 7, 2017.

Suzanne Frisbie,

Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2017–19591 Filed 9–14–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Deafness and Other Communication Disorders; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; Chemical Senses Fellowship Review.

Date: October 11, 2017.

Time: 12:30 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health. Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Sheo Singh, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, 6001 Executive Blvd., Room 8351, Bethesda, MD 20892, 301–496–8683, *singhs@nidcd.nih.gov.*

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; Hearing and Balance Fellowships Review.

Date: October 16, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Shiguang Yang, DVM, Ph.D., Scientific Review Officer, Division of Extramural Activities, NIDCD, NIH, 6001 Executive Blvd., Room 8349, Bethesda, MD 20892, 301–496–8683, *yangshi@nidcd.nih.gov.*

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; VSL Fellowship Review.

Date: October 18, 2017.

Time: 12:30 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Sheo Singh, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, 6001 Executive Blvd., Room 8351, Bethesda, MD 20892, 301–496–8683, *singhs@nidcd.nih.gov.*

Name of Committee: Communication Disorders Review Committee.

Date: October 19, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.

Contact Person: Eliane Lazar-Wesley, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute on Deafness and other Communication Disorders/NIH, 6001 Executive Blvd., MSC 9670, Bethesda, MD 20892–8401, 301–496–8683 *el6r@nih.gov*.

Name of Committee: National Institute on Deafness and Other Communication Disorders Special Emphasis Panel; P50 Review.

Date: October 26, 2017.

Time: 11:00 a.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Kausik Ray, Ph.D., Scientific Review Officer, National Institute on Deafness and Other Communication Disorders, National Institutes of Health, Rockville, MD 20850, 301–402–3587, *rayk@nidcd.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.173, Biological Research Related to Deafness and Communicative Disorders, National Institutes of Health, HHS)

Dated: September 8, 2017.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–19592 Filed 9–14–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 60-Day Comment Request; Special Volunteer and Guest Researcher Assignment (Office of Intramural Research, Office of the Director)

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, for opportunity for public comment on proposed data collection projects, the Office of Intramural Research (OIR), Office of the Director (OD), National Institutes of Health (NIH), will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 60 days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Dr. Arlyn Garcia-Perez, Assistant Director, Office of Intramural Research, Office of the Director, National Institutes of Health, 1 Center Drive MSC 0140, Building 1, Room 160, MSC–0140, Bethesda, Maryland, 20892 or call non-toll-free number (301) 496–1921 or (301) 496–1381 or Email your request, including your address to: *GarciaA@od.nih.gov*. Formal requests for additional plans and instruments must be requested in writing.

SUPPLEMENTARY INFORMATION: Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires: Written comments and/or suggestions from the public and affected agencies are invited to address one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function 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.

Proposed Collection Title: Special Volunteer and Guest Researcher Assignment form—Reinstatement without Change of OMB #0925–0177, Office of Intramural Research (OIR), Office of the Director (OD), National Institutes of Health (NIH).

Need and Use of Information Collection: Form Number: NIH–590 is a single form completed by an NIH official for each Guest Researcher or Special Volunteer prior to his/her arrival at NIH. The information on the form is necessary for the approving official to reach a decision on whether to allow a Guest Researcher to use NIH facilities, or whether to accept volunteer services offered by a Special Volunteer. If the original assignment is extended, another form notating the extension is completed to update the file. In addition, each Special Volunteer and Guest Researcher reads and signs an NIH Agreement.

OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 527.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondents	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual hour burden hours
Special Volunteer and Guest Researcher Assignment.	Special Volunteers and Guest researchers.	2,870	1	6/60	287

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Form name	Type of respondents	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual hour burden hours
NIH Special Volunteer Agreement	Special Volunteers	2,600	1	5/60	217
NIH Guest Researcher Agreement ...	Guest Researchers	270	1	5/60	23
Totals	.....	2,870	.....	.....	527

Dated: September 7, 2017.

Lawrence A. Tabak,

Principal Deputy Director, National Institutes of Health.

[FR Doc. 2017–19595 Filed 9–14–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Delay of Transition of Test Program Regarding Electronic Foreign Trade Zone; Admission Applications From the Automated Commercial System to the Automated Commercial Environment

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Delay of transition of test program.

SUMMARY: On August 16, 2017, U.S. Customs and Border Protection (CBP) published a notice in the **Federal Register** announcing plans to make the Automated Commercial Environment (ACE) the sole electronic data interchange (EDI) system authorized by the Commissioner of CBP for processing electronic Foreign Trade Zone (FTZ) admission applications. The changes announced in that notice were to become operational on September 16, 2017. This notice announces that the date for the transition to ACE as the sole CBP-authorized EDI system for electronic FTZ admission applications is delayed until December 9, 2017.

DATES: As of December 9, 2017, ACE will be the sole CBP-authorized EDI system for processing electronic FTZ admission applications, and the Automated Commercial System (ACS) will no longer be a CBP-authorized EDI system for purposes of processing these filings.

FOR FURTHER INFORMATION CONTACT: For operational questions, contact Lydia Jackson, Cargo & Conveyance Security, Office of Field Operations, U.S. Customs and Border Protection, via email at *Lydia.A.Jackson@cbp.dhs.gov.* For technical questions, contact Tonya Perez, Cargo Systems Program Directorate, Office of Information and Technology, U.S. Customs and Border Protection, via email at *Tonya.M.Perez@cbp.dhs.gov.*

SUPPLEMENTARY INFORMATION: On August 16, 2017, U.S. Customs and Border Protection (CBP) published a notice in the **Federal Register** (82 FR 38923) announcing plans to make the Automated Commercial Environment (ACE) the sole electronic data interchange (EDI) system authorized by the Commissioner of U.S. Customs and Border Protection (CBP) for processing electronic Foreign Trade Zone (FTZ) admission applications, as of September 16, 2017. The document also announced that, on September 16, 2017, the Automated Commercial System (ACS) would no longer be a CBP-authorized EDI system for purposes of processing these electronic filings. Further, the document announced that the test program would be extended until a decision is reached to implement the program on a permanent basis and/or to conclude the test. Finally, the notice clarified that the list of data elements required for the electronic FTZ admission application must include the ''Zone ID,'' and reminded test participants that they must provide the data elements ''Steel Import License Number'' and ''Kimberley Process Certificate Number'' to CBP.

CBP has been assessing stakeholder readiness for the mandatory transition of electronic FTZ admission applications from ACS to ACE. CBP has determined that industry partners need additional time to prepare for the transition to electronic capabilities in ACE.

Accordingly, all the changes announced in the August 16, 2017 **Federal Register** notice, including the transition to ACE as the sole CBP-authorized EDI system for electronic FTZ admission applications, will not be operational until December 9, 2017.

Dated: September 11, 2017.

Todd C. Owen,

Executive Assistant Commissioner, Office of Field Operations.

[FR Doc. 2017–19669 Filed 9–14–17; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0078]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Application To File Declaration of Intention

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information or new collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until November 14, 2017.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0078 in the body of the letter, the agency name and Docket ID USCIS–2008–0007. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal Web site at

http://www.regulations.gov under e-Docket ID number USCIS–2008–0007;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529–2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW., Washington, DC 20529–2140, telephone number 202–272–8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS Web site at *http://www.uscis.gov,* or call the USCIS National Customer Service Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2008–0007 in the search box. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application to File Declaration of Intention.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* N–300; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. The Form N–300 is used by lawful permanent residents to file a Declaration of Intention to become a United States citizen (''Declaration of Intention''). Although the Declaration of Intention is not required for naturalization, some lawful permanent residents find it necessary to file Form N–300 to fulfill requirements of states that mandate specific documentation from resident aliens seeking to work in certain occupations or professions, or to obtain various licenses. The Form N–300 facilitates this process.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection N–300 is 18 and the estimated hour burden per response is .75 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 13.5 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $508.50.

Dated: September 11, 2017.

Samantha Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2017–19588 Filed 9–14–17; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0048]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension/revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.,* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until November 14, 2017.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0048 in the body of the letter, the agency name and Docket ID USCIS–2006–0025. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal Web site at *http://www.regulations.gov* under e-Docket ID number USCIS–2006–0025;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529–2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20

Massachusetts Avenue NW., Washington, DC 20529–2140, telephone number 202–272–8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS Web site at *http://www.uscis.gov,* or call the USCIS National Customer Service Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2006–0025 in the search box. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Premium Processing Service.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–907; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. USCIS uses the information provided on Form I–907 to provide petitioners the opportunity to request faster processing of certain employment-based petitions and applications.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection is:

- *Filing by Mail:* 316,108 responses at 30 minutes (.50 hours) per response.
- *Electronically:* 3,193 responses at 20 minutes (.333) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 159,117 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $78,228,745.

Dated: September 11, 2017.

Samantha Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2017–19600 Filed 9–14–17; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0063]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection; Reinstatement: National Interest Waivers; Supplemental Evidence to I–140 and I–485

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information or new collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until November 14, 2017.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0063 in the body of the letter, the agency name and Docket ID USCIS–2008–0030. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal Web site at *http://www.regulations.gov* under e-Docket ID number USCIS–2008–0003;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529–2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW., Washington, DC 20529–2140, telephone number 202–272–8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this

notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS Web site at *http://www.uscis.gov,* or call the USCIS National Customer Service Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2008–0030 in the search box. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* National Interest Waivers; Supplemental Evidence to I–140 and I–485.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* No Agency Form Number; USCIS.

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

Primary: Individuals or Households. The supplemental documentation will be used by the U.S. Citizenship and Immigration Services to determine eligibility for national interest waiver requests and to finalize the request for adjustment to lawful permanent resident status.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection is 8,000 and the estimated hour burden per response is 1 hour.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 16,000 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0.

Dated: September 11, 2017.

Samantha Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2017–19589 Filed 9–14–17; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0125]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: Customer Profile Management System-IDENTity Verification Tool (CPMS–IVT)

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed extension of a currently approved collection of information or new collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until November 14, 2017.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0125 in the body of the letter, the agency name and Docket ID USCIS–2011–0008. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal Web site at *http://www.regulations.gov* under e-Docket ID number USCIS–2011–0008;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW., Washington, DC 20529–2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW., Washington, DC 20529–2140, telephone number 202–272–8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS Web site at *http://www.uscis.gov,* or call the USCIS National Customer Service Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments: You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2011–0008 in the search box. Regardless of the method used for submitting comments or material, all submissions

will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension, Without Change, of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Customer Profile Management System-IDENTity Verification Tool (CPMS–IVT).

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* M–1061; USCIS.

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

Primary: Individuals or households. Respondents subject to this information collection are all individuals who are appearing at a USCIS District/Field Office for a required interview in connection with their request for an immigration or naturalization benefit, or in order to receive evidence of an immigration benefit such as a temporary travel document, parole authorization, temporary extension of a I–90, or temporary I–551 stamp in a passport or on a Form I–94 evidencing lawful permanent residence. Respondents will be required to have their photograph and fingerprints taken at the USCIS District/Field Office to be inputted into the Customer Profile Management System-IDENTity Verification Tool (CPMS–IVT). The only U.S. citizen respondents subject to enrollment in CPMS–IVT are petitioners filing orphan or adoption petitions (Forms I–600/600A) and U.S. citizen petitioners of family-based petitions required to appear at an ASC for biometric capture for purposes of complying with the Adam Walsh Child Protection and Safety Act of 1996, Public Law 109–248.

Use of CPMS–IVT will apply for in-person appearances at a USCIS District/Field Office related to the following applications, petitions, or requests:

I–90 (1615–0082): Application to Replace Permanent Resident Card
I–130 (1615–00120): Petition for Alien Relative
I–131 (1615–0013): Application for Travel Document
I–485 (1615–0023): Application to Register Permanent Residence or Adjust Status
I–600 (1615–0028): Petition to Classify Orphan as an Immediate Relative
I–600A (1615–0028): Application for Advance Processing of Orphan Petition
I–687 (1615–0090): Application for Status as a Temporary Resident Under Section 245A of the Immigration and Nationality Act
I–698 (1615–0035): Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Pub. L. 99–603)
I–751 (1615–0038): Petition to Remove the Conditions of Residence
I–821D (1615–0124): Consideration of Deferred Action for Childhood Arrivals
I–829 (1615–0045): Petition by Entrepreneur to Remove Conditions
N–400 (1615–0052): Application for Naturalization

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection M–1061 is 1,644,385 and the estimated hour burden per response is .083 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 272,968 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0.

Dated: September 11, 2017.

Samantha Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2017–19587 Filed 9–14–17; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GX17RB00FYXAA00]

Agency Information Collection: Comment Request

AGENCY: United States Geological Survey (USGS), Interior.

ACTION: Notice of a new information collection.

SUMMARY: We (U.S. Geological Survey) will ask the Office of Management and Budget (OMB) to approve the information collection (IC) described below. As required by the Paperwork Reduction Act of 1995 (PRA), and as a part of our continuing efforts to reduce paperwork and respondent burden, we invite the general public and other Federal agencies to take this opportunity to comment on this IC. As a Federal agency, we may not conduct or sponsor and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

DATES: To ensure that your comments are considered, we must receive them on or before November 14, 2017.

ADDRESSES: You may submit comments on this information collection to the Information Collection Clearance Officer, U.S. Geological Survey, *gs-info_collections@usgs.gov* (email). Please reference 'Information Collection 1028–New, Evaluating public values for water quality in the Susquehanna River in Pennsylvania' in all correspondence.

FOR FURTHER INFORMATION CONTACT: Rudy Schuster at U.S. Geological Survey, 2150 Centre Avenue, Bldg. C, Fort Collins, CO 80525 (mail), or at (970) 226–9165 (phone). You may also find information about this ICR at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The USGS Social and Economic Analysis Branch is investigating public

values for changes in water quality within the Susquehanna River Basin located in Pennsylvania. The Susquehanna River, with its streams and tributaries, is the largest river system lying entirely within the United States that drains into the Atlantic Ocean. Water from the Susquehanna River is used for drinking, manufacturing, agriculture, and power generation, and also provides habitat for fish and opportunities for outdoor recreation. Stormwater runoff and excess nutrients and sediment have increased algae, decreased fish health, and have resulted in closed beaches due to bacteria. As a result of these and other events, water managers in the Susquehanna River Basin are reviewing private citizens' river uses, perceptions, and the economic value of improved water quality. USGS economists will conduct an economic survey of private households in Pennsylvania to help local decision makers achieve this review. These values will be estimated via a mail survey instrument. The primary goal of conducting this valuation study is to improve the way in which communities frame the choice regarding the allocation of scarce resources and to clarify the trade-offs between alternative outcomes. No such prior analysis has been conducted in the Susquehanna River Basin.

The information collection process will be conducted by scientists and staff in the Social and Economic Analysis Branch of the USGS, and partnering researchers in the Department of Agricultural and Resource Economics at Colorado State University. This information collection will be conducted through an online survey with an optional paper survey. Letters and postcards will be mailed to potential respondents to encourage participation in the survey. We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2), and under regulations at 30 CFR 250.197, ''Data and information to be made available to the public or for limited inspection.'' Responses are voluntary. No questions of a ''sensitive'' nature are asked.

II. Data

OMB Control Number: 1028–New.
Form Number: NA.
Title: Evaluating public values for water quality in the Susquehanna River in Pennsylvania.
Type of Request: New collection.
Affected Public: Private Citizens.
Respondent's Obligation: None. Participation is voluntary.

Frequency of Collection: One time only.

Estimated Total Annual Responses: 2,500.

Estimated Time per Response: 2 minutes to review instructions, 13 minutes to complete survey.

Estimated Total Annual Burden Hours: 625 hours.

Estimated Reporting and Recordkeeping ''Non-Hour Cost'' Burden: There are no ''non-hour cost'' burdens associated with this IC.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number and current expiration date.

III. Request for Comments

We are soliciting comments as to: (a) Whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, usefulness, and clarity of the information to be collected; and (d) how to minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Please note that the comments submitted in response to this notice are a matter of public record. Before including your personal mailing address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment, including your personally identifiable information, may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public view, we cannot guarantee that we will be able to do so.

IV. Authority

The authorities for this action are the Clean Water Act (33 U.S.C. 1251 *et seq.*) and the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*).

Dated: May 3, 2017.

Sharon Taylor,

Fort Collins Science Center Director.

[FR Doc. 2017–19575 Filed 9–14–17; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[17XD4523WS\DS10100000\DWSN00000.000000\DP10020]

Statement of Findings: Aamodt Litigation Settlement Act

AGENCY: Office of the Secretary, Interior.

ACTION: Notice.

SUMMARY: The Secretary of the Interior (Secretary) is publishing this notice in accordance with the Aamodt Litigation Settlement Act (Settlement Act). Congress enacted the Settlement Act as Title VI of the Claims Resolution Act of 2010. The publication of this notice causes the Settlement Agreement executed in accordance with the Settlement Act to remain applicable and causes certain waivers and releases of claims executed pursuant to the Settlement Act to become applicable.

DATES: This notice is applicable September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Address all comments and requests for additional information to Christopher Banet, Chair, Aamodt Settlement Implementation Team, Department of the Interior, Bureau of Indian Affairs, Southwest Regional Office, 1001 Indian School Road NW., Albuquerque, NM 87104 (503) 563–3403, *christopher.banet@bia.gov.*

SUPPLEMENTARY INFORMATION: The Settlement Act was enacted to resolve water rights claims of the Pueblos of Pojoaque, Nambé, Tesuque, and San Ildefonso (Pueblos) in the Pojoaque River Basin—including the Rio Nambé, Rio Pojoaque, and Rio Tesuque stream systems and interrelated groundwater systems—in the State of New Mexico subject to an adjudication in the U.S. District Court (Court) in *State of New Mexico ex rel. State Engineer* v. *Aamodt,* No. 6:66–CV–6639 (D.N.M. filed 1966). The Settlement Parties include the four Pueblos; the County of Santa Fe; the City of Santa Fe; various individuals and entities; the State of New Mexico (State); and the United States (Settlement Parties).

The Settlement Act and underlying agreements quantify and define the Pueblos' water rights, including surface and groundwater within the Pojoaque River Basin as well as additional water to be supplied via contract from the Bureau of Reclamation's San Juan-Chama Project, and also recognizes certain non-Pueblo water entitlements and allocations, including for local governments and water districts. The Settlement Act and underlying

agreements provide additional significant benefits to the Pueblos and local communities, including federal funding to help construct the Pojoaque Basin Regional Water System and federal funding to establish the Aamodt Pueblos Settlement Fund. The non-federal Settlement Parties submitted a signed Settlement Agreement to Congress prior to enactment of the Settlement Act, which has been revised and signed by the Settlement Parties pursuant to the terms of the Settlement Act. In order for the Settlement Agreement to remain enforceable, nine conditions precedent outlined in section 623 of the Settlement Act must be fulfilled by September 15, 2017.

Statement of Findings

In accordance with section 623(a)(2) of the Settlement Act, I find as follows:

(A) To the extent that the Settlement Agreement conflicted with the Settlement Act, the Settlement Agreement has been revised to conform with the Settlement Act.

(B) The Settlement Agreement, as revised, including waivers and releases pursuant to section 624 of the Settlement Act, has been executed by the appropriate parties and the Secretary.

(C) Congress has fully appropriated, or the Secretary has provided from other authorized sources, all funds authorized by section 617 of the Settlement Act, with the exception of subsection (a)(1) of that section.

(D) The Secretary has acquired and entered into appropriate contracts for the water rights described in section 613(a) of the Settlement Act.

(E) For purposes of section 613(a) of the Settlement Act, permits have been issued by the New Mexico State Engineer to the Pojoaque Basin Regional Water Authority (Authority) formed pursuant to section 9.5 of the Settlement Agreement to change the points of diversion to the mainstem of the Rio Grande for the diversion and consumptive use of at least 2,381 acre-feet by the Pueblos as part of the water supply for the Regional Water System, subject to the conditions that (i) the permits are free of any condition that materially adversely affects the ability of the Pueblos or the Authority to divert or use the Pueblo water supply described in section 613(a) of the Settlement Act, including water rights acquired in addition to those described in section 613(a) of the Settlement Act, in accordance with section 613(g) of the Settlement Act; and (ii) the Settlement Agreement establishes the means to address any permit conditions to ensure the ability of the Pueblos to fully divert and consume at least 2,381 acre-feet as part of the water supply for the Regional Water System, including defining the conditions that will not constitute a material adverse effect.

(F) The State has enacted necessary legislation and has provided funding as required under the Settlement Agreement.

(G) A partial final decree that sets forth the water rights and other rights to water to which the Pueblos are entitled under the Settlement Agreement and the Settlement Act and that substantially conforms to the Settlement Agreement has been approved by the Court.

(H) A final decree that sets forth the water rights for all parties to the Aamodt Case and that substantially conforms to the Settlement Agreement has been approved by the Court.

(I) The waivers and releases described in section 624 of the Settlement Act have been executed.

Ryan K. Zinke,

Secretary of the Interior.

[FR Doc. 2017–19541 Filed 9–14–17; 8:45 am]

BILLING CODE 4334–63–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1070]

Certain Periodontal Laser Devices and Components Thereof 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 August 10, 2017, on behalf of Millennium Dental Technologies, Inc. of Cerritos, California. A supplement was filed on August 18, 2017. The complaint alleges violations based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain periodontal laser devices and components thereof by reason of false advertising, the threat or effect of which is to destroy or substantially injure an industry in the United States.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

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: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

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 September 8, 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)(A) 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 periodontal laser devices and components thereof by reason of false advertising, the threat or effect of which is to destroy or substantially injure an industry in the United States;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), (g)(1)

(3) 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: Millennium Dental Technologies, Inc., 10945 South Street, Suite 104–A, Cerritos, CA 90703.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Fotona d.o.o., Stegne 7, Ljubljana 1000, Slovenia

Fotona, LLC, 2307 Springlake Road #518, Dallas, TX 75234

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents 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 a 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: September 11, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–19596 Filed 9–14–17; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1334–1337 (Final)]

Emulsion Styrene-Butadiene Rubber From Brazil, Korea, Mexico, and Poland

Determination

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that an industry in the United States is materially injured by reason of imports of emulsion styrene-butadiene rubber from Brazil, Korea, Mexico, and Poland, provided for in subheading 4002.19.00 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (''Commerce'') to be sold in the United States at less than fair value (''LTFV'').[2] [3]

Background

The Commission, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), instituted these investigations effective July 21, 2016, following receipt of a petition filed with the Commission and Commerce by Lion Elastomers, LLC, Port Neches, Texas, and East West Copolymer, LLC, Baton Rouge, Louisiana. The Commission scheduled the final phase of the investigations following notification of preliminary determinations by Commerce that imports of emulsion styrene-butadiene rubber from Brazil, Korea, Mexico, and Poland were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of March 13, 2017 (82 FR 13503). The hearing was held in Washington, DC, on June 29, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] Vice Chairman David S. Johanson and Commissioner Meredith M. Broadbent dissenting.

[3] The Commission also finds that imports subject to Commerce's affirmative critical circumstances determination are not likely to undermine seriously the remedial effect of the antidumping duty order on Korea.

The Commission made these determinations pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on August 25, 2017. The views of the Commission are contained in USITC Publication 4717 (August 2017), entitled *Emulsion Styrene-Butadiene Rubber from Brazil, Korea, Mexico, and Poland: Investigation Nos. 731–TA–1334–1337 (Final).*

By order of the Commission.

Issued: September 12, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–19675 Filed 9–14–17; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1069]

Certain Pool and Spa Enclosures; 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 May 10, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Aqua Shield, Inc. of West Babylon, New York. An amended complaint was filed on July 17, 2017. Supplements to the amended complaint were filed on August 10, 2017 and September 5, 2017. The complaint, as amended, 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 pool and spa enclosures by reason of infringement of certain claims of U.S. Patent No. 6,637,160 (''the '160 patent''). The amended 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 cease and desist orders.

ADDRESSES: The amended 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: Pathenia M. Proctor, Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

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 amended complaint, the U.S. International Trade Commission, on September 8, 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 pool and spa enclosures by reason of infringement of one or more of claims 1–14 and 16 of the '160 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:

Aqua Shield, Inc., 114 Bell Street, West Babylon, NY 11704.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the amended complaint is to be served:

Inter Pool Cover Team, Orel 8, 538 21 Slatinany, Czech Republic 64257746.

Alukov HZ Spol. S.R.O., Orel 8, 538 21 Slatinany, Czech Republic 64257746.

Alukov, Spol. S.R.O., Škultétyho 1597, 95501 Topol'čany Nitra—Slovakia.

Pool & Spa Enclosures, LLC, 10 Centre Drive, Monroe Township, NJ 08831.

Poolandspa.com, 672 Los Feliz Street, Las Vegas, NV 89110.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the amended complaint and the notice of investigation must be submitted by the named respondents 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 amended complaint and the notice of investigation. Extensions of time for submitting responses to the amended complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the amended complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the amended 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 amended 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: September 11, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–19558 Filed 9–14–17; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1339 (Final)]

Steel Concrete Reinforcing Bar From Taiwan

Determination

On the basis of the record [1] developed in the subject investigation, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that an industry in the United States is materially injured by reason of imports of steel concrete reinforcing bar from Taiwan, provided for in subheadings 7213.10, 7214.20, and 7228.30 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV").

Background

The Commission, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), instituted this investigation effective September 20, 2016, following receipt of a petition filed with the Commission and Commerce by the Rebar Trade Action Coalition and its individual members: Bayou Steel Group, LaPlace, Louisiana; [2] Byer Steel Group, Inc., Cincinnati, Ohio; Commercial Metals Company, Irving, Texas; Gerdau Ameristeel U.S. Inc., Tampa, Florida; Nucor Corporation, Charlotte, North Carolina; and Steel Dynamics, Inc., Pittsboro, Indiana. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of rebar from Taiwan were sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on March 15, 2017 (82 FR 13854). The hearing was held in Washington, DC, on May 18, 2017, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made this determination pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)). It completed and filed its determination in this investigation on September 11, 2017. The views of the Commission are contained in USITC Publication 4724 (September 2017), entitled *Steel Concrete Reinforcing Bar from Taiwan: Investigation No. 731–TA–1339 (Final).*

By order of the Commission.

Issued: September 11, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–19557 Filed 9–14–17; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] Bayou Steel Group was no longer a petitioner in the final phase of this investigation.

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1071]

Certain Wireless Audio Systems and Components Thereof 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 August 10, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Broadcom Limited of San Jose, California and Avago Technologies General IP (Singapore) Pte. Ltd. of Singapore. An amended complaint was filed on August 16, 2017, and supplements to the amended complaint were filed on August 30, 2017. The amended 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 wireless audio systems and components thereof by reason of infringement of U.S. Patent No. 6,684,060 (''the '060 patent''). The amended complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

The complainants request that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The amended complaint, as supplemented, 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: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

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 amended complaint, the U.S. International Trade Commission, on September 8, 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 wireless audio systems and components thereof by reason of infringement of claim 20 of the '060 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 complainants are:

Broadcom Limited, 1320 Ridder Park Drive, San Jose, CA 95131

Avago Technologies General IP (Singapore) Pte. Ltd., 1 Yinshun Avenue 7, Singapore, 768923

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the amended complaint is to be served:

DTS, Inc., 5220 Las Virgenes Road, Calabasas, CA 91302

Phorus, Inc., 5220 Las Virgenes Road, Calabasas, CA 91302

MartinLogan, Ltd., 2101 Delaware Street, Lawrence, KS 66046–3149

Paradigm Electronics Inc., 205 Annagem Boulevard, Mississauga, ON L5T 2V1, Canada

Anthem Electronics, Inc., 205 Annagem Boulevard, Mississauga, ON L5T 2V1, Canada

Wren Sound Systems, LLC, 169 Gateshead Way, Phoenixville, PA 19460

McIntosh Laboratory, Inc., 2 Chambers Street, Binghamton, NY 13903–2699

Definitive Technology, 11433 Cronridge Drive, Suite K, Owings Mills, MD 21117

Polk Audio Inc., 1 Viper Way, Vista, CA 92081

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the amended complaint and the notice of investigation must be submitted by the named respondents 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 amended complaint and the notice of investigation. Extensions of time for submitting responses to the amended complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the amended complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the amended 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 amended 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: September 11, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017–19597 Filed 9–14–17; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–392]

Importer of Controlled Substances Application: Cerilliant Corporation

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before October 16, 2017. Such persons may also file a written request

for a hearing on the application on or before October 16, 2017.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/LJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DRW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division (''Assistant Administrator'') pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.34(a), this is notice that on July 13, 2017, Cerilliant Corporation, 811 Paloma Drive, Suite A, Round Rock, Texas 78665 applied to be registered as an importer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
3-Fluoro-N-methylcathinone (3–FMC)	1233	I
Cathinone	1235	I
Methcathinone	1237	I
4-Fluoro-N-methylcathinone (4–FMC)	1238	I
Pentedrone (α-methylaminovalerophenone)	1246	I
Mephedrone (4-Methyl-N-methylcathinone)	1248	I
4-Methyl-N-ethylcathinone (4–MEC)	1249	I
Naphyrone	1258	I
N-Ethylamphetamine	1475	I
N,N-Dimethylamphetamine	1480	I
Fenethylline	1503	I
Methaqualone	2565	I
JWH–250 (1-Pentyl-3-(2-methoxyphenylacetyl) indole)	6250	I
SR–18 (Also known as RCS–8) (1-Cyclohexylethyl-3-(2-methoxyphenylacetyl) indole)	7008	I
5-Flouro-UR-144 and XLR11 [1-(5-Fluoro-pentyl)1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone	7011	I
AB–FUBINACA (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide)	7012	I
JWH–019 (1-Hexyl-3-(1-naphthoyl)indole)	7019	I
AB–PINACA (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide)	7023	I
THJ–2201 [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone	7024	I
AB–CHMINACA (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide	7031	I
ADB–PINACA (N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide)	7035	I
APINACA and AKB48 N-(1-Adamantyl)-1-pentyl-1H-indazole-3-carboxamide	7048	I
JWH–081 (1-Pentyl-3-(1-(4-methoxynaphthoyl) indole)	7081	I
SR–19 (Also known as RCS–4) (1-Pentyl-3-[(4-methoxy)-benzoyl] indole	7104	I
JWH–018 (also known as AM678) (1-Pentyl-3-(1-naphthoyl)indole)	7118	I
JWH–122 (1-Pentyl-3-(4-methyl-1-naphthoyl) indole)	7122	I
UR–144 (1-Pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone	7144	I
JWH–073 (1-Butyl-3-(1-naphthoyl)indole)	7173	I
JWH–200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole)	7200	I
AM2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl) indole)	7201	I
JWH–203 (1-Pentyl-3-(2-chlorophenylacetyl) indole)	7203	I
PB–22 (Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate)	7222	I
5F–PB–22 (Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate)	7225	I
Alpha-ethyltryptamine	7249	I
Ibogaine	7260	I
CP–47,497 (5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl-phenol)	7297	I
CP–47,497 C8 Homologue (5-(1,1-Dimethyloctyl)-2-[(1R,3S)3-hydroxycyclohexyl-phenol)	7298	I
Lysergic acid diethylamide	7315	I
2,5-Dimethoxy-4-(n)-propylthiophenethylamine (2C–T–7)	7348	I
Marihuana	7360	I
Parahexyl	7374	I
Mescaline	7381	I
2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine (2C–T–2)	7385	I
3,4,5-Trimethoxyamphetamine	7390	I
4-Bromo-2,5-dimethoxyamphetamine	7391	I
4-Bromo-2,5-dimethoxyphenethylamine	7392	I
4-Methyl-2,5-dimethoxyamphetamine	7395	I
2,5-Dimethoxyamphetamine	7396	I
JWH–398 (1-Pentyl-3-(4-chloro-1-naphthoyl) indole)	7398	I
3,4-Methylenedioxyamphetamine	7400	I
5-Methoxy-3,4-methylenedioxyamphetamine	7401	I
N-Hydroxy-3,4-methylenedioxyamphetamine	7402	I
3,4-Methylenedioxy-N-ethylamphetamine	7404	I
3,4-Methylenedioxymethamphetamine	7405	I
4-Methoxyamphetamine	7411	I

Controlled substance	Drug code	Schedule
5-Methoxy-N-N-dimethyltryptamine	7431	I
Alpha-methyltryptamine	7432	I
Bufotenine	7433	I
Diethyltryptamine	7434	I
Dimethyltryptamine	7435	I
Psilocybin	7437	I
Psilocyn	7438	I
5-Methoxy-N,N-diisopropyltryptamine	7439	I
N-Ethyl-1-phenylcyclohexylamine	7455	I
1-(1-Phenylcyclohexyl)pyrrolidine	7458	I
1-[1-(2-Thienyl)cyclohexyl]piperidine	7470	I
N-Benzylpiperazine	7493	I
4-Methyl-alphapyrrolidinopropiophenone (4-MePPP)	7498	I
2-(2,5-Dimethoxy-4-methylphenyl) ethanamine (2C–D)	7508	I
2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine (2C–E)	7509	I
2-(2,5-Dimethoxyphenyl) ethanamine (2C–H)	7517	I
2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C–I)	7518	I
2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C–C)	7519	I
2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C–N)	7521	I
2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C–P)	7524	I
2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine (2C–T–4)	7532	I
MDPV (3,4-Methylenedioxypyrovalerone)	7535	I
2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine (25B–NBOMe)	7536	I
2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine (25C–NBOMe)	7537	I
2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl) ethanamine (25I–NBOMe)	7538	I
Methylone (3,4-Methylenedioxy-N-methylcathinone)	7540	I
Butylone	7541	I
Pentylone	7542	I
alpha-pyrrolidinopentiophenone (α-PVP)	7545	I
alpha-pyrrolidinobutiophenone (α-PBP)	7546	I
AM–694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl) indole)	7694	I
Desomorphine	9055	I
Etorphine (except HCl)	9056	I
Codeine methylbromide	9070	I
Heroin	9200	I
Morphine-N-oxide	9307	I
Normorphine	9313	I
Pholcodine	9314	I
U–47700 (3,4-dichloro-N-[2-dimethylamino)cyclohexy]-N-methylbenzamide)	9547	I
AH–7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide))	9551	I
Acetylmethadol	9601	I
Allylprodine	9602	I
Alphacetylmethadol except levo-alphacetylmethadol	9603	I
Alphameprodine	9604	I
Alphamethadol	9605	I
Betacetylmethadol	9607	I
Betameprodine	9608	I
Betamethadol	9609	I
Betaprodine	9611	I
Dextromoramide	9613	I
Dipipanone	9622	I
Hydroxypethidine	9627	I
Noracymethadol	9633	I
Norlevorphanol	9634	I
Normethadone	9635	I
Racemoramide	9645	I
Trimeperidine	9646	I
1-Methyl-4-phenyl-4-propionoxypiperidine	9661	I
Tilidine	9750	I
Para-Fluorofentanyl	9812	I
3-Methylfentanyl	9813	I
Alpha-methylfentanyl	9814	I
Acetyl-alpha-methylfentanyl	9815	I
Beta-hydroxyfentanyl	9830	I
Beta-hydroxy-3-methylfentanyl	9831	I
Alpha-methylthiofentanyl	9832	I
3-Methylthiofentanyl	9833	I
Thiofentanyl	9835	I
Methamphetamine	1105	II
Methylphenidate	1724	II
Amobarbital	2125	II
Pentobarbital	2270	II
Secobarbital	2315	II
Glutethimide	2550	II

Controlled substance	Drug code	Schedule
Nabilone	7379	II
1-Phenylcyclohexylamine	7460	II
Phencyclidine	7471	II
Phenylacetone	8501	II
1-Piperidinocyclohexanecarbonitrile	8603	II
Alphaprodine	9010	II
Dihydrocodeine	9120	II
Ecgonine	9180	II
Ethylmorphine	9190	II
Levomethorphan	9210	II
Levorphanol	9220	II
Meperidine	9230	II
Dextropropoxyphene, bulk (non-dosage forms)	9273	II
Levo-alphacetylmethadol	9648	II
Noroxymorphone	9668	II
Racemethorphan	9732	II
Alfentanil	9737	II
Remifentanil	9739	II
Sufentanil	9740	II
Carfentanil	9743	II
Tapentadol	9780	II

The company plans to import small quantities of the listed controlled substances for the manufacture of analytical reference standards and distribution to their research and forensic customers.

In reference to drug code 7360 the company plans to import a synthetic cannabidiol. No other activity for this drug code is authorized for this registration.

Placement of these drug codes onto the company's registration does not translate into automatic approval of subsequent permit applications to import controlled substances. Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of FDA approval or non-approved finished dosage forms for commercial sale.

Dated: August 31, 2017.

Demetra Ashley,

Acting Assistant Administrator.

[FR Doc. 2017–19067 Filed 9–14–17; 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 "Evaluation of the Bureau of Justice Assistance Sexual Assault Kit Initiative"

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 60 days until November 14, 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 & 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:* Site visits, which will include individual and group interviews.

2. *The Title of the Form/Collection:* Evaluation of the Bureau of Justice Assistance Sexual Assault Kit Initiative.

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:* Sexual assault kits (SAKs) are invaluable tools used in investigations to collect evidence such as DNA and to document injuries from alleged victims; this evidence in turn is used to identify and prosecute offenders and to exonerate innocent suspects. Despite the importance of SAKs, backlogs of

unsubmitted and untested kits have emerged in jurisdictions across the country (*e.g.,* Peterson and Hickman, 2005; Strom et al., 2009). The Bureau of Justice Assistance (BJA) established the Sexual Assault Kit Initiative (SAKI) to provide assistance to jurisdictions who are addressing these issues. In FY 2015, 20 sites were funded through SAKI to engage in reforms intended to improve the national response to sexual assault cases.

The objectives of the current study are to conduct an evaluability assessment of all 20 FY 2015 sites to determine their readiness to participate in an evaluation of the SAKI and to develop a comprehensive and rigorous evaluation plan to ultimately determine the extent to which SAKI reforms have resulted in intended (and/or unintended) system changes. The evaluability assessment data collection process will include visits to the 20 sites, which will be comprised of individual and group interviews with a maximum of 20 respondents per site.

The types of respondents who will be asked to respond to requests for interviews will include the SAKI Site Coordinator, representatives from sectors involved in working groups (*e.g.,* law enforcement, forensic medical personnel, forensic laboratory personnel, prosecutors, victim advocates, victim treatment providers), specialized staff (*e.g.,* cold case detectives, police administrative support, victim compensation staff).

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated average burden for a respondent completing a site visit interview is approximately 60 minutes. A maximum of 20 respondents will be interviewed, either individually or in groups, at each of the 20 sites. Therefore, the total number of estimated respondents for the entire evaluability site visit data collection is 400 (20 sites × 20 respondents per site).

6. *An estimate of the total public burden (in hours) associated with the collection:* The maximum estimated public burden associated with this collection is 400 hours. It is estimated that each of the 400 site visit interviews will take 60 minutes to complete (400 respondents × 60 minutes = 400 hours).

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: September 12, 2017.

Melody Braswell,

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

[FR Doc. 2017–19641 Filed 9–14–17; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Fiscal Year (FY) 2016 Through FY 2017 Stand Down Grant Requests

AGENCY: Veterans' Employment and Training Service (VETS), Department of Labor.

ACTION: Amendment to **Federal Register**, 80 FR 80390 (Dec. 24, 2015) [FR Doc. 2015–32406 Filed 12–23–15; 8:45 a.m.]. This amendment extends funding for Stand Down events to December 31, 2017, contingent upon funding availability, and extends the award ceiling to $50,000 for Stand Down events planned to take place in certain designated counties where a federal major disaster has been declared by the President and where the Secretary has determined circumstances appropriate for an increased award ceiling.

SUMMARY: This notice amends 80 FR 80390 (Dec. 24, 2015) [FR Doc. 2015–32406 Filed 12–23–15; 8:45 a.m.]. The revised language is below:

IV. Award Information

In recognition of the substantial scale of such disasters as Hurricane Harvey, the Secretary has determined it appropriate, in certain circumstances where a federal major disaster has been declared, to allow entities proposing to conduct Stand Down events in areas impacted by those disasters to apply for funds in amounts up to $50,000. It is anticipated that this expanded ceiling will be most often provided on account of disasters that are similar in scale to such events as Hurricane Harvey and that impact substantial populations. In such circumstances, as declared by the Secretary in writing, entities proposing to conduct Stand Down events (1) within those designated counties where a federal major disaster has been declared by the President, or (2) in geographical areas to which a substantial number of veterans from those declared counties have been relocated, may apply for a one-time request for funds in amounts up to $50,000 through December 31, 2017. Applications will be processed and awarded subject to availability of funding. The general maximum award amounts of $10,000 per applicant per fiscal year for multiple day Stand Down events, or $7,000 for one day events, will not apply to such requests for designated counties where a federal major disaster has been declared by the President. Acceptable uses of Stand Down grant funds have not changed. Applicants may expend these funds over a period not to exceed September 30, 2018, or if funded after October 1, 2017, applicants may expend these funds over a period not to exceed September 20, 2019, the statutory life of the appropriated funds.

The Secretary hereby declares that entities proposing to conduct Stand Down events in areas impacted by the following disasters may apply for funds in amounts up to $50,000: (1) Within those designated counties in Texas, parishes in Louisiana, or counties in other States, where a federal major disaster has been declared by the President on account of Hurricane Harvey, Tropical Storm Harvey, or related storm systems, or in geographical areas to which a substantial number of veterans from those declared counties or parishes have been relocated; and (2) within those designated counties, municipalities, or districts in Florida, Puerto Rico, and the U.S. Virgin Islands, or counties in other States, where a federal major disaster has been declared by the President on account of Hurricane Irma, Tropical Storm Irma, or related storm systems, or in geographical areas to which a substantial number of veterans from those declared counties, municipalities, or districts have been relocated.

FOR FURTHER INFORMATION CONTACT: Thomas Martin, Grant Officer, Office of Grants Management, at (202) 693-2989, *Martin.Thomas@dol.gov.*

Sam Shellenberger,

Deputy Assistant Secretary, Veterans' Employment and Training Service.

[FR Doc. 2017–19664 Filed 9–14–17; 8:45 am]

BILLING CODE 4510–79–P

DEPARTMENT OF LABOR

Office of the Secretary

Establishing a Minimum Wage for Contractors, Notice of Rate Change in Effect as of January 1, 2018

AGENCY: Wage and Hour Division, Department of Labor.

ACTION: Notice.

SUMMARY: The Wage and Hour Division (WHD) of the U.S. Department of Labor (the Department) is issuing this notice to announce the applicable minimum wage rate to be paid to workers performing work on or in connection

with Federal contracts covered by Executive Order 13658, beginning January 1, 2018.

Executive Order 13658, Establishing a Minimum Wage for Contractors (the Executive Order or the Order), was signed on February 12, 2014, and raised the hourly minimum wage paid by contractors to workers performing work on covered Federal contracts to: $10.10 per hour, beginning January 1, 2015; and beginning January 1, 2016, and annually thereafter, an amount determined by the Secretary of Labor (the Secretary) in accordance with the methodology set forth in the Order. *See* 79 FR 9851. The Secretary's determination of the Executive Order minimum wage rate also affects the minimum hourly cash wage that must be paid to tipped employees performing work on or in connection with covered contracts. *See* 79 FR 9851–52. The Secretary is required to provide notice to the public of the new minimum wage rate at least 90 days before such rate is to take effect. *See* 79 FR 9851. The applicable minimum wage under Executive Order 13658 is currently $10.20 per hour, in effect since January 1, 2017. *See* 81 FR 64513. The applicable minimum cash wage that generally must be paid to tipped employees performing work on or in connection with covered contracts is currently $6.80 per hour, in effect since January 1, 2017. *Id.*

Pursuant to Executive Order 13658 and its implementing regulations at 29 CFR part 10, notice is hereby given that beginning January 1, 2018, the Executive Order minimum wage rate that generally must be paid to workers performing work on or in connection with covered contracts will increase to $10.35 per hour. Notice is also hereby given that, beginning January 1, 2018, the required minimum cash wage that generally must be paid to tipped employees performing work on or in connection with covered contracts will increase to $7.25 per hour.

DATES: This notice is effective on September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Melissa Smith, Director, Division of Regulations, Legislation, and Interpretation, Wage and Hour Division, U.S. Department of Labor, Room S–3502, 200 Constitution Avenue NW., Washington, DC 20210; telephone: (202) 693–0406 (this is not a toll-free number). Copies of this notice may be obtained in alternative formats (Large Print, Braille, Audio Tape, or Disc), upon request, by calling (202) 693–0023 (not a toll-free number). TTY/TTD callers may dial toll-free (877) 889–5627 to obtain information or request materials in alternative formats.

SUPPLEMENTARY INFORMATION:

I. Executive Order 13658, Background and Requirements for Determining Annual Increases to the Minimum Wage Rate

Executive Order 13658 was signed on February 12, 2014, and raised the hourly minimum wage paid by contractors to workers performing work on or in connection with covered Federal contracts to $10.10 per hour, beginning January 1, 2015; and beginning January 1, 2016, and annually thereafter, an amount determined by the Secretary pursuant to the Order. *See* 79 FR 9851. The Executive Order directed the Secretary to issue regulations to implement the Order's requirements. *See* 79 FR 9852. Accordingly, after engaging in notice-and-comment rulemaking, the Department published a Final Rule on October 7, 2014 to implement the Executive Order. *See* 79 FR 60634. The final regulations, set forth at 29 CFR part 10, established standards and procedures for implementing and enforcing the minimum wage protections of the Order.

The Executive Order and its implementing regulations require the Secretary to determine the applicable minimum wage rate to be paid to workers performing work on or in connection with covered contracts on an annual basis, beginning January 1, 2016. *See* 79 FR 9851; 29 CFR 10.1(a)(2), 10.5(a)(2), 10.12(a). Sections 2(a) and (b) of the Order establish the methodology that the Secretary must use to determine the annual inflation-based increases to the minimum wage rate. *See* 79 FR 9851. These provisions, which are implemented in 29 CFR 10.5(b), explain that the applicable minimum wage determined by the Secretary for each calendar year shall be:

(i) Not less than the amount in effect on the date of such determination;

(ii) Increased from such amount by the annual percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI–W) (United States city average, all items, not seasonally adjusted), or its successor publication, as determined by the Bureau of Labor Statistics (BLS); and

(iii) Rounded to the nearest multiple of $0.05.

Section 2(b) of the Executive Order further provides that, in calculating the annual percentage increase in the CPI–W for purposes of determining the new minimum wage rate, the Secretary shall compare such CPI–W for the most recent month, quarter, or year available (as selected by the Secretary prior to the first year for which a minimum wage is in effect) with the CPI–W for the same month in the preceding year, the same quarter in the preceding year, or the preceding year, respectively. *See* 79 FR 9851. In order to calculate the annual percentage increase in the CPI–W, the Department elected in its Final Rule implementing the Executive Order to compare such CPI–W for the most recent year available with the CPI–W for the preceding year. *See* 29 CFR 10.5(b)(2)(iii). In its Final Rule, the Department explained that it decided to compare the CPI–W for the most recent year available (instead of using the most recent month or quarter, as allowed by the Order) with the CPI–W for the preceding year, in order ''to minimize the impact of seasonal fluctuations on the Executive Order minimum wage rate.'' 79 FR 60666.

Once a determination has been made with respect to the new minimum wage rate to be paid to workers performing work on or in connection with covered contracts, the Executive Order and its implementing regulations require the Secretary to notify the public of the applicable minimum wage rate on an annual basis at least 90 days before any new minimum wage is to take effect. *See* 79 FR 9851; 29 CFR 10.5(a)(2), 10.12(c)(1). The regulations explain that the Administrator of the Department's Wage and Hour Division (the Administrator) will publish an annual notice in the **Federal Register** stating the applicable minimum wage rate at least 90 days before any new minimum wage is to take effect. *See* 29 CFR 10.12(c)(2)(i). Additionally, the regulations state that the Administrator will provide notice of the Executive Order minimum wage rate on Wage Determinations OnLine (WDOL), *http://www.wdol.gov,* or any successor site; on all wage determinations issued under the Davis-Bacon Act (DBA), 40 U.S.C. 3141 *et seq.,* and the Service Contract Act (SCA), 41 U.S.C. 6701 *et seq.*; and by other means the Administrator deems appropriate. *See* 29 CFR 10.12(c)(2)(ii)–(iv).

Section 3 of the Executive Order requires contractors to pay tipped employees covered by the Order performing on or in connection with covered contracts an hourly cash wage of at least $4.90, beginning on January 1, 2015, provided the employees receive sufficient tips to equal the Executive Order minimum wage rate under section 2 of the Order when combined with the cash wage. *See* 79 FR 9851–52; 29 CFR 10.28(a). The Order further provides that, in each succeeding year, beginning January 1, 2016, the required cash wage

must increase by $0.95 (or a lesser amount if necessary) until it reaches 70 percent of the Executive Order minimum wage. *Id.* For subsequent years, the cash wage for tipped employees will be 70 percent of the Executive Order minimum wage rounded to the nearest $0.05. *Id.* At all times, the amount of tips received by the employee must equal at least the difference between the cash wage paid and the Executive Order minimum wage; if the employee does not receive sufficient tips, the contractor must increase the cash wage paid so that the cash wage in combination with the tips received equals the Executive Order minimum wage. *Id.*

On September 20, 2016, the Administrator published a notice in the **Federal Register** informing the public that, effective January 1, 2017, the Executive Order minimum wage and the minimum cash wage required to be paid to tipped employees covered by the Executive Order would be $10.20 and $6.80 per hour, respectively. *See* 81 FR 64513.

II. The 2018 Executive Order Minimum Wage Rate

In accordance with the methodology set forth in the Executive Order and summarized above, the Department must first determine the annual percentage increase in the CPI–W (United States city average, all items, not seasonally adjusted) as published by BLS in order to determine the new Executive Order minimum wage rate. In calculating the annual percentage increase in the CPI, the Department must compare the CPI–W for the most recent year available with the CPI–W for the preceding year. The Department therefore compares the percentage change in the CPI–W between the most recent year (*i.e.,* the most recent four quarters) and the prior year (*i.e.,* the four quarters preceding the most recent year). The current Executive Order minimum wage rate must then be increased by the resulting annual percentage change and rounded to the nearest multiple of $0.05.

In order to determine the Executive Order minimum wage rate beginning January 1, 2018, the Department therefore calculated the CPI–W for the most recent year by averaging the CPI–W for the four most recent quarters, which consist of the first two quarters of 2017 and the last two quarters of 2016 (*i.e.,* July 2016 through June 2017). The Department then compared that data to the average CPI–W for the preceding year, which consists of the first two quarters of 2016 and the last two quarters of 2015 (*i.e.,* July 2015 through June 2016). Based on this methodology, the Department determined that the annual percentage increase in the CPI–W (United States city average, all items, not seasonally adjusted) was 1.691 percent. The Department then applied that annual percentage increase of 1.691 percent to the current Executive Order hourly minimum wage rate of $10.20, which resulted in a wage rate of $10.37 (($10.20 × .01691) + $10.20); however, pursuant to the Executive Order, that rate must be rounded to the nearest multiple of $0.05.

The new Executive Order minimum wage rate that must generally be paid to workers performing on or in connection with covered contracts beginning January 1, 2018 is therefore $10.35 per hour.

III. The 2018 Executive Order Minimum Cash Wage for Tipped Employees

As noted above, section 3 of the Executive Order requires contractors to pay tipped employees covered by the Order performing on or in connection with covered contracts an hourly cash wage of at least $4.90, beginning January 1, 2015, provided the employees receive sufficient tips to equal the Executive Order minimum wage rate under section 2 of the Order when combined with the cash wage. *See* 79 FR 9851–52; 29 CFR 10.28(a). Section 3 of the Executive Order also provides a methodology to be utilized each year in determining the amount of the minimum hourly cash wage that must be paid to tipped employees performing on or in connection with covered contracts. Pursuant to the Order, in each succeeding year, beginning January 1, 2016, the required cash wage increases by $0.95 (or a lesser amount if necessary) until it reaches 70 percent of the Executive Order minimum wage rate. For subsequent years, the cash wage for tipped employees will be 70 percent of the Executive Order minimum wage rate rounded to the nearest $0.05.

In order to determine the minimum hourly cash wage that must be paid to tipped employees performing on or in connection with covered contracts beginning January 1, 2018, the Department first calculated that 70 percent of the new Executive Order minimum wage rate of $10.35 is $7.25, which is $0.45 more than the current minimum cash wage of $6.80 per hour. The Executive Order provides that the current minimum hourly cash wage of $6.80 must increase by the lesser of $0.95 or the amount necessary for the hourly cash wage to equal 70 percent of the applicable Executive Order minimum wage. Because $0.45 (the amount necessary for the hourly cash wage to reach 70 percent of $10.35) is less than $0.95, the hourly cash wage must increase by $0.45.

The new minimum hourly cash wage that must generally be paid to tipped workers performing on or in connection with covered contracts beginning January 1, 2018 is therefore $7.25 per hour.

IV. Appendices

Appendix A to this notice provides a comprehensive chart of the CPI–W data published by BLS that the Department utilized to calculate the new Executive Order minimum wage rate based on the methodology explained herein. Appendix B to this notice sets forth an updated version of the Executive Order 13658 poster that the Department published with its Final Rule, reflecting the updated wage rates that will be in effect beginning January 1, 2018. *See* 79 FR 60732–33. Pursuant to 29 CFR 10.29, contractors are required to notify all workers performing on or in connection with a covered contract of the applicable minimum wage rate under the Executive Order. Contractors with employees covered by the Fair Labor Standards Act who are performing on or in connection with a covered contract may satisfy the notice requirement by displaying the poster set forth in Appendix B in a prominent or accessible place at the worksite.

Dated: September 6, 2017.

Patricia Davidson,

Deputy Administrator for Program Operations, Wage and Hour Division.

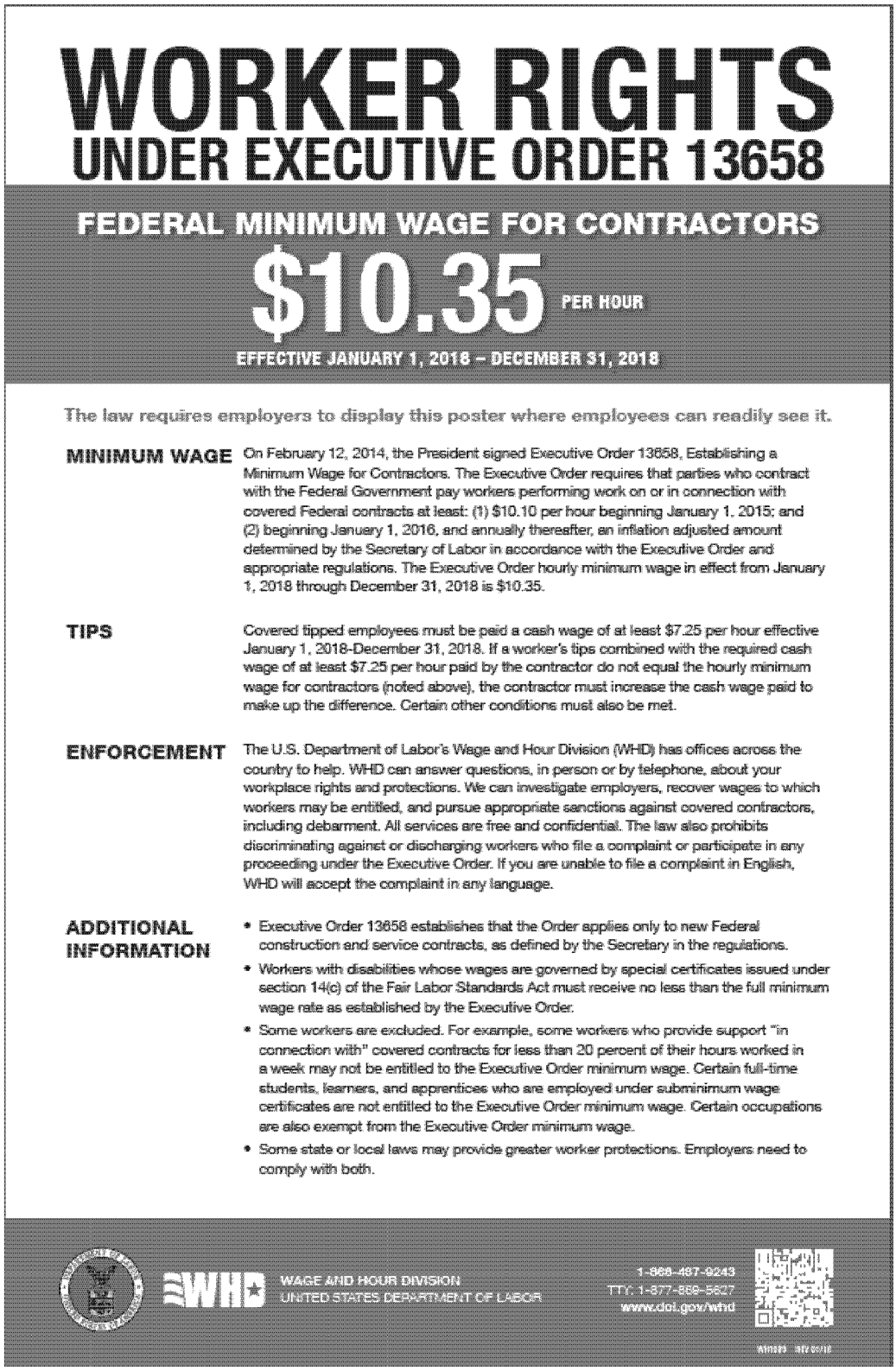
Appendix A: Data Used To Determine Executive Order 13658 Minimum Wage Rate Effective January 1, 2018

Data Source: Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI–W) (United States city average, all items, not seasonally adjusted).

	Quarter 3			Quarter 4			Quarter 1			Quarter 2			Annual average
2015Q3 to 2016Q2	233.806	233.366	232.661	232.373	231.721	230.791	231.061	230.972	232.209	233.438	234.436	235.289	232.6769
2016Q3 to 2017Q2	234.771	234.904	235.495	235.732	235.215	235.390	236.854	237.477	237.656	238.432	238.609	238.813	236.6123
Annual Percentage Increase	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1.691

BILLING CODE 4510–27–P

Appendix B



WORKER RIGHTS
UNDER EXECUTIVE ORDER 13658

FEDERAL MINIMUM WAGE FOR CONTRACTORS

$10.35 PER HOUR

EFFECTIVE JANUARY 1, 2018 – DECEMBER 31, 2018

The law requires employers to display this poster where employees can readily see it.

MINIMUM WAGE On February 12, 2014, the President signed Executive Order 13658, Establishing a Minimum Wage for Contractors. The Executive Order requires that parties who contract with the Federal Government pay workers performing work on or in connection with covered Federal contracts at least: (1) $10.10 per hour beginning January 1, 2015; and (2) beginning January 1, 2016, and annually thereafter, an inflation adjusted amount determined by the Secretary of Labor in accordance with the Executive Order and appropriate regulations. The Executive Order hourly minimum wage in effect from January 1, 2018 through December 31, 2018 is $10.35.

TIPS Covered tipped employees must be paid a cash wage of at least $7.25 per hour effective January 1, 2018-December 31, 2018. If a worker's tips combined with the required cash wage of at least $7.25 per hour paid by the contractor do not equal the hourly minimum wage for contractors (noted above), the contractor must increase the cash wage paid to make up the difference. Certain other conditions must also be met.

ENFORCEMENT The U.S. Department of Labor's Wage and Hour Division (WHD) has offices across the country to help. WHD can answer questions, in person or by telephone, about your workplace rights and protections. We can investigate employers, recover wages to which workers may be entitled, and pursue appropriate sanctions against covered contractors, including debarment. All services are free and confidential. The law also prohibits discriminating against or discharging workers who file a complaint or participate in any proceeding under the Executive Order. If you are unable to file a complaint in English, WHD will accept the complaint in any language.

ADDITIONAL INFORMATION

- Executive Order 13658 establishes that the Order applies only to new Federal construction and service contracts, as defined by the Secretary in the regulations.
- Workers with disabilities whose wages are governed by special certificates issued under section 14(c) of the Fair Labor Standards Act must receive no less than the full minimum wage rate as established by the Executive Order.
- Some workers are excluded. For example, some workers who provide support "in connection with" covered contracts for less than 20 percent of their hours worked in a week may not be entitled to the Executive Order minimum wage. Certain full-time students, learners, and apprentices who are employed under subminimum wage certificates are not entitled to the Executive Order minimum wage. Certain occupations are also exempt from the Executive Order minimum wage.
- Some state or local laws may provide greater worker protections. Employers need to comply with both.

WHD WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd

WHD 20XX/XX

[FR Doc. 2017–19668 Filed 9–14–17; 8:45 am]
BILLING CODE 4510–27–C

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (17–064)]

NASA International Space Station Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the National Aeronautics and Space Administration announces a meeting of the NASA International Space Station (ISS) Advisory Committee. The purpose of the meeting is to review all aspects related to the safety and operational readiness of the ISS, and to assess the possibilities for using the ISS for future space exploration.

DATES: Monday, October 16, 2017, 10:00–11:00 a.m., Local Time.

ADDRESSES: NASA Headquarters, Glennan Conference Room (1Q39), 300 E Street SW., Washington, DC 20546. *Note:* 1Q39 is located on the first floor of NASA Headquarters.

FOR FURTHER INFORMATION CONTACT: Mr. Patrick Finley, Office of International and Interagency Relations, (202) 358–5684, NASA Headquarters, Washington, DC 20546–0001.

SUPPLEMENTARY INFORMATION: This meeting will be open to the public up to the capacity of the room. This meeting is also available telephonically. To participate telephonically, please contact Mr. Finley (202) 358–5684 before 4:30 p.m., Local Time, October 12, 2017. You will need to provide your name, affiliation, and phone number. Attendees will be requested to sign a register and to comply with NASA security requirements, including the presentation of a valid picture ID to Security before access to NASA Headquarters. Foreign nationals attending this meeting will be required to provide a copy of their passport and visa in addition to providing the following information no less than 10 working days prior to the meeting: Full name; gender; date/place of birth; citizenship; visa information (number, type, expiration date); passport information (number, country, expiration date); employer/affiliation information (name of institution, address, country, telephone); title/position of attendee; and home address to Mr. Finley via email at *patrick.t.finley@nasa.gov* or by telephone at (202) 358–5684. U.S. citizens and Permanent Residents (green card holders) are requested to submit their name and affiliation 3 working days prior to the meeting to Mr. Finley. It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Patricia D. Rausch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 2017–19626 Filed 9–14–17; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Environmental Research and Education; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Advisory Committee for Environmental Research and Education (#9487)

Date and Time: October 30, 2017; 9:00 a.m.–5:30 p.m. October 31, 2017; 9:00 a.m.–3:00 p.m.

Place: National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

Type of Meeting: Open.

Contact Person: Dr. Leah Nichols, Staff Associate, Office of Integrative Activities/Office of the Director/National Science Foundation (Email: *lenichol@nsf.gov*), NSF, 4201 Wilson Blvd., Arlington, VA 22230; Telephone: (703) 292–2983.

Minutes: May be obtained from *https://www.nsf.gov/ere/ereweb/minutes.jsp.*

Purpose of Meeting: To provide advice, recommendations, and oversight concerning support for environmental research and education.

Agenda: Approval of minutes from past meeting. Updates on agency support for environmental research and activities. Discussion with NSF Director and Assistant Directors. Plan for future advisory committee activities. Updated agenda will be available at *https://www.nsf.gov/ere/ereweb/minutes.jsp.*

Dated: September 12, 2017.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2017–19605 Filed 9–14–17; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Cyberinfrastructure; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Advisory Committee for Cyberinfrastructure (25150).

Date and Time: November 1, 2017; 8:30 a.m.–5:00 p.m., November 2, 2017; 8:30 a.m.–5:00 p.m.

Place: National Science Foundation, 2415 Eisenhower Avenue, Room E3430, Alexandria, VA 22314.

Type of Meeting: Open.

Contact Person: Amy Friedlander, CISE, Division of Advanced Cyberinfrastructure, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314; Telephone: 703–292–8970.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To advise NSF on the impact of its policies, programs and activities in the ACI community. To provide advice to the Director/NSF on issues related to long-range planning.

Agenda: Updates on NSF wide ACI activities.

Dated: September 12, 2017.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2017–19606 Filed 9–14–17; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Committee on Equal Opportunities in Science and Engineering; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Committee on Equal Opportunities in Science and Engineering (CEOSE) Advisory Committee Meeting (#1173).

Date and Time: October 12, 2017; 10:00 a.m.–4:00 p.m.

Place: National Science Foundation, 2415 Eisenhower Avenue, Conference Room West 17000, Alexandria, VA 22314.

Note: CEOSE members will participate virtually. If you are interested in attending this meeting, you are required to attend in person.

To help facilitate your entry into the building, please contact Illinois Johnson

(*ijohnson@nsf.gov*) on or prior to October 10, 2017.

Type of Meeting: Open.

Contact Person: Dr. Bernice Anderson, Senior Advisor and CEOSE Executive Secretary, Office of Integrative Activities (OIA), National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314. Contact Information: 703–292–8040/*banderso@nsf.gov.*

Minutes: Meeting minutes and other information may be obtained from the CEOSE Executive Secretary at the address above or the Web site at *http://www.nsf.gov/od/oia/activities/ceose/index.jsp.*

Purpose of Meeting: To study data, programs, policies, and other information pertinent to the National Science Foundation and to provide advice and recommendations concerning broadening participation in science and engineering.

Agenda:

- Opening Statement and Chair Report by the CEOSE Chair
- Presentations and Discussions
- NSF Executive Liaison Report
- Dissemination of the 2015–2016 Biennial Report to Congress
- Reports of CEOSE Liaisons to NSF Advisory Committees
- Updates from the Federal Agency Liaisons
- Plans for the 2017–2018 Biennial Report to Congress
- Announcements

Dated: September 12, 2017.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2017–19603 Filed 9–14–17; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Geosciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

Name and Committee Code: Advisory Committee for Geosciences (1755).

Date and Time: October 18, 2017; 8:30 a.m.–5:00 p.m., October 19, 2017; 8:30 a.m.–2:00 p.m.

Place: National Science Foundation, 2415 Eisenhower Avenue, Alexandria, Virginia 22314, Room E 2020.

Type of Meeting: Open.

Contact Person: Melissa Lane, National Science Foundation, Room C 8000, 2415 Eisenhower Avenue, Alexandria, Virginia 22314. Phone 703–292–8500.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To provide advice, recommendations, and oversight on support for geoscience research and education including atmospheric, geospace, earth, ocean and polar sciences.

Agenda

October 18, 2017; 8:30 a.m.–5:00 p.m.

- Directorate and NSF activities and plans.
- Committee Discussion on Development of Strategic Questions in the Geosciences.
- Review and Approval of Committee of Visitor Reports for GEO Education and the Division of Earth Sciences.
- Meeting with the NSF Director and COO.

October 19, 2017; 8:30 a.m.–2:00 p.m.

- Division Meetings.
- General Discussion of Issues Regarding the Newly Re-established Office of Polar Programs.
- Action Items/Planning for Spring 2018 Meeting.

Dated: September 12, 2017.

Crystal Robinson,

Committee Management Officer.

[FR Doc. 2017–19604 Filed 9–14–17; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0001]

Sunshine Act Meeting Notice

DATES: Weeks of September 18, 25, October 2, 9, 16, 23, 2017.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of September 18, 2017

There are no meetings scheduled for the week of September 18, 2017.

Week of September 25, 2017—Tentative

There are no meetings scheduled for the week of September 25, 2017.

Week of October 2, 2017—Tentative

Friday, October 6, 2017

10:00 a.m. Meeting with Advisory Committee on Reactor Safeguards (Public) (Contact: Mark Banks: 301–415–3718)

This meeting will be webcast live at the Web address—*http://www.nrc.gov/.*

Additional Information

The Hearing on Combined Licenses for Turkey Point, Units 6 and 7: Section 189a. of the Atomic Energy Act Proceeding (Public Meeting) previously scheduled for October 5, 2017, at 9:00 a.m. has been postponed. A new date will be provided once it has been established.

Week of October 9, 2017—Tentative

There are no meetings scheduled for the week of October 9, 2017.

Week of October 16, 2017—Tentative

There are no meetings scheduled for the week of October 16, 2017.

Week of October 23, 2017—Tentative

There are no meetings scheduled for the week of October 23, 2017.

* * * * *

The schedule for Commission meetings is subject to change on short notice. For more information or to verify the status of meetings, contact Denise McGovern at 301–415–0681 or via email at *Denise.McGovern@nrc.gov.*

* * * * *

The NRC Commission Meeting Schedule can be found on the Internet at: *http://www.nrc.gov/public-involve/public-meetings/schedule.html.*

* * * * *

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301–287–0739, by videophone at 240–428–3217, or by email at *Kimberly.Meyer-Chambers@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

* * * * *

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301–415–1969), or email *Brenda.Akstulewicz@nrc.gov* or *Patricia.Jimenez@nrc.gov.*

Dated: September 13, 2017.

Denise L. McGovern,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2017–19776 Filed 9–13–17; 4:15 pm]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Submission for Review: Reinstatement of a Previously Approved Information Collection Without Change, Standard Form 2812, 2812–A, and OPM Form 1523

AGENCY: Office of Personnel Management.

ACTION: 30-Day notice and request for reinstatement.

SUMMARY: The Office of Personnel Management (OPM) offers the general public and other federal agencies the opportunity to comment on a revised information collection request (ICR) for Standard Form 2812, 2812–A and OPM Form 1523. Reinstatement will allow continued use of the collection and an additional 180 days to complete the full Paperwork Reduction Act approval process.

DATES: Comments are encouraged and will be accepted until October 16, 2017.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the U.S. Office of Personnel Management, Funds Management, 1900 E Street NW., Washington, DC 20415–3500, Attention: Antoinette Cunningham or sent by email to *Antoinette.Cunningham@opm.gov.*

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the U.S. Office of Personnel Management, Chief Financial Office, Financial Services, 1900 E Street NW., Room 5478, Washington, DC 20415, Attention: Antoinette Cunningham, or sent by email to *Antoinette.Cunningham@opm.gov.*

SUPPLEMENTARY INFORMATION: As required by the Paperwork Reduction Act of 1995, (Pub. L. 104–13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104–106), OPM is soliciting comments for this collection (OMB No. 3206–0262). The *Middle Class Tax Relief and Job Creation Act of 2012* (Pub. L. 112–96, Section 5001), made two significant changes to the Federal Employees' Retirement System (FERS). First, beginning in 2013, new employees (as designated in the statute) will have to pay significantly higher employee contributions, an increase of 2.3 percent of salary. Second, new Members of Congress and Congressional employees, in addition to paying higher retirement contributions, will accrue retirement benefits at the same rate as regular employees. New employees affected by this law will be classified in a new retirement category; the Federal Employees' Retirement System—Revised Annuity Employees (FERS–RAE). The current Standard Form 2812, Standard Form 2812–A, and OPM Form 1523, have been changed to reflect this additional category.

Reinstatement will allow continued use of the collection and an additional 180 days to complete the full Paperwork Reduction Act approval process. The Office of Personnel Management (OPM) is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses.

Analysis

Agency: Trust Fund Management of the Office of the Chief Financial Officer, Office of Personnel Management.

Title: (1) Report of Withholdings and Contributions for Health Benefits, Life Insurance and Retirement (Standard Form 2812); (2) Report of Withholdings and Contributions for Health Benefits by Enrollment Code (Standard Form 2812–A); (3) Supplemental Semiannual Headcount Report (OPM Form 1523).

OMB Number: 3206–0262.

Frequency: Semiannually for OPM Form 1523 and once-per-pay-period for Standard Form 2812 and Standard Form 2812–A.

Affected Public: Public Entities with Federal Employees and Retirees.

Number of Respondents: 100.

Estimated Time per Respondent: 30 Minutes.

Total Burden Hours: 2,700.

U.S. Office of Personnel Management.

Kathleen M. McGettigan,

Acting Director.

[FR Doc. 2017–19642 Filed 9–14–17; 8:45 am]

BILLING CODE 6325–38–P

RAILROAD RETIREMENT BOARD

Proposed Collection; Comment Request

Summary: In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Title and purpose of information collection: Application for Employee Annuity Under the Railroad Retirement Ac; OMB 3220–0002.

Section 2(a) of the Railroad Retirement Act (RRA) provides for payments of age and service, disability, and supplemental annuities to qualified employees. An annuity cannot be paid until the employee stops working for a railroad employer. In addition, the age and service employee must relinquish any rights held to such jobs. A disabled employee does not need to relinquish employee rights until attaining Full Retirement Age, or if earlier, when their spouse is awarded a spouse annuity. Benefits become payable after the employee meets certain other requirements, which depend on the type of annuity payable. The requirements for obtaining the annuities are prescribed in 20 CFR 216 and 220.

To collect the information needed to help determine an applicant's entitlement to, and the amount of, an employee retirement annuity the RRB uses Forms AA–1, *Application for Employee Annuity;* AA–1d, *Application for Determination of Employee Disability;* G–204, *Verification of Workers Compensation/Public Disability Benefit Information,* and electronic Forms AA–1cert, *Application Summary and Certification,* and AA–1sum, *Application Summary.*

The AA–1 application process obtains information from an applicant about their marital history, work history, military service, benefits from other governmental agencies, railroad

pensions and Medicare entitlement for either an age and service or disability annuity. An RRB representative interviews the applicant either at a field office, an itinerant point, or by telephone. During the interview, the RRB representative enters the information obtained into an on-line information system. Upon completion of the interview, the on-line information system generates Form AA–1cert, *Application Summary and Certification,* or Form AA–1sum, *Application Summary,* a summary of the information that was provided for the applicant to review and approve. Form AA–1cert documents approval using the traditional pen and ink ''wet'' signature, and Form AA–1sum documents approval using the alternative signature method called Attestation. When the RRB representative is unable to contact the applicant in person or by telephone, for example, the applicant lives in another country, a manual version of Form AA–1 is used.

Form AA–1d, *Application for Determination of Employee's Disability,* is completed by an employee who is filing for a disability annuity under the RRA, or a disability freeze under the Social Security Act, for early Medicare based on a disability. Form G–204, *Verification of Worker's Compensation/Public Disability Benefit Information,* is used to obtain and verify information concerning a worker's compensation or a public disability benefit that is or will be paid by a public agency to a disabled railroad employee.

The RRB proposes to add the following two new items—''Are you expecting a newborn?'' and its possible ''Yes'' response—''Expected Date'' to Form AA–1. A comparable revision will be made to the electronic equivalent forms (AA–1, AA–1cert and AA–1sum). This information will help determine if the applicant can potentially receive an additional benefit amount. The RRB also proposes the implementation of an Internet equivalent version of Form AA–1 that can be completed by the applicant and submitted through the RRB's Web site at *www.rrb.gov.* The RRB proposes no changes to Forms AA–1d or G–204.

One response is requested of each respondent. Completion of the forms is required to obtain/retain a benefit.

ESTIMATE OF ANNUAL RESPONDENT BURDEN

Form No.	Annual responses	Time (minutes)	Burden (hours)
AA–1 (without assistance)	35	62	36
AA–1cert (with assistance)	7,050	30	3,525
AA–1sum (with assistance)	2,415	29	1,167
AA–1 (Internet) (without assistance)	3,220	45	2,415
AA–1d (with assistance)	2,600	60	2,600
AA–1d (without assistance)	5	85	7
G–204	20	15	5
Total	15,345	.....	9,755

Additional Information or Comments: To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, contact Dana Hickman at (312) 751–4981 or *Dana.Hickman@RRB.GOV.* Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–1275 or emailed to *Brian.Foster@rrb.gov.* Written comments should be received within 60 days of this notice.

Brian D. Foster,

Clearance Officer.

[FR Doc. 2017–19629 Filed 9–14–17; 8:45 am]

BILLING CODE 7905–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–325, OMB Control No. 3235–0385]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: U.S. Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736

Extension:
Rule 15g–9

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for extension of the previously approved collection of information discussed below.

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 × .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 × 78 hours).

The broker-dealer must keep the written suitability determination and customer agreement required by the Rule for at least three years. Completing the suitability determination and obtaining the customer agreement in writing is mandatory for broker-dealers who effect transactions in penny stocks and do not qualify for an exemption, but does not involve the collection of confidential information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following Web site: *www.reginfo.gov*. Comments should be directed to (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: September 12, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19677 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81568; File No. SR–NYSEArca–2017–98]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Proposed Rule Change To List and Trade Shares of The Gold Trust Under NYSE Arca Rule 8.201–E

September 11, 2017.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 30, 2017, NYSE Arca, Inc. (the ''Exchange'' or ''NYSE Arca'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. 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 proposes to list and trade shares of The Gold Trust under NYSE Arca Rule 8.201–E. The proposed rule change is available on the Exchange's Web site at *www.nyse.com,* at the principal office of the Exchange, 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 self-regulatory organization 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 those 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 parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to list and trade shares (''Shares'') of The Gold Trust (''Trust''), a series of the World Currency Gold Trust (''WCGT''), under NYSE Arca Rule 8.201–E.[4] Under NYSE Arca Rule 8.201–E, the Exchange may propose to list and/or trade pursuant to unlisted trading privileges (''UTP'') ''Commodity-Based Trust Shares.'' [5]

The Trust will not be registered as an investment company under the Investment Company Act of 1940, as amended,[6] and is not required to register under such act. The Trust is not a commodity pool for purposes of the Commodity Exchange Act, as amended.[7]

The Sponsor of the Trust is WGC USA Asset Management Company, LLC.[8] BNY Mellon Asset Servicing, a division of The Bank of New York Mellon (''BNYM''), will be the Trust's administrator (''Administrator'') and transfer agent. BNYM will serve as the custodian of the Trust's cash, if any. A bank will serve as the custodian (''Custodian'') of the Trust's gold.

The Commission has previously approved listing on the Exchange under NYSE Arca Equities Rules 5.2(j)(5) (now NYSE Arca Rule 5.2–E(j)(5)) and 8.201 (now NYSE Arca Rule 8.201–E) of other precious metals and gold-based commodity trusts, including the GraniteShares Gold Trust; [9] Merk Gold Trust; [10] ETFS Gold Trust,[11] ETFS Platinum Trust [12] and ETFS Palladium Trust (collectively, the ''ETFS Trusts''); [13] APMEX Physical-1 oz. Gold Redeemable Trust; [14] Sprott Gold Trust; [15] SPDR Gold Trust (formerly, streetTRACKS Gold Trust); iShares Silver Trust; [16] iShares COMEX Gold

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] On August 29, 2017, WCGT submitted to the Commission its draft registration statement, with respect to the Trust, on Form S–1 (''Registration Statement'') under the Securities Act of 1933 (''1933 Act''). The Jumpstart Our Business Startups Act, enacted on April 5, 2012, added Section 6(e) to the 1933 Act. Section 6(e) of the 1933 Act provides that an ''emerging growth company'' may confidentially submit to the Commission a draft registration statement for confidential, non-public review by the Commission staff prior to public filing, provided that the initial confidential submission and all amendments thereto shall be publicly filed not later than 21 days before the date on which the issuer conducts a road show, as such term is defined in 1933 Act Rule 433(h)(4). An emerging growth company is defined in Section 2(a)(19) of the 1933 Act as an issuer with less than $1,000,000,000 total annual gross revenues during its most recently completed fiscal year. The Trust meets the definition of an emerging growth company and consequently has submitted its Registration Statement on a confidential basis with the Commission.

[5] Commodity-Based Trust Shares are securities issued by a trust that represents investors' discrete identifiable and undivided beneficial ownership interest in the commodities deposited into the Trust.

[6] 15 U.S.C. 80a–1.

[7] 17 U.S.C. 1.

[8] WCGT is a Delaware statutory trust consisting of multiple series, each of which issues common units of beneficial interest, which represent units of fractional undivided beneficial interest in and ownership of such series. The term of WCGT and each series will be perpetual (unless terminated earlier in certain circumstances). The sole trustee of WCGT is Delaware Trust Company (''Trustee'').

[9] Securities Exchange Act Release No. 81077 (July 5, 2017) (SR–NYSEArca–2017–55) (order approving listing and trading shares of the GraniteShares Gold Trust under NYSE Arca Equities Rule 8.201).

[10] Securities Exchange Act Release No. 71378 (January 23, 2014), 79 FR 4786 (January 29, 2014) (SR–NYSEArca–2013–137).

[11] Securities Exchange Act Release No. 59895 (May 8, 2009), 74 FR 22993 (May 15, 2009) (SR–NYSEArca–2009–40).

[12] Securities Exchange Act Release No. 61219 (December 22, 2009), 74 FR 68886 (December 29, 2009) (SR–NYSEArca–2009–95).

[13] Securities Exchange Act Release No. 61220 (December 22, 2009), 74 FR 68895 (December 29, 2009) (SR–NYSEArca–2009–94).

[14] Securities Exchange Act Release No 66930 (May 7, 2012), 77 FR 27817 (May 11, 2012) (SR–NYSEArca–2012–18).

[15] Securities Exchange Act Release No. 61496 (February 4, 2010), 75 FR 6758 (February 10, 2010) (SR–NYSEArca–2009–113).

[16] *See* Securities Exchange Act Release No. 58956 (November 14, 2008), 73 FR 71074 (November 24,

Continued

Trust; [17] Long Dollar Gold Trust; [18] and Euro Gold Trust, Pound Gold Trust and Yen Gold Trust.[19] Prior to their listing on the Exchange, the Commission approved listing of the streetTRACKS Gold Trust on the New York Stock Exchange (''NYSE'') [20] and listing of iShares COMEX Gold Trust and iShares Silver Trust on the American Stock Exchange LLC.[21] In addition, the Commission has approved trading of the streetTRACKS Gold Trust and iShares Silver Trust on the Exchange pursuant to UTP.[22]

The Exchange represents that the Shares satisfy the requirements of NYSE Arca Rule 8.201–E and thereby qualify for listing on the Exchange.[23]

Operation of the Trust [24]

According to the Registration Statement, the investment objective of the Trust is for the Shares to reflect the performance of the price of gold bullion, less the expenses of the Trust's operations. The Shares are designed for investors who want a cost-effective and convenient way to invest in gold.

The Trust will not trade in gold futures, options or swap contracts on any futures exchange or over the counter (''OTC''). The Trust will not hold or trade in commodity futures contracts, ''commodity interests,'' or any other instruments regulated by the Commodity Exchange Act. The Trust will take delivery of physical gold that complies with the London Bullion Market Association (''LBMA'') gold delivery rules.

Operation of the Gold Market

According to the Registration Statement, the global trade in gold consists of over-the-counter (''OTC'') transactions in spot, forwards, and options and other derivatives, together with exchange-traded futures and options.

The OTC market trades on a continuous basis and accounts for most global gold trading. Market makers and participants in the OTC market trade with each other and their clients on a principal-to-principal basis.

The main centers of the OTC market are London, New York and Zurich.

The London Bullion Market

According to the Registration Statement, although the market for physical gold is global, most OTC market trades are cleared through London. In addition to coordinating market activities, the LBMA acts as the principal point of contact between the market and its regulators. A primary function of the LBMA is its involvement in the promotion of refining standards by maintenance of the ''London Good Delivery Lists,'' which are the lists of LBMA accredited melters and assayers of gold. The LBMA also coordinates market clearing and vaulting, promotes good trading practices and develops standard documentation.

The term ''loco London'' refers to gold bars physically held in London that meet the specifications for weight, dimensions, fineness (or purity), identifying marks (including the assay stamp of an LBMA acceptable refiner) and appearance set forth in ''The Good Delivery Rules for Gold and Silver Bars'' published by the LBMA. Gold bars meeting these requirements are known as ''London Good Delivery Bars.'' The unit of trade in London is the troy ounce. A London Good Delivery Bar is acceptable for delivery in settlement of a transaction on the OTC market. Typically referred to as 400-ounce bars, a London Good Delivery Bar must contain between 350 and 430 fine troy ounces of gold, with a minimum fineness (or purity) of 995 parts per 1,000 (99.5%), be of good appearance and be easy to handle and stack. The fine gold content of a gold bar is calculated by multiplying the gross weight of the bar (expressed in units of 0.025 troy ounces) by the fineness of the bar.

The LBMA Gold Price

According to the Registration Statement, the LBMA Gold Price is determined twice daily during London trading hours through an auction which provides reference gold prices for that day's trading. The LBMA Gold Price was initiated on March 20, 2015 and replaced the London PM Gold Fix. The auction that determines the LBMA Gold Price is a physically settled, electronic and tradeable auction, with the ability to settle trades in U.S. Dollars, Euros or British Pounds. ICE Benchmark Administration (''IBA'') provides the auction platform and methodology as well as the overall administration and governance for the LBMA Gold Price. Many long-term contracts are expected to be priced on the basis of either the morning (AM) or afternoon (PM) LBMA Gold Price, and many market participants are expected to refer to one or the other of these prices when looking for a basis for valuations.

The Financial Conduct Authority (FCA) in the U.K. regulates the LBMA Gold Price.

Futures Exchanges

Although the Trust will not invest in gold futures, information about the gold futures market is relevant as such markets contribute to, and provide evidence of, the liquidity of the overall market for gold.

According to the Registration Statement, the most significant gold futures exchange is COMEX, part of the CME Group. It began to offer trading in gold futures contracts in 1974, and for most of the period since that date, it has been the largest exchange in the world for trading precious metals, futures and options. The Tokyo Commodity Exchange, or TOCOM, is another significant futures exchange and has been trading gold since 1982. Trading on these exchanges is based on fixed delivery dates and transaction sizes for the futures and options contracts traded. Both the COMEX and the TOCOM operate through a central clearance system, and in each case, the exchange acts as a counterparty for each member for clearing purposes.

Gold futures contracts also are traded on the Shanghai Gold Exchange and the Shanghai Futures Exchange.

2008) (SR–NYSEArca–2008–124) (approving listing on the Exchange of the iShares Silver Trust)).

[17] *See* Securities Exchange Act Release No.56224 (August 8, 2007), 72 FR 45850 (August 15, 2007) (SR–NYSEArca–2007–76) (approving listing on the Exchange of the street TRACKS Gold Trust); Securities Exchange Act Release No. 56041 (July 11, 2007), 72 FR 39114 (July 17, 2007) (SR–NYSEArca–2007–43) (order approving listing on the Exchange of iShares COMEX Gold Trust).

[18] *See* Securities Exchange Act Release No. 79518 (December 9, 2016), 81 FR 90876 (December 15, 2016) (SR–NYSEArca–2016–84) (order approving listing and trading of shares of the Long Dollar Gold Trust).

[19] *See* Securities Exchange Act Release No. 80840 (June 17, 2017) (SR–NYSEArca–2017–33) (order approving listing and trading of shares of the Euro Gold Trust, Pound Gold Trust, and the Yen Gold Trust under NYSE Arca Equities Rule 8.201).

[20] *See* Securities Exchange Act Release No. 50603 (October 28, 2004), 69 FR 64614 (November 5, 2004) (SR–NYSE–2004–22) (order approving listing of street TRACKS Gold Trust on NYSE).

[21] *See* Securities Exchange Act Release Nos. 51058 (January 19, 2005), 70 FR 3749 (January 26, 2005) (SR–Amex–2004–38) (order approving listing of iShares COMEX Gold Trust on the American Stock Exchange LLC); 53521 (March 20, 2006), 71 FR 14967 (March 24, 2006) (SR–Amex–2005–72) (approving listing on the American Stock Exchange LLC of the iShares Silver Trust).

[22] *See* Securities Exchange Act Release Nos. 53520 (March 20, 2006), 71 FR 14977 (March 24, 2006) (SR–PCX–2005–117) (approving trading on the Exchange pursuant to UTP of the iShares Silver Trust); 51245 (February 23, 2005), 70 FR 10731 (March 4, 2005) (SR–PCX–2004–117) (approving trading on the Exchange of the streetTRACKS Gold Trust pursuant to UTP).

[23] With respect to the application of Rule 10A–3 (17 CFR 240.10A–3) under the Act, the Trust relies on the exemption contained in Rule 10A–3(c)(7).

[24] The description of the operation of the Trust, the Shares and the gold market contained herein are based, in part, on the Registration Statement. *See* note 4, *supra.*

Net Asset Value (''NAV'')

The NAV of the Trust is the aggregate value of the Trust's assets less its liabilities (which include estimated accrued but unpaid fees and expenses). The NAV of the Trust is calculated based on the price of gold per ounce applied against the number of ounces of gold owned by the Trust. For purposes of calculating NAV, the number of ounces of gold owned by the Trust reflects the amount of gold delivered into (or out of) the Trust on a daily basis by Authorized Participants creating and redeeming Shares. In determining the NAV of the Trust, the Administrator generally will value the Gold Bullion held by the Trust on the basis of the LBMA Gold Price PM. If no LBMA Gold Price PM is made on a particular day or if the LBMA Gold Price PM has not been announced by 12:00 p.m. New York time on a particular day, the next most recent LBMA Gold Price PM is used in the determination of the NAV of the Trust, unless the Sponsor determines that such price is inappropriate to use as the basis for such determination. If the Sponsor determines that such price is inappropriate to use, it shall identify an alternate basis for evaluation of the Gold Bullion held by the Trust. In such case, the Sponsor would, for example, look to the current trading price of gold from other reported sources, such as dealer quotes, broker quotes or electronic trading data, to value the Trust's Shares.

The Administrator will also determine the NAV per Share, which equals the NAV of the Trust, divided by the number of outstanding Shares.

Creation and Redemption of Shares

According to the Registration Statement, the Trust will create and redeem Shares from time to time, but only in one or more Creation Units of a specified whole number of Shares of no less than 10,000. The creation and redemption of Creation Units is only made in exchange for the delivery to the Trust or the distribution by the Trust of the amount of gold and any cash represented by the Creation Units being created or redeemed, the amount of which is based on the combined NAV of the number of Shares included in the Creation Units being created or redeemed determined on the day the order to create or redeem Creation Units is properly received.

Authorized Participants are the only persons that may place orders to create and redeem Creation Units. To become an Authorized Participant, a person must enter into a ''Participant Agreement'' with the Sponsor and the Administrator.

Prior to initiating any creation or redemption order, an Authorized Participant must have entered into an agreement with a gold custodian to establish an ''Authorized Participant Unallocated Account'' in London, or a Participant Unallocated Bullion Account Agreement. An unallocated account is an account with a bullion dealer, which may also be a bank, to which a fine weight amount of gold is credited. Transfers to or from an unallocated account are made by crediting or debiting the number of ounces of gold being deposited or withdrawn. The account holder is entitled to direct the bullion dealer to deliver an amount of physical gold equal to the amount of gold standing to the credit of the account holder. Gold held in an unallocated account is not segregated from the custodian's assets. The account holder therefore has no ownership interest in any specific bars of gold that the bullion dealer holds or owns.

Authorized Participants must be (1) a DTC Participant; (2) registered as a broker-dealer under the Exchange Act and regulated by Financial Industry Regulatory Authority (''FINRA''), or some other self-regulatory organization or will be exempt from being or otherwise not be required to be so regulated or registered; and (3) qualified to act as a broker or dealer in the states or other jurisdictions where the nature of its business so requires.

All gold bullion must be delivered to the Trust and distributed by the Trust in unallocated form through credits and debits between Authorized Participant Unallocated Accounts and the Trust Unallocated Account.

All gold bullion must be of at least a minimum fineness (or purity) of 995 parts per 1,000 (99.5%) and otherwise conform to the rules, regulations practices and customs of the LBMA, including the specifications for a London Good Delivery Bar. Under the Participant Agreement, the Sponsor has agreed to indemnify the Authorized Participants against certain liabilities, including liabilities under the Securities Act, and to contribute to the payments the Authorized Participants may be required to make in respect of those liabilities.

Creation Procedures

On any business day, an Authorized Participant may place an order with the Administrator to create one or more Baskets. Purchase orders must be placed by 4:00 p.m. or the close of regular trading on NYSE Arca, whichever is earlier. The day on which the Administrator receives a valid purchase order is the purchase order date.

By placing a purchase order, an Authorized Participant agrees to deposit gold with the Trust, or a combination of gold and cash, as described below. Prior to the delivery of Baskets for a purchase order, the Authorized Participant must also have wired to the Administrator the non-refundable transaction fee due for the purchase order.

Determination of Required Deposits

The total deposit required to create each Basket, or a Creation Basket Deposit, is an amount of gold and cash, if any, that is in the same proportion to the total assets of the Trust (net of estimated accrued expenses and other liabilities) on the date the order to purchase is properly received as the number of Shares to be created under the purchase order is in proportion to the total number of Shares outstanding on the date the order is received.

Redemption Procedures

The procedures by which an Authorized Participant can redeem one or more Baskets mirror the procedures for the creation of Baskets. On any business day, an Authorized Participant may place an order with the Trustee to redeem one or more Baskets. Redemption orders must be placed by 4:00 p.m. or the close of the Core Trading Session on NYSE Arca, whichever is earlier. A redemption order so received is effective on the date it is received in satisfactory form by the Trustee.

Determination of Redemption Distribution

The redemption distribution from the Trust consists of a credit to the redeeming Authorized Participant's Authorized Participant Unallocated Account representing the amount of the gold held by the Trust evidenced by the Shares being redeemed plus, or minus, the cash redemption amount. The cash redemption amount is equal to the value of all assets of the Trust other than gold less all estimated accrued expenses and other liabilities, divided by the number of Baskets outstanding and multiplied by the number of Baskets included in the Authorized Participant's redemption order. The Sponsor anticipates that in the ordinary course of the Trust's operations there will be no cash distributions made to Authorized Participants upon redemptions.

Secondary Market Trading

While the Trust seeks to reflect generally the performance of the price of

gold less the Trust's expenses and liabilities, Shares may trade at, above or below their NAV. The NAV of Shares will fluctuate with changes in the market value of the Trust's assets. The trading prices of Shares will fluctuate in accordance with changes in their NAV as well as market supply and demand. The amount of the discount or premium in the trading price relative to the NAV may be influenced by non-concurrent trading hours between the major gold markets and the Exchange. While the Shares trade on the Exchange until 4:00 p.m. E.T., liquidity in the market for gold may be reduced after the close of major world gold markets, including London, Zurich and the COMEX. As a result, during this time, trading spreads, and the resulting premium or discount, on Shares may widen.

Availability of Information Regarding Gold

Currently, the Consolidated Tape Plan does not provide for dissemination of the spot price of a commodity such as gold over the Consolidated Tape. However, there will be disseminated over the Consolidated Tape the last sale price for the Shares, as is the case for all equity securities traded on the Exchange (including exchange-traded funds). In addition, there is a considerable amount of information about gold and gold markets available on public Web sites and through professional and subscription services.

Investors may obtain gold pricing information on a 24-hour basis based on the spot price for an ounce of Gold from various financial information service providers, such as Reuters and Bloomberg.

Reuters and Bloomberg, for example, provide at no charge on their Web sites delayed information regarding the spot price of Gold and last sale prices of Gold futures, as well as information about news and developments in the gold market. Reuters and Bloomberg also offer a professional service to subscribers for a fee that provides information on Gold prices directly from market participants. Complete real-time data for Gold futures and options prices traded on the COMEX are available by subscription from Reuters and Bloomberg. There are a variety of other public Web sites providing information on gold, ranging from those specializing in precious metals to sites maintained by major newspapers. In addition, the LBMA Gold Price is publicly available at no charge at *www.lbma.org.uk.*

Availability of Information

The intraday indicative value (''IIV'') per Share for the Shares will be disseminated by one or more major market data vendors. The IIV will be calculated based on the amount of gold held by the Trust and a price of gold derived from updated bids and offers indicative of the spot price of gold.[25]

The Trust will create a Web site that will contain the following information, on a per Share basis, for the Trust: (a) The mid-point of the bid-ask price [26] at the close of trading (''Bid/Ask Price''), and a calculation of the premium or discount of such price against such NAV; and (b) data in chart format displaying the frequency distribution of discounts and premiums of the Bid/Ask Price against the NAV, within appropriate ranges, for each of the four previous calendar quarters. The Web site for the Trust will also provide the Trust's prospectus. Finally, the Trust's Web site will provide the last sale price of the Shares as traded in the U.S. market. In addition, information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers.

Criteria for Initial and Continued Listing

The Trust will be subject to the criteria in NYSE Arca Rule 8.201–E(e) for initial and continued listing of the Shares.

A minimum of 20,000 Shares will be required to be outstanding at the start of trading. The Exchange believes that the anticipated minimum number of Shares outstanding at the start of trading is sufficient to provide adequate market liquidity.

Trading Rules

The Exchange deems the Shares to be equity securities, thus rendering trading in the Trust subject to the Exchange's existing rules governing the trading of equity securities. Trading in the Shares on the Exchange will occur in accordance with NYSE Arca Rule 7.34–E(a). The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in NYSE Arca Rule 7.6–E, Commentary .03, the minimum price variation (''MPV'') for quoting and entry of orders in equity securities traded on NYSE Arca is $0.01, with the exception of securities that are priced less than $1.00 for which the MPV for order entry is $0.0001.

Further, NYSE Arca Rule 8.201–E sets forth certain restrictions on ETP Holders acting as registered Market Makers in the Shares to facilitate surveillance. Under NYSE Arca Rule 8.201–E(g), an ETP Holder acting as a registered Market Maker in the Shares is required to provide the Exchange with information relating to its trading in the underlying gold, related futures or options on futures, or any other related derivatives. Commentary .04 of NYSE Arca Rule 6.3–E requires an ETP Holder acting as a registered Market Maker, and its affiliates, in the Shares to establish, maintain and enforce written policies and procedures reasonably designed to prevent the misuse of any material nonpublic information with respect to such products, any components of the related products, any physical asset or commodity underlying the product, applicable currencies, underlying indexes, related futures or options on futures, and any related derivative instruments (including the Shares).

As a general matter, the Exchange has regulatory jurisdiction over its ETP Holders and their associated persons, which include any person or entity controlling an ETP Holder. A subsidiary or affiliate of an ETP Holder that does business only in commodities or futures contracts would not be subject to Exchange jurisdiction, but the Exchange could obtain information regarding the activities of such subsidiary or affiliate through surveillance sharing agreements with regulatory organizations of which such subsidiary or affiliate is a member.

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares. Trading on the Exchange in the Shares may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) The extent to which conditions in the underlying gold market have caused disruptions and/or lack of trading, or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. In addition, trading in Shares will be subject to trading halts caused by extraordinary market volatility pursuant to the Exchange's ''circuit breaker''

[25] The IIV on a per Share basis disseminated during the Core Trading Session should not be viewed as a real-time update of the NAV, which is calcuated once a day.

[26] The bid-ask price of the Shares will be determined using the highest bid and lowest offer on the Consolidated Tape as of the time of calculation of the closing day NAV.

rule.[27] The Exchange will halt trading in the Shares if the NAV of the Trust is not calculated or disseminated daily. The Exchange may halt trading during the day in which an interruption occurs to the dissemination of the IIV, as described above. If the interruption to the dissemination of the IIV persists past the trading day in which it occurs, the Exchange will halt trading no later than the beginning of the trading day following the interruption.

Surveillance

The Exchange represents that trading in the Shares will be subject to the existing trading surveillances administered by the Exchange, as well as cross-market surveillances administered by FINRA on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws.[28] The Exchange represents that these procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and federal securities laws applicable to trading on the Exchange.

The surveillances referred to above generally focus on detecting securities trading outside their normal patterns, which could be indicative of manipulative or other violative activity. When such situations are detected, surveillance analysis follows and investigations are opened, where appropriate, to review the behavior of all relevant parties for all relevant trading violations.

The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares with other markets and other entities that are members of the ISG, and the Exchange or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in the Shares from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares from markets and other entities that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.[29]

Also, pursuant to NYSE Arca Rule 8.201–E(g), the Exchange is able to obtain information regarding trading in the Shares and the underlying gold, gold futures contracts, options on gold futures, or any other gold derivative, through ETP Holders acting as registered Market Makers, in connection with such ETP Holders' proprietary or customer trades through ETP Holders which they effect on any relevant market.

In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

All statements and representations made in this filing regarding (a) the description of the portfolio, (b) limitations on portfolio holdings or reference assets, or (c) the applicability of Exchange listing rules specified in this rule filing shall constitute continued listing requirements for listing the Shares of the Trust on the Exchange.

The issuer has represented to the Exchange that it will advise the Exchange of any failure by the Trust to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Act, the Exchange will monitor for compliance with the continued listing requirements. If the Trust is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under NYSE Arca Rule 5.5(m).

Information Bulletin

Prior to the commencement of trading, the Exchange will inform its ETP Holders in an Information Bulletin of the special characteristics and risks associated with trading the Shares. Specifically, the Information Bulletin will discuss the following: (1) The procedures for purchases and redemptions of Shares in Creation Units (including noting that Shares are not individually redeemable); (2) NYSE Arca Rule 9.2–E(a), which imposes a duty of due diligence on its ETP Holders to learn the essential facts relating to every customer prior to trading the Shares; (3) how information regarding the IIV is disseminated; (4) the requirement that ETP Holders deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; (5) the possibility that trading spreads and the resulting premium or discount on the Shares may widen as a result of reduced liquidity of gold trading during the Core and Late Trading Sessions after the close of the major world gold markets; and (6) trading information. For example, the Information Bulletin will advise ETP Holders, prior to the commencement of trading, of the prospectus delivery requirements applicable to the Trust. The Exchange notes that investors purchasing Shares directly from the Trust (by delivery of the Creation Unit Deposit) will receive a prospectus. ETP Holders purchasing Shares from the Trust for resale to investors will deliver a prospectus to such investors.

In addition, the Information Bulletin will reference that the Trust is subject to various fees and expenses as will be described in the Registration Statement. The Information Bulletin will also reference the fact that there is no regulated source of last sale information regarding physical gold, that the Commission has no jurisdiction over the trading of gold as a physical commodity, and that the CFTC has regulatory jurisdiction over the trading of gold futures contracts and options on gold futures contracts.

The Information Bulletin will also discuss any relief, if granted, by the Commission or the staff from any rules under the Act.

2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under Section 6(b)(5)[30] that an exchange have rules that are 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, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares will be listed and traded on the Exchange pursuant to the initial and continued listing criteria in NYSE Arca Rule 8.201–E. The Exchange has in place surveillance procedures that are adequate to properly monitor trading in the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws. The Exchange may obtain information via ISG from other exchanges that are members of ISG or with which the Exchange has entered into a comprehensive surveillance sharing agreement.

The proposed rule change is designed to promote just and equitable principles of trade and to protect investors and the public interest in that there is a considerable amount of gold price and gold market information available on public Web sites and through professional and subscription services. Investors may obtain on a 24-hour basis

[27] *See* NYSE Arca Rule 7.12–E.

[28] FINRA conducts cross-market surveillances on behalf of the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

[29] For a list of the current members of ISG, *see www.isgportal.org.*

[30] 15 U.S.C. 78f(b)(5).

gold pricing information based on the spot price for an ounce of gold from various financial information service providers. Investors may obtain gold pricing information based on the spot price for an ounce of gold from various financial information service providers. Current spot prices also are generally available with bid/ask spreads from gold bullion dealers. In addition, the Trust's Web site will provide pricing information for gold spot prices and the Shares. Market prices for the Shares will be available from a variety of sources including brokerage firms, information Web sites and other information service providers. The NAV of the Trust will be published by the Sponsor on each day that the NYSE Arca is open for regular trading and will be posted on the Trust's Web site. The IIV relating to the Shares will be widely disseminated by one or more major market data vendors at least every 15 seconds during the Core Trading Session. In addition, the LBMA Gold Price is publicly available at no charge at *www.lbma.org.uk.* The Trust's Web site will also provide the Trust's prospectus, as well as the two most recent reports to stockholders. In addition, information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's closing price and trading volume information for the Shares will be published daily in the financial section of newspapers.

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest in that it will facilitate the listing and trading of an additional type of exchange-traded product that will enhance competition among market participants, to the benefit of investors and the marketplace. As noted above, the Exchange has in place surveillance procedures relating to trading in the Shares and may obtain information via ISG from other exchanges that are members of ISG or with which the Exchange has entered into a comprehensive surveillance sharing agreement. In addition, as noted above, investors will have ready access to information regarding gold pricing.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange 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. The Exchange believes the proposed rule change will enhance competition by accommodating Exchange trading of an additional exchange-traded product relating to physical gold.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be 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–NYSEArca–2017–98 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–NYSEArca–2017–98. 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–NYSEArca–2017–98, and should be submitted on or before October 6, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[31]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19585 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–422, OMB Control No. 3235–0471]

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: U.S. Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736.

Extension:

Rule 15c1–5

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 15c1–5 (17 CFR 240.15c1–5) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 15c1–5 states that any broker-dealer controlled by, controlling, or under common control with the issuer of a security that the broker-dealer is trying to sell to or buy from a customer must give the customer written notification disclosing the control

[31] 17 CFR 200.30–3(a)(12).

relationship at or before completion of the transaction. The Commission estimates that 197 respondents collect information annually under Rule 15c1–5 and that each respondent would spend approximately 10 hours per year collecting this information (1,970 hours in aggregate). There is no retention period requirement under Rule 15c1–5. This Rule does not involve the collection of confidential information.

Written comments are invited on: (a) 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; (b) the accuracy of the Commission's estimates of the burden 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. 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 send an email to: *PRA_Mailbox@sec.gov.*

Dated: September 12, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19676 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81574; File No. SR–NASDAQ–2017–090]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of Proposed Rule Change To List and Trade Shares of the Eaton Vance Oaktree Diversified Credit NextShares™

September 11, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 30, 2017, The NASDAQ Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. 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 proposes to list and trade under Nasdaq Rule 5745 (Exchange-Traded Managed Fund Shares) the common shares (''Shares'') of Eaton Vance Oaktree Diversified Credit NextShares™ (the ''Fund''), a series of Eaton Vance NextShares Trust II (the ''Trust'').[3]

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

The Exchange proposes to list and trade the Shares of the Fund under Nasdaq Rule 5745, which governs the listing and trading of exchange-traded managed fund shares, as defined in Nasdaq Rule 5745(c)(1), on the Exchange.[4] The Trust is registered with the Commission as an open-end investment company and has filed a registration statement on Form N–1A (''Registration Statement'') with the Commission. The Fund is a series of the Trust and will be advised by an investment adviser (''Adviser'') registered under the Investment Advisers Act of 1940 (''Advisers Act''), as described below. The Fund will be actively managed and will pursue the principal investment strategies discussed below.[5]

Eaton Vance NextShares Trust II

The Trust is registered with the Commission as an open-end investment company and has filed a Registration Statement with the Commission.[6]

Eaton Vance Management[7] will be the Adviser to the Fund. Oaktree Capital Management, L.P. will be the Sub-Adviser to the Fund. Each of the Adviser and the Sub-Adviser is not a registered broker-dealer, although each is affiliated with a broker-dealer, and each of the Adviser and the Sub-Adviser has implemented a fire wall with respect to its affiliated broker-dealer regarding access to information concerning the composition and/or changes to the Fund's portfolio.[8] In

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Except for the specific Fund information set forth below, this rule filing conforms to the rule filing, as modified by amendments 1 and 2 thereto, relating to the listing and trading on Nasdaq of the shares of 18 series of the Eaton Vance ETMF Trust (now named Eaton Vance NextShares Trust) and the Eaton Vance ETMF Trust II (now named Eaton Vance NextShares Trust II), as approved by the Commission in Securities Exchange Act Release No. 75499 (July 21, 2015) (SR–NASDAQ–2015–036).

[4] The Commission approved Nasdaq Rule 5745 in Securities Exchange Act Release No. 34–73562 (Nov. 7, 2014), 79 FR 68309 (Nov. 14, 2014) (SR–NASDAQ–2014–020).

[5] Additional information regarding the Fund will be available on the free public Web site for the Fund (*www.eatonvance.com* or *www.nextshares.com*.) and in the Registration Statement for the Fund.

[6] *See* Post-Effective Amendment No. 3 to the Registration Statement on Form N–1A for the Trust dated August 8, 2017 (File Nos. 333–197734 and 811–22983). The description of the Fund and the Shares contained herein conform to the Registration Statement.

[7] The Commission has issued an order granting Eaton Vance Management, Eaton Vance NextShares Trust and the Trust and certain affiliates exemptive relief under the Investment Company Act. *See* Investment Company Act Release No. 31361 (December 2, 2014) (File No. 812–14139) (the ''Order'').

[8] An investment adviser to an open-end fund is required to be registered under the Advisers Act. As a result, each of the Adviser and the Sub-Adviser, and its related personnel, are subject to the provisions of Rule 204A–1 under the Advisers Act relating to codes of ethics. This Rule requires investment advisers to adopt a code of ethics that reflects the fiduciary nature of the relationship to clients as well as compliance with other applicable securities laws. Accordingly, procedures designed to prevent the communication and misuse of non-public information by an investment adviser must be consistent with Rule 204A–1 under the Advisers Act. In addition, Rule 206(4)–7 under the Advisers Act makes it unlawful for an investment adviser to provide investment advice to clients unless such investment adviser has (i) adopted and implemented written policies and procedures reasonably designed to prevent violation, by the investment adviser and its supervised persons, of the Advisers Act and the Commission rules adopted thereunder; (ii) implemented, at a minimum, an annual review regarding the adequacy of the policies and procedures established pursuant to subparagraph (i) above and the effectiveness of their implementation; and (iii) designated an individual (who is a supervised person) responsible for administering the policies and procedures adopted under subparagraph (i) above.

addition, personnel who make decisions on the Fund's portfolio composition must be subject to procedures designed to prevent the use and dissemination of material, non-public information regarding the open-end fund's portfolio.

In the event that (a) the Adviser or the Sub-Adviser registers as a broker-dealer or becomes newly affiliated with a broker-dealer, or (b) any new adviser or a sub-adviser to the Fund is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement and will maintain a fire wall with respect to its relevant personnel and/or such broker-dealer affiliate, if applicable, regarding access to information concerning the composition and/or changes to the Fund's portfolio and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio.

Foreside Fund Services, LLC will be the principal underwriter and distributor of the Fund's Shares. State Street Bank and Trust Company will act as the accounting agent, custodian and transfer agent to the Fund. ICE Data Services will be the intraday indicative value (''IIV'') calculator to the Fund.

The Fund will be actively managed and will pursue the principal investment strategies described below.[9]

Eaton Vance Oaktree Diversified Credit NextShares™

The investment objective of the Fund is total return. The Fund will invest at least 80% of its net assets (plus any borrowings for investment purposes) in credit-related investments (the ''80% Policy''). For purposes of this 80% Policy, ''credit-related investments'' include fixed-income, variable rate, and floating-rate securities as well as derivatives that provide exposure to such investments. Credit-related investments include corporate debt, senior loans, structured credit investments, emerging market debt, real estate debt and convertible securities.

Creations and Redemptions of Shares

Shares will be issued and redeemed on a daily basis at the Fund's next-determined net asset value (''NAV'') [10] in specified blocks of Shares called ''Creation Units.'' A Creation Unit will consist of at least 25,000 Shares. Creation Units may be purchased and redeemed by or through ''Authorized Participants.''[11] Purchases and sales of Shares in amounts less than a Creation Unit may be effected only in the secondary market, as described below, and not directly with the Fund.

The creation and redemption process for the Fund may be effected ''in kind,'' in cash, or in a combination of securities and cash. Creation ''in kind'' means that an Authorized Participant—usually a brokerage house or large institutional investor—purchases the Creation Unit with a basket of securities equal in value to the aggregate NAV of the Shares in the Creation Unit. When an Authorized Participant redeems a Creation Unit in kind, it receives a basket of securities equal in value to the aggregate NAV of the Shares in the Creation Unit.[12]

Composition File

As defined in Nasdaq Rule 5745(c)(3), the Composition File is the specified portfolio of securities and/or cash that the Fund will accept as a deposit in issuing a Creation Unit of Shares, and the specified portfolio of securities and/or cash that the Fund will deliver in a redemption of a Creation Unit of Shares. The Composition File will be disseminated through the NSCC once each business day before the open of trading in Shares on such day and also will be made available to the public each day on a free Web site.[13] Because the Fund seeks to preserve the confidentiality of its current portfolio trading program, the Fund's Composition File generally will not be a pro rata reflection of the Fund's investment positions. Each security included in the Composition File will be a current holding of the Fund, but the Composition File generally will not include all of the securities in the Fund's portfolio or match the weightings of the included securities in the portfolio.

Securities that the Adviser is in the process of acquiring for the Fund generally will not be represented in the Fund's Composition File until their purchase has been completed. Similarly, securities that are held in the Fund's portfolio but in the process of being sold may not be removed from its Composition File until the sale program is substantially completed. When creating and redeeming Shares in kind, the Fund will use cash amounts to supplement the in-kind transactions to the extent necessary to ensure that Creation Units are purchased and redeemed at NAV. The Composition File also may consist entirely of cash, in which case it will not include any of the securities in the Fund's portfolio.[14]

Transaction Fees

All persons purchasing or redeeming Creation Units are expected to incur a transaction fee to cover the estimated cost to the Fund of processing the transaction, including the costs of clearance and settlement charged to it by NSCC or DTC, and the estimated trading costs (*i.e.,* brokerage commissions, bid-ask spread and market impact) to be incurred in converting the Composition File to or from the desired portfolio holdings. The transaction fee is determined daily and will be limited to amounts approved by the board of trustees of the Fund and determined by the Adviser to be appropriate to defray the expenses that the Fund incurs in connection with the purchase or redemption of Creation Units.

The purpose of transaction fees is to protect the Fund's existing shareholders from the dilutive costs associated with the purchase and redemption of Creation Units. Transaction fees may vary over time for the Fund depending on the estimated trading costs for its portfolio positions and Composition File, processing costs and other considerations. If the Fund specifies greater amounts of cash in its

[9] Additional information regarding the Fund will be available on a free public Web site for the Fund (*www.eatonvance.com* or *www.nextshares.com*.) and in the Registration Statement for the Fund.

[10] As with other registered open-end investment companies, NAV generally will be calculated daily Monday through Friday as of the close of regular trading on the New York Stock Exchange, normally 4:00 p.m. Eastern Time. NAV will be calculated by dividing the Fund's net asset value by the number of Shares outstanding. Information regarding the valuation of investments in calculating the Fund's NAV will be contained in the Registration Statement for its Shares.

[11] ''Authorized Participants'' will be either: (1) ''Participating parties,'' *i.e.,* brokers or other participants in the Continuous Net Settlement System (''CNS System'') of the National Securities Clearing Corporation (''NSCC''), a clearing agency registered with the Commission and affiliated with the Depository Trust Company (''DTC''), or (2) DTC participants, which in either case have executed participant agreements with the Fund's distributor and transfer agent regarding the creation and redemption of Creation Units. Investors will not have to be Authorized Participants in order to transact in Creation Units, but must place an order through and make appropriate arrangements with an Authorized Participant for such transactions.

[12] In compliance with Nasdaq Rule 5745(b)(5), which applies to Shares based on an international or global portfolio, the application for the Order states that the Fund will comply with the federal securities laws in accepting securities for deposits and satisfying redemptions with securities, including that the securities accepted for deposits and the securities used to satisfy redemption requests are sold in transactions that would be exempt from registration under the Securities Act of 1933, as amended (15 U.S.C. 77a).

[13] The free public Web site containing the Composition File will be at (*www.eatonvance.com* and/or *www.nextshares.com*.).

[14] In determining whether the Fund will issue or redeem Creation Units entirely on a cash basis, the key consideration will be the benefit that would accrue to the Fund and its investors. For instance, in bond transactions, the Adviser may be able to obtain better execution for the Fund than Authorized Participants because of the Adviser's size, experience and potentially stronger relationships in the fixed-income markets.

Composition File it may impose higher transaction fees. In addition, if the Fund's Composition File includes instruments that clear through DTC, it may impose higher transaction fees than if its Composition File consists solely of instruments that clear through NSCC, because DTC may charge more than NSCC in connection with Creation Unit transactions.[15] The transaction fees applicable to the Fund's purchases and redemptions on a given business day will be disseminated through the NSCC prior to the open of market trading on that day and also will be made available to the public each day on a free Web site.[16] In all cases, the transaction fees will be limited in accordance with the requirements of the Commission applicable to open-end management investment companies offering redeemable securities.

NAV-Based Trading

Because Shares will be listed and traded on the Exchange, Shares will be available for purchase and sale on an intraday basis. Shares will be purchased and sold in the secondary market at prices directly linked to the Fund's next-determined NAV using a new trading protocol called ''NAV-Based Trading.'' [17] All bids, offers and execution prices of Shares will be expressed as a premium/discount (which may be zero) to the Fund's next-determined NAV (*e.g.,* NAV − $0.01, NAV+$0.01). The Fund's NAV will be determined each business day, normally as of 4:00 p.m. Eastern Time. Trade executions will be binding at the time orders are matched on Nasdaq's facilities, with the transaction prices contingent upon the determination of NAV.

Trading Premiums and Discounts

Bid and offer prices for Shares will be quoted throughout the day relative to NAV. The premium or discount to NAV at which Share prices are quoted and transactions are executed will vary depending on market factors, including the balance of supply and demand for Shares among investors, transaction fees and other costs in connection with creating and redeeming Creation Units of Shares, the cost and availability of borrowing Shares, competition among market makers, the Share inventory positions and inventory strategies of market makers, the profitability requirements and business objectives of market makers, and the volume of Share trading. Reflecting such market factors, prices for Shares in the secondary market may be above, at or below NAV. If the Fund has higher transaction fees, it may trade at wider premiums or discounts to NAV than if it had lower transaction fees, reflecting the added costs to market makers of managing their Share inventory positions through purchases and redemptions of Creation Units.

Because making markets in Shares will be simple to manage and low risk, competition among market makers seeking to earn reliable, low-risk profits should enable the Shares to routinely trade at tight bid-ask spreads and narrow premiums/discounts to NAV. As noted below, the Fund will maintain a public Web site [18] that will be updated on a daily basis to show current and historical trading spreads and premiums/discounts of Shares trading in the secondary market.

Transmitting and Processing Orders

Member firms will utilize certain existing order types and interfaces to transmit Share bids and offers to Nasdaq, which will process Share trades like trades in shares of other listed securities.[19] In the systems used to transmit and process transactions in Shares, the Fund's next-determined NAV will be represented by a proxy price (*e.g.,* 100.00) and a premium/discount of a stated amount to the next-determined NAV to be represented by the same increment/decrement from the proxy price used to denote NAV (*e.g.,* NAV − $0.01 would be represented as 99.99; NAV+$0.01 as 100.01).

To avoid potential investor confusion, Nasdaq will work with member firms and providers of market data services to seek to ensure that representations of intraday bids, offers and execution prices of Shares that are made available to the investing public follow the ''NAV − $0.01/NAV+$0.01'' (or similar) display format. All Shares listed on the Exchange will have a unique identifier associated with their ticker symbol, which would indicate that the Shares are traded using NAV-Based Trading. Nasdaq makes available to member firms and market data services certain proprietary data feeds that are designed to supplement the market information disseminated through the consolidated tape (''Consolidated Tape''). Specifically, the Exchange will use the NASDAQ Basic and NASDAQ Last Sale data feeds to disseminate intraday price and quote data for Shares in real time in the ''NAV − $0.01/NAV+$0.01'' (or similar) display format. Member firms could use the NASDAQ Basic and NASDAQ Last Sale data feeds to source intraday Share prices for presentation to the investing public in the ''NAV − $0.01/NAV+$0.01'' (or similar) display format. Alternatively, member firms could source intraday Share prices in proxy price format from the Consolidated Tape and other Nasdaq data feeds (*e.g.,* Nasdaq TotalView and Nasdaq Level 2) and use a simple algorithm to convert prices into the ''NAV − $0.01/NAV+$0.01'' (or similar) display format. As noted below, prior to the commencement of trading in the Fund, the Exchange will inform its members in an Information Circular of the identities of the specific Nasdaq data feeds from which intraday Share prices in proxy price format may be obtained.

Intraday Reporting of Quotes and Trades. All bids and offers for Shares and all Share trade executions will be reported intraday in real time by the Exchange to the Consolidated Tape [20] and separately disseminated to member firms and market data services through the Exchange data feeds listed above. The Exchange will also provide the member firms participating in each Share trade with a contemporaneous

[15] Authorized Participants that participate in the CNS System of the NSCC are expected to be able to use the enhanced NSCC/CNS process for effecting in-kind purchases and redemptions of ETFs (the ''NSCC Process'') to purchase and redeem Creation Units of the Fund if it limits the composition of its baskets to include only NSCC Process-eligible instruments (generally domestic equity securities and cash). Because the NSCC Process is generally more efficient than the DTC clearing process, NSCC is likely to charge the Fund less than DTC to settle purchases and redemptions of Creation Units.

[16] The free public Web site will be at (*www.eatonvance.com and*/or *www.nextshares.com.*).

[17] Aspects of NAV-Based Trading are protected intellectual property subject to issued and pending U.S. patents held by NextShares Solutions LLC (''NextShares Solutions''), a wholly owned subsidiary of Eaton Vance Corp. Nasdaq has entered into a license agreement with NextShares Solutions to allow for NAV-Based Trading on the Exchange of exchange-traded managed funds that have themselves entered into license agreements with NextShares Solutions.

[18] The free public Web site will be at (*www.eatonvance.com* and/or *www.nextshares.com.*).

[19] As noted below, all orders to buy or sell Shares that are not executed on the day the order is submitted will be automatically cancelled as of the close of trading on such day. Prior to the commencement of trading in the Fund, the Exchange will inform its members in an Information Circular of the effect of this characteristic on existing order types.

[20] Due to systems limitations, the Consolidated Tape will report intraday execution prices and quotes for Shares using a proxy price format. As noted, Nasdaq will separately report real-time execution prices and quotes to member firms and providers of market data services in the ''NAV − $0.01/NAV+$0.01'' (or similar) display format, and otherwise seek to ensure that representations of intraday bids, offers and execution prices for Shares that are made available to the investing public follow the same display format.

notice of trade execution, indicating the number of Shares bought or sold and the executed premium/discount to NAV.[21]

Final Trade Pricing, Reporting and Settlement. All executed Share trades will be recorded and stored intraday by Nasdaq to await the calculation of the Fund's end-of-day NAV and the determination of final trade pricing. After the Fund's NAV is calculated and provided to the Exchange, Nasdaq will price each Share trade entered into during the day at the Fund's NAV plus/minus the trade's executed premium/discount. Using the final trade price, each executed Share trade will then be disseminated to member firms and market data services via an FTP file to be created for exchange-traded managed funds and confirmed to the member firms participating in the trade to supplement the previously provided information to include final pricing.[22] After the pricing is finalized, Nasdaq will deliver the Share trading data to NSCC for clearance and settlement, following the same processes used for the clearance and settlement of trades in other exchange-traded securities.

Availability of Information

Prior to the commencement of market trading in Shares, the Fund will be required to establish and maintain a public Web site[23] through which its current prospectus may be downloaded. The Web site[24] will include additional Fund information updated on a daily basis, including the prior business day's NAV, and the following trading information for such business day expressed as premiums/discounts to NAV: (a) Intraday high, low, average and closing prices of Shares in Exchange trading; (b) the midpoint of the highest bid and lowest offer prices as of the close of Exchange trading, expressed as a premium/discount to NAV (the ''Closing Bid/Ask Midpoint''); and (c) the spread between highest bid and lowest offer prices as of the close of Exchange trading (the ''Closing Bid/Ask Spread.''). The Web site will also contain charts showing the frequency distribution and range of values of trading prices, Closing Bid/Ask Midpoints and Closing Bid/Ask Spreads over time.

The Composition File will be disseminated through the NSCC before the open of trading in Shares on each business day and also will be made available to the public each day on a free Web site as noted above. Consistent with the disclosure requirements that apply to traditional open-end investment companies, a complete list of current Fund portfolio positions will be made available at least once each calendar quarter, with a reporting lag of not more than 60 days. The Fund may provide more frequent disclosures of portfolio positions at its discretion.

Reports of Share transactions will be disseminated to the market and delivered to the member firms participating in the trade contemporaneous with execution. Once the Fund's daily NAV has been calculated and disseminated on each business day that the Exchange is open, Nasdaq will price each Share trade entered into during the day at the Fund's NAV plus/minus the trade's executed premium/discount. Using the final trade price, each executed Share trade will then be disseminated to member firms and market data services via an FTP file to be created for exchange-traded managed funds and confirmed to the member firms participating in the trade to supplement the previously provided information to include final pricing.

Information regarding NAV-based trading prices, best bids and offers for Shares, and volume of Shares traded will be continuously available on a real-time basis throughout each trading day on brokers' computer screens and other electronic services.

Initial and Continued Listing

Shares will conform to the initial and continued listing criteria as set forth under Nasdaq Rule 5745. A minimum of 50,000 Shares and no less than two Creation Units of the Fund will be outstanding at the commencement of trading on the Exchange. The Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be calculated daily (on each day the New York Stock Exchange is open for trading) and provided to Nasdaq via the Mutual Fund Quotation Service (''MFQS'') by the fund accounting agent. As soon as the NAV is entered into MFQS, Nasdaq will disseminate the NAV to market participants and market data vendors via the Mutual Fund Dissemination Service (''MFDS'') so all firms will receive the NAV per Share at the same time. The Reporting Authority[25] also will implement and maintain, or ensure that the Composition File will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding the Fund's portfolio positions and changes in the positions.

An estimated value of an individual Share, defined in Nasdaq Rule 5745(c)(2) as the ''Intraday Indicative Value,'' will be calculated and disseminated at intervals of not more than 15 minutes throughout the Regular Market Session[26] when Shares trade on the Exchange. The Exchange will obtain a representation from the issuer of the Shares that the IIV will be calculated on an intraday basis and provided to Nasdaq for dissemination via the Nasdaq Global Index Service (''GIDS'').

The IIV will be based on current information regarding the value of the securities and other assets held by the Fund.[27] The purpose of the IIVs [sic] is to enable investors to estimate the next-determined NAV so they can determine the number of Shares to buy or sell if they want to transact in an approximate dollar amount (*e.g.,* if an investor wants to acquire approximately $5,000 of the Fund, how many Shares should the investor buy?).[28]

Neither the Adviser nor the Sub-Adviser is a registered broker-dealer, although each is affiliated with a broker-dealer. Each of the Adviser and the Sub-Adviser has implemented and will maintain a fire wall with respect to its relevant broker-dealer personnel or broker-dealer affiliate, as applicable, regarding access to information concerning the composition and/or changes to the Fund's portfolio. In the future event that (a) the Adviser registers as a broker-dealer or becomes

[21] All orders to buy or sell Shares that are not executed on the day the order is submitted will be automatically cancelled as of the close of trading on such day.

[22] File Transfer Protocol (''FTP'') is a standard network protocol used to transfer computer files on the Internet. Nasdaq will arrange for the daily dissemination of an FTP file with executed Share trades to member firms and market data services.

[23] The free public Web site will be at (*www.eatonvance.com* and/or *www.nextshares.com*.).

[24] The free public Web site will be at (*www.eatonvance.com* and/or *www.nextshares.com*.).

[25] *See* Nasdaq Rule 5745(c)(4).

[26] *See* Nasdaq Rule 4120(b)(4) (describing the three trading sessions on the Exchange: (1) Pre-Market Session from 4 a.m. to 9:30 a.m. Eastern Time; (2) Regular Market Session from 9:30 a.m. to 4 p.m. or 4:15 p.m. Eastern Time; and (3) Post-Market Session from 4 p.m. or 4:15 p.m. to 8 p.m. Eastern Time).

[27] IIV disseminated throughout each trading day would be based on the same portfolio as used to calculate that day's NAV. The Fund will reflect purchases and sales of portfolio positions in its NAV the next business day after trades are executed.

[28] Because, in NAV-Based Trading, prices of executed trades are not determined until the reference NAV is calculated, buyers and sellers of Shares during the trading day will not know the final value of their purchases and sales until the end of the trading day. The Fund's Registration Statement, Web site and any advertising or marketing materials will include prominent disclosure of this fact. Although IIV may provide useful estimates of the value of intraday trades, they cannot be used to calculate with precision the dollar value of the Shares to be bought or sold.

newly affiliated with a broker-dealer, or (b) any new adviser or a sub-adviser to the Fund is a registered broker-dealer or becomes affiliated with a broker-dealer, it will implement a fire wall with respect to its relevant personnel and/or such broker-dealer affiliate, if applicable, regarding access to information concerning the composition and/or changes to the relevant Fund's portfolio and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio.

Trading Halts

The Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in Shares. Nasdaq will halt trading in Shares under the conditions specified in Nasdaq Rules 4120 and in Nasdaq Rule 5745(d)(2)(C). Additionally, Nasdaq may cease trading Shares if other unusual conditions or circumstances exist which, in the opinion of Nasdaq, make further dealings on Nasdaq detrimental to the maintenance of a fair and orderly market. To manage the risk of a non-regulatory Share trading halt, Nasdaq has in place back-up processes and procedures to ensure orderly trading. Because, in NAV-Based Trading, all trade execution prices are linked to end-of-day NAV, buyers and sellers of Shares should be less exposed to risk of loss due to intraday trading halts than buyers and sellers of conventional exchange-traded funds (''ETFs'') and other exchange-traded securities.

Every order to trade Shares of the Fund is subject to the proxy price protection threshold of plus/minus $1.00, which determines the lower and upper threshold for the life of the order and whereby the order will be cancelled at any point if it exceeds $101.00 or falls below $99.00, the established thresholds.[29] With certain exceptions, each order also must contain the applicable order attributes, including routing instructions and time-in-force information, as described in Nasdaq Rule 4703.[30]

Trading Rules

Nasdaq deems Shares to be equity securities, thus rendering trading in Shares to be subject to Nasdaq's existing rules governing the trading of equity securities. Nasdaq will allow trading in Shares from 9:30 a.m. until 4:00 p.m. Eastern Time.

Surveillance

The Exchange represents that trading in Shares will be subject to the existing trading surveillances, administered by both Nasdaq and the Financial Industry Regulatory Authority, Inc. (''FINRA'') on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws.[31] The Exchange represents that these procedures are adequate to properly monitor trading of Shares on the Exchange and to deter and detect violations of Exchange rules and applicable federal securities laws.

The surveillances referred to above generally focus on detecting securities trading outside their normal patterns, which could be indicative of manipulative or other violative activity. When such situations are detected, surveillance analysis follows and investigations are opened, where appropriate, to review the behavior of all relevant parties for all relevant trading violations.

FINRA, on behalf of the Exchange, will communicate as needed with other markets and other entities that are members of the Intermarket Surveillance Group (''ISG'') [32] regarding trading in Shares, and in exchange-traded and non-exchange traded securities and instruments held by the Fund (to the extent such exchange-traded and non-exchange traded securities and instruments are known through the publication of the Composition File and periodic public disclosures of the Fund's portfolio holdings), and FINRA may obtain trading information regarding such trading from other markets and other entities. In addition, the Exchange may obtain information regarding trading in Shares, and in exchange-traded and non-exchange traded securities and instruments held by the Fund (to the extent such exchange-traded and non-exchange traded securities and instruments are known through the publication of the Composition File and periodic public disclosures of the Fund's portfolio holdings), from markets and other entities that are members of ISG, which includes securities and futures exchanges, or with which the Exchange has in place a comprehensive surveillance sharing agreement. Moreover, FINRA, on behalf of the Exchange, will be able to access, as needed, trade information for certain fixed income securities held by the Fund reported to FINRA's Trade Reporting and Compliance Engine (''TRACE'').[33]

In addition, the Exchange also has a general policy prohibiting the distribution of material non-public information by its employees.

Information Circular

Prior to the commencement of trading in the Fund, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (1) The procedures for purchases and redemptions of Shares in Creation Units (and noting that Shares are not individually redeemable); (2) Nasdaq Rule 2111A, which imposes suitability obligations on Nasdaq members with respect to recommending transactions in Shares to customers; (3) how information regarding the IIV and Composition File is disseminated; (4) the requirement that members deliver a prospectus to investors purchasing Shares prior to or concurrently with the confirmation of a transaction; and (5) information regarding NAV-Based Trading protocols.

As noted above, all orders to buy or sell Shares that are not executed on the day the order is submitted will be automatically cancelled as of the close of trading on such day. The Information Circular will discuss the effect of this characteristic on existing order types. The Information Circular also will identify the specific Nasdaq data feeds from which intraday Share prices in proxy price format may be obtained.

In addition, the Information Circular will advise members, prior to the commencement of trading, of the prospectus delivery requirements applicable to the Fund. Members purchasing Shares from the Fund for resale to investors will deliver a summary prospectus to such investors. The Information Circular will also discuss any exemptive, no-action and interpretive relief granted by the Commission from any rules under the Act.

The Information Circular also will reference that the Fund is subject to various fees and expenses described in

[29] *See* Nasdaq Rule 5745(h).

[30] *See* Nasdaq Rule 5745(b)(6).

[31] FINRA provides surveillance of trading on the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

[32] For a list of the current members of ISG, *see www.isgportal.org.* The Exchange notes that not all components of the Fund's portfolio may trade on markets that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement.

[33] For municipal securities, trade information can generally be found on the Electronic Municipal Market Access (''EMMA'') of the Municipal Securities Rulemaking Board (''MSRB'').

the Registration Statement. The Information Circular will also disclose the trading hours of the Shares and the applicable NAV calculation time for the Shares. The Information Circular will disclose that information about the Shares will be publicly available on the Fund's Web site.

Information regarding Fund trading protocols will be disseminated to Nasdaq members in accordance with current processes for newly listed products. Nasdaq intends to provide its members with a detailed explanation of NAV-Based Trading through a Trading Alert issued prior to the commencement of trading in Shares on the Exchange.

Continued Listing Representations

All statements and representations made in this filing regarding (a) the description of the portfolio or reference assets, (b) limitations on portfolio holdings or reference assets, (c) dissemination and availability of the reference asset or intraday indicative values, or (d) the applicability of Exchange listing rules shall constitute continued listing requirements for listing the Shares on the Exchange. In addition, the issuer has represented to the Exchange that it will advise the Exchange of any failure by the Fund to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Act, the Exchange will monitor for compliance with the continued listing requirements. If the Fund is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under the Nasdaq 5800 Series.

2. Statutory Basis

Nasdaq believes that the proposal is consistent with Section 6(b) of the Act [34] in general, and Section 6(b)(5) of the Act [35] in particular, in that it is 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 facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares would be listed and traded on the Exchange pursuant to the initial and continued listing criteria in Nasdaq Rule 5745. The Exchange believes that its surveillance procedures are adequate to properly monitor the trading of Shares on Nasdaq and to deter and detect violations of Exchange rules and the applicable federal securities laws. Although the Adviser is not a registered broker-dealer, it is affiliated with a broker-dealer. The Adviser has implemented and will maintain a ''fire wall'' between the Adviser and the relevant broker-dealer personnel or broker-dealer affiliate with respect to access to information concerning the composition and/or changes to the Fund's portfolio holdings. In the event that (a) the Adviser or Sub-adviser registers as a broker-dealer or becomes newly affiliated with a broker-dealer, or (b) any new adviser or sub-adviser to the Fund is a registered broker-dealer or is affiliated with a broker-dealer, such adviser or sub-adviser will implement and will maintain a fire wall with respect to its relevant personnel and/or such broker-dealer affiliate, if applicable, regarding access to information concerning the composition and/or changes to the Fund's portfolio and will be subject to procedures designed to prevent the use and dissemination of material non-public information regarding such portfolio. The Exchange may obtain information via ISG from other exchanges that are members of ISG or with which the Exchange has entered into a comprehensive surveillance sharing agreement, to the extent necessary. Moreover, FINRA, on behalf of the Exchange, will be able to access, as needed, trade information for certain fixed income securities held by the Fund reported to FINRA's TRACE.

The proposed rule change is designed to promote just and equitable principles of trade and to protect investors and the public interest. The Exchange will obtain a representation from the issuer of Shares that the NAV per Share will be calculated on each business day that the New York Stock Exchange is open for trading and that the NAV will be made available to all market participants at the same time. In addition, a large amount of information would be publicly available regarding the Fund and the Shares, thereby promoting market transparency.

Prior to the commencement of market trading in Shares, the Fund will be required to establish and maintain a public Web site through which its current prospectus may be downloaded. The Web site will display additional Fund information updated on a daily basis, including the prior business day's NAV, and the following trading information for such business day expressed as premiums/discounts to NAV: (a) Intraday high, low, average and closing prices of Shares in Exchange trading; (b) the Closing Bid/Ask Midpoint; and (c) the Closing Bid/Ask Spread. The Web site will also contain charts showing the frequency distribution and range of values of trading prices, Closing Bid/Ask Midpoints and Closing Bid/Ask Spreads over time. The Composition File will be disseminated through the NSCC before the open of trading in Shares on each business day and also will be made available to the public each day on a free Web site. The Exchange will obtain a representation from the issuer of the Shares that the IIV will be calculated and disseminated on an intraday basis at intervals of not more than 15 minutes during trading on the Exchange and provided to Nasdaq for dissemination via GIDS. A complete list of current portfolio positions for the Fund will be made available at least once each calendar quarter, with a reporting lag of not more than 60 days. The Fund may provide more frequent disclosures of portfolio positions at its discretion.

Transactions in Shares will be reported to the Consolidated Tape at the time of execution in proxy price format and will be disseminated to member firms and market data services through Nasdaq's trading service and market data interfaces, as defined above. Once the Fund's daily NAV has been calculated and the final price of its intraday Share trades has been determined, Nasdaq will deliver a confirmation with final pricing to the transacting parties. At the end of the day, Nasdaq will also post a newly created FTP file with the final transaction data for the trading and market data services. The Exchange expects that information regarding NAV-based trading prices and volumes of Shares traded will be continuously available on a real-time basis throughout each trading day on brokers' computer screens and other electronic services. Because Shares will trade at prices based on the next-determined NAV, investors will be able to buy and sell individual Shares at a known premium or discount to NAV that they can limit by transacting using limit orders at the time of order entry. Trading in Shares will be subject to Nasdaq Rules 5745(d)(2)(B) and (C), which provide for the suspension of trading or trading halts under certain circumstances, including if, in the view of the Exchange, trading in Shares becomes inadvisable.

Every order to trade Shares of the Fund is subject to the proxy price protection threshold of plus/minus $1.00, which determines the lower and

[34] 15 U.S.C. 78f(b).

[35] 15 U.S.C. 78f(b)(5).

upper threshold for the life of the order and whereby the order will be cancelled at any point if it exceeds $101.00 or falls below $99.00, the established thresholds. With certain exceptions, each order also must contain the applicable order attributes, including routing instructions and time-in-force information, as described in Nasdaq Rule 4703.

The proposed rule change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest in that it will facilitate the listing and trading of the Fund, which seeks to provide investors with access to an actively managed investment strategy in a structure that offers the cost and tax efficiencies and shareholder protections of ETFs, while removing the requirement for daily portfolio holdings disclosure to ensure a tight relationship between market trading prices and NAV.

For the above reasons, Nasdaq believes the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. In fact, the Exchange believes that the introduction of the Fund would promote competition by making available to investors an actively managed investment strategy in a structure that offers the cost and tax efficiencies and shareholder protections of ETFs, while removing the requirement for daily portfolio holdings disclosure to ensure a tight relationship between market trading prices and NAV. Moreover, the Exchange believes that the proposed method of Share trading would provide investors with transparency of trading costs, and the ability to control trading costs using limit orders, that is not available for conventionally traded ETFs.

These developments could significantly enhance competition to the benefit of the markets and investors.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will: (a) By order approve or disapprove such proposed rule change; or (b) institute proceedings to determine whether the proposed rule change should be 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–NASDAQ–2017–090 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–NASDAQ–2017–090. 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–NASDAQ–2017–090 and should be submitted on or before October 6, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[36]

Eduardo A. Aleman,

Assistant Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–035, OMB Control No. 3235–0029]

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 17f–2(c)

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 17f–2(c) (17 CFR 240.17f–2(c)), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 17f–2(c) allows persons required to be fingerprinted pursuant to Section 17(f)(2) of the Act to submit their fingerprints to the Attorney General of the United States or its designee (*i.e.,* the Federal Bureau of Investigation (''FBI'')) through a registered national securities exchange or a registered national securities association (collectively, also known as ''self-regulatory organizations'' or ''SROs'') pursuant to a fingerprint plan filed with, and declared effective by, the Commission. Fingerprint plans have been declared effective for the American, Boston, Chicago, New York, and Philadelphia stock exchanges and for the Financial Industry Regulatory

[36] 17 CFR 200.30–3(a)(12).

Authority (''FINRA'') and the Chicago Board Options Exchange. Currently, FINRA accounts for the bulk of the fingerprint submissions.

It is estimated that 4,200 respondents submit approximately 285,600 sets of fingerprints (consisting of approximately 243,600 electronic sets and 42,000 hard copy sets) to SROs on an annual basis. The Commission estimates that it would take approximately 15 minutes to create and submit each fingerprint card. The total reporting burden is therefore estimated to be approximately 71,400 hours, or approximately 15 hours per respondent, annually.

In addition, the SROs charge an estimated $25.00 fee for processing fingerprint cards submitted electronically, resulting in a total annual cost to all 4,200 respondents of $6,090,000, or $1,450 per respondent per year. The SROs charge an estimated $40.00 fee for processing fingerprint cards submitted in hard copy, resulting in a total annual cost to all 4,200 respondents of approximately $1,680,000, or $400 per respondent per year. The combined annual cost to all respondents is thus $7,770,000.

Because the FBI will not accept fingerprint cards directly from submitting organizations, Commission approval of fingerprint plans from certain SROs is essential to carry out the Congressional goal to fingerprint securities industry personnel. Filing these plans for review assures users and their personnel that fingerprint cards will be handled responsibly and with due care for confidentiality.

Written comments are invited on: (a) 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; (b) the accuracy of the Commission's estimates of the burden of the proposed 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 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 send an email to: *PRA_Mailbox@sec.gov.*

Dated: September 12, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19678 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81573; File No. SR–NYSEARCA–2017–97]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the NYSE Arca Equities Fees and Charges

September 11, 2017.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (the ''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 29, 2017, NYSE Arca, Inc. (the ''Exchange'' or ''NYSE Arca'') 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 self-regulatory organization. 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 proposes to amend the NYSE Arca Equities Fees and Charges (the ''Fee Schedule'') to adopt a cap, for August and September 2017, on monthly fees for the use of ports connecting to NYSE Arca that are added after August 18, 2017. The Exchange proposes to implement the changes on August 29, 2017.[4] The proposed rule change is available on the Exchange's Web site at *www.nyse.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] The Exchange originally filed to amend the Fee Schedule on August 18, 2017 (SR–NYSEArca–2017–91) and withdrew such filing on August 29, 2017.

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 self-regulatory organization 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 those 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 parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

In connection with the introduction of new gateways on August 21, 2017, the Exchange proposes to amend its Fee Schedule to adopt a cap, for August and September 2017, on monthly fees for the use of ports connecting to NYSE Arca that are added after August 18, 2017.

The Exchange currently makes ports available that provide connectivity to the Exchange's trading systems (*i.e.,* ports for the entry of orders and/or quotes (''order/quote entry ports'')) and charges $550 per port per month.[5] The Exchange also currently makes ports available for drop copies and charges $550 per port per month.[6]

In order to facilitate an ETP Holder's transition to the Exchange's new gateways on August 21, 2017, the Exchange proposes to add to its Fee Schedule that, for the billing months of August and September 2017, the total charge per firm for order/quote entry ports and drop copy ports will be capped at the total number of such ports that the firm has activated at the start of trading on August 18, 2017, the last trading day prior to the introduction of the new gateways. This cap would have the effect of waiving the port fees, for August and September 2017, of any

[5] Port fees are not applicable to ports used for the Exchange's Risk Management Gateway service. Further, no fee applies to ports in the backup datacenter that are not utilized during the relevant month. No fee applies to ports in the backup datacenter that are utilized when the primary datacenter is unavailable. However, if a port in the backup datacenter is utilized when the primary datacenter is available, then the fee shall apply.

[6] No fee applies to ports in the backup datacenter if configured such that it is duplicative of another drop copy port of the same user. Only one fee per drop copy port applies, even if the port receives drop copies from multiple order/quote entry ports and/or drop copies for activity on both NYSE Arca Equities and NYSE Arca Options.

new, additional ports that an ETP Holder may use.

Additionally, the Exchange proposes that, effective October 1, 2017, the monthly fees for ports activated after August 18, 2017, would be prorated to the number of trading days in a billing month, including any scheduled early closing days, that a port is connected to the Exchange.[7]

* * * * *

The proposed changes are not otherwise intended to address any other issues, and the Exchange is not aware of any problems that member organizations would have in complying with the proposed change.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[8] in general, and furthers the objectives of Sections 6(b)(4) of the Act,[9] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed cap for August and September 2017 is reasonable because the proposed cap would allow ETP Holders a transition period to adjust to the new gateways.[10] Further, to the extent that an ETP Holder needs an increasing number of ports to maintain or expand its activity on the Exchange, the Exchange believes without the proposed cap ETP Holders may be inhibited from growing their activity on the Exchange. As a general principal, the Exchange believes that greater participation on the Exchange by ETP Holders improves market quality for all market participants. Thus, the proposed cap balances the Exchange's desire to improve market quality against the need to cover costs to support connectivity to the Exchange. Finally, the Exchange believes that the proposed cap constitutes an equitable allocation of fees because all similarly situated ETP Holders would be eligible for the cap.

The Exchange further believes the proposal to charge fees for ports activated after August 18, 2017 on a prorated basis based on the number of trading days in a billing month the port is connected to the Exchange is fair and reasonable because it would allow all Exchange participants to subscribe to the most effective connectivity according to their trading requirements and as a result will only be assessed fees for the connectivity they utilize during any trading month beginning October 1, 2017.[11] The Exchange's proposal to pro-rate port fees is also equitable since it would apply equally to all ETP Holders that connect to the Exchange. As noted above, NASDAQ currently charges new order entry ports on a prorated basis for the first month of service. The Exchange notes, however, that fees for ports activated before August 21, 2017 would not be pro-rated. The Exchange believes it is fair, equitable and not unfairly discriminatory to charge flat fees for ports activated before August 21, 2017 as such ports are expected to be phased out within a short period of time after the introduction of the new gateways. The Exchange believes the proposed proration of fees for ports activated after August 18, 2017 would serve as an incentive to ETP Holders to fully transition to the new gateways even though the Exchange would continue to provide ETP Holders with the ability to connect to the Exchange through ports activated before August 21, 2017. The Exchange further notes that billing for ports activated before August 21, 2017 will continue to be based on the number of ports on the third business day prior to the end of the month consistent with the Exchange's billing policy, and so firms that cancel ports before the third business day prior to the end of the month will not be billed for those ports.

The Exchange also believes the proposal furthers the objectives of Section 6(b)(5) of the Act [12] in that the proposed rule change is designed 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 and is not designed to permit unfair discrimination between customers, issuers, brokers and dealers. In particular, the Exchange believes that the Exchange's pro-rating of port fees is consistent with Section 6(b)(5) of the Act since all ETP Holders would receive the benefit of being charged only for the connectivity utilized during any trading month beginning October 2017. As noted above, to the extent an ETP Holder continues to use ports activated before August 21, 2017 to connect to the Exchange during October 2017 and any subsequent months, the Exchange believes it is fair, equitable and not unfairly discriminatory to continue to charge flat fees for such ports until such time that connection to the Exchange through the use of old ports is no longer available which the Exchange expects to occur within a short period of time after the introduction of the new gateways.

Finally, the Exchange believes that it is subject to significant competitive forces, as described below in the Exchange's statement regarding the burden on competition. For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[13] the Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act in that it is simply designed to set forth the Exchange's adoption of a fee cap and pro-rata billing for ports without any change to the fees currently charged by the Exchange for the use of ports to connect to the Exchange's trading systems. ETP Holders may opt to disfavor the Exchange's pricing if they believe that alternatives offer them better value. Accordingly, the Exchange does not believe that the proposed change will impair the ability of ETP Holders to maintain their competitive standing in the financial markets. The Exchange believes that fees for connectivity are constrained by the robust competition for order flow among exchanges and non-exchange markets. Further, excessive fees for connectivity, including port fees, would serve to impair an exchange's ability to compete for order flow rather than burdening competition. The Exchange also does not believe the proposed rule change would impact intramarket competition as it would apply to all ETP Holders equally that connect to the Exchange through the use of new ports. To the extent an ETP Holder continues to use ports activated before August 21, 2017 to connect to the Exchange during October 2017 and any subsequent

[7] The NASDAQ Stock Market LLC (''NASDAQ'') prorates Order Entry Port fees for the first month for new requests for ports. *See* NASDAQ Price List at *https://www.nasdaqtrader.com/Trader.aspx?id=PriceListTrading2.*

[8] 15 U.S.C. 78f(b).

[9] 15 U.S.C. 78f(b)(4).

[10] The terms ''gateway'' and ''ports'' are used interchangeably. Activating a port, for instance, essentially means establishing a connection to a gateway.

[11] Billing for ports is based on the number of ports on the third business day prior to the end of the month. The level of activity with respect to a particular port does not affect the assessment of monthly fees, so even if a particular port that is available to a participant is not used, the participant is still billed for that port. *See* Securities Exchange Act Release No. 66110 (January 5, 2012), 77 FR 1766 (January 11, 2012) (SR–NYSEArca–2012–01).

[12] 15 U.S.C. 78f(b)(5).

[13] 15 U.S.C. 78f(b)(8).

months, the Exchange believes the proposed rule change would not impact intramarket competition as given that the Exchange would provide all ETP Holders the ability to connect to the Exchange through ports that are activated before August 21, 2017 and through ports that are activated after August 18, 2017.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A) [14] of the Act and subparagraph (f)(2) of Rule 19b–4 [15] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such 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 shall institute proceedings under Section 19(b)(2)(B) [16] of the Act 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–NYSEARCA–2017–97 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEARCA–2017–97. 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–NYSEARCA–2017–97 and should be submitted on or before October 6, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19586 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

[14] 15 U.S.C. 78s(b)(3)(A).

[15] 17 CFR 240.19b–4(f)(2).

[16] 15 U.S.C. 78s(b)(2)(B).

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81567; File No. SR–Phlx–2017–34]

Self-Regulatory Organizations; NASDAQ PHLX LLC; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Add an Exception to Phlx Rule 1000(f)(iii) for Certain Floor Broker Transactions and Adopt Rule 1063(e)(v) To Add the Snapshot Functionality to the Options Floor Broker Management System

September 11, 2017.

On July 18, 2017, NASDAQ PHLX LLC (''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 add an exception to Phlx Rule 1000(f)(iii) [3] to permit Floor Brokers to execute (1) multi-leg orders,[4] and (2) simple orders in options on Exchange Trade Funds (''ETFs'') that are included in the Penny Pilot, in the trading crowd using ''Snapshot,'' a new functionality Phlx is proposing for its Floor Broker Management System (''FBMS'').[5] The proposed rule change was published for comment in the **Federal Register** on August 1, 2017.[6] The Commission has received no comment letters on the proposed rule change.

Section 19(b)(2) of the Act [7] 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

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Phlx Rule 1000(f) requires that all Exchange options transactions be executed in one of the following three ways: (i) [a]utomatically by the [Exchange's Trading System] pursuant to Phlx Rule 1080 and other applicable options rules, (ii) by and among members in the Exchange's options trading crowd none of whom is a floor broker; or (iii) through the Options Floor Broker Management System for trades involving a least one Floor Broker. Phlx rules currently permit four exceptions to Phlx Rule 1000(f)(iii). *See* Rule Rule 1000(f)(iii)(A)–(D).

[4] *See* Phlx Rule 1066(f) (defining multi-leg orders).

[5] The Snapshot functionality would be codified in a new proposed rule, Phlx Rule 1063(e)(v).

[6] *See* Securities Exchange Act Release No. 81230 (July 27, 2017), 82 FR 35858.

[7] 15 U.S.C. 78s(b)(2).

proceedings to determine whether the proposed rule change should be disapproved. The 45th day for this filing is September 15, 2017.

The Commission is extending the 45-day time period for Commission action on the proposed rule change. 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 and take action on the Exchange's proposed rule change.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[8] designates October 30, 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–Phlx–2017–34).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19581 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81569; File No. SR–NYSEAMER–2017–13]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Modify the NYSE American Options Fee Schedule

September 11, 2017.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (the ''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on September 1, 2017, NYSE American LLC (the ''Exchange'' or ''NYSE American'') 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 self-regulatory organization. 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 proposes to modify the NYSE American Options Fee Schedule (''Fee Schedule''). The Exchange proposes to implement the fee change effective September 1, 2017. The proposed change is available on the Exchange's Web site at *www.nyse.com,* at the principal office of the Exchange, 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 self-regulatory organization 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 those 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 parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing is to modify the Fee Schedule, effective September 1, 2017. Specifically, the Exchange proposes to amend the American Customer Engagement (''ACE'') Program to modify various credits offered and to establish certain credits provided depending on the type of Electronic transactions (*e.g.,* whether it is a simple or complex execution). The Exchange also proposes to add ''Simple Order'' to the glossary of defined terms in the Fee Schedule.

Section I.E. of the Fee Schedule describes the Exchange's ACE Program. The ACE Program features a base tier and five higher tiers expressed as a percentage of TCADV[4] and provides two alternative methods by which Order Flow Providers (each an ''OFP'') may receive per contract credits for Electronic Customer volume that the OFP, as agent, submits to the Exchange.[5] The Exchange proposes to modify the qualifications for certain of the tiers.

Currently, an OFP that achieves 0.75% or less of Customer Electronic ADV (''CADV'') as a percent of TCADV falls within the Base Tier and is not eligible to receive ACE Credits. To qualify for Tier 1 or 2, an OFP may achieve a level of CADV that is equal to or greater than certain percentages of the OFP's October 2015 volume (collectively, the ''Step Up'' qualifications):

- For Tier 1, an OFP qualifies by achieving CADV that exceeds October 2015 volume by at least 0.20% to be eligible for a $0.14 per contract credit;
- For Tier 2, the OFP may qualify by achieving CADV that exceeds October 2015 volume by at least 0.35% to be eligible for a $0.18 per contract credit.[6] An OFP that achieves Tier 2 is also eligible to receive a more favorable $0.19 per contract credit on Electronic Customer Complex Orders.[7]

The Exchange proposes to eliminate Step Up qualifications and to instead provide that OFPs may qualify for ACE credits based solely on percentages of monthly TCADV. The Exchange believes this proposed change would provide the opportunity to all Exchange participants to meet the same reasonable, yet meaningful standard to qualify for the ACE Program credits. Thus, as proposed, an OFP that achieves monthly CADV of at least 0.40% would qualify for Tier 1; and an OFP that achieves monthly CADV of greater than 0.75% would qualify for Tier 2.[8] Consistent with the change, the Exchange proposes to modify the Fee Schedule to reflect that an OFP that achieves monthly CADV of less than 0.40% falls within the Base Tier and, as is the case today, would therefore be ineligible for ACE credits.[9]

[8] *Id.*

[9] 17 CFR 200.30–3(a)(31).

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] *See* Fee Schedule, Section I.E., *available here, https://www.nyse.com/publicdocs/nyse/markets/american-options/NYSE_American_Options_Fee_Schedule.pdf. See also* Fee Schedule, Key Terms and Definitions (defining TCADV as ''Total Industry Customer equity and ETF option average daily volume. TCADV includes OCC calculated Customer volume of all types, including Complex Order transactions and QCC transactions, in equity and ETF options'').

[5] The volume thresholds are based on an OFP's Customer volume transacted Electronically as a percentage of total industry Customer equity and ETF options volumes as reported by the Options Clearing Corporation (the ''OCC''). *See* OCC Monthly Statistics Reports, *available here, http://www.theocc.com/webapps/monthly-volume-reports.*

[6] As an alternative to the Step Up qualification basis, an OFP may qualify for Tier 2 (and receive the same $0.18 per contract credit) by achieving greater than 0.75 CADV.

[7] *See* Fee Schedule, Section I.E., n. 1 (providing that the credit for Customer Complex Orders is provided regardless of whether the Complex Order trades against interest in the Complex Order Book or with individual orders and quotes in the Consolidated Book).

[8] *See* proposed Fee Schedule, Section I.E.

[9] The Enhanced Credits are only available to those OFPs who have an Affiliated NYSE American Options Market Making firm or an Appointed MM that has committed to the 1 Year Prepayment Program, Balance of the Year Program, or the 3 Year

Continued

The Exchange also proposes to modify the credits for various Tiers and to set forth separate credits based on transaction type. Currently, the ACE program provides various credits, applied on a per contract basis, on all Customer Electronic executions in Standard Options; the ACE program also offers more favorable credit for electronic Customer Complex Orders to OFPs that achieve Tiers 2, 4 or 5.[10] An OFP may be eligible for enhanced ACE credits based on the Exchange's Prepayment Programs (the ''Enhanced Credits'').[11] The Exchange proposes to modify the ACE Program to reflect differing credits based on the execution of Simple Orders—sometimes referred to by the Exchange as single-leg orders—and to establish ACE credits at each of the five tiers for execution of Complex Orders. In this regard, the Exchange proposes to define a ''Simple Order,'' as ''any order to purchase or sell contracts in a single listed option series'' and to make clear that ''[a] Simple Order is sometimes referred to in NYSE American Rules as a single-leg order (*e.g.,* Rules 928NY and 980NY).'' [12]

As proposed, an OFP that qualifies for Tier 1 would receive a credit of $0.12 per contract on executions of Customer Simple Orders, or, if eligible, an Enhanced Credit of $0.13 per contract. An OFP that qualifies for Tier 1 would receive a credit of $0.19 per contract for executions of Complex Orders,[13] or, if eligible, an Enhanced Credit of $0.20 or $0.21 per contract, respectively, depending on whether the OFP is a participant in the 1- or 3-Year Prepayment Program.

As proposed, an OFP that qualifies for Tier 2 would receive a credit of $0.14 per contract on executions of Customer Simple Orders, or, if eligible, an Enhanced Credit of $0.15 or $0.16 per contract, respectively, depending on whether a participant in the 1- or 3-Year Prepayment Program. The Exchange proposes to offer an OFP that qualifies for Tier 2 the same credits for executions of Complex Orders as is offered to OFPs that achieve Tier 1 (*i.e.,* $0.19 per contract or, if eligible, an Enhanced Credit of $0.20 or $0.21 per contract, respectively, depending on whether the OFP is a participant in the 1- or 3-Year Prepayment Program).

For clarity purposes, the Exchange is proposing to specify ACE credits for Complex Order executions available to an OFP that achieve Tiers 3, 4, or 5, which credits are equivalent to ACE credits currently available to an OFP that achieve these Tiers.

Consistent with the foregoing proposal to differentiate ACE credits for executions in Simple Orders and Complex Orders, the Exchange proposes to modify notes 1 and 2 to Section I.E. (referred to simply as ''note 1'' and ''note 2''). Regarding note 1, the Exchange proposes to remove language made superfluous by these changes (*i.e.,* to delete reference to the $0.19 credit for certain Complex Orders) and to make clear that ''[t]he credit for Customer Complex Order executions will be provided regardless of whether the Complex Order trades against interest in the Complex Order Book or with individual orders and quotes in the Consolidated Book.'' [14] In addition, the Exchange proposes to delete the reference to note 1 that appears solely in Tier 2 and to instead add reference to note 1 in each column of the table setting forth the proposed ACE credit for ''Complex'' executions.[15] To further streamline the Fee Schedule, the Exchange proposes to merge information from note 2 into proposed note 1 (resulting in the deletion of note 2).[16]

The Exchange is also proposing a modification to the calculation of an OFP's Electronic volume. The Exchange would no longer provide overweighting in the calculation for Customer orders that take liquidity. The Exchange believes that eliminating the overweighting of such orders, coupled with the proposed modifications to the ACE credits offered, should incent OFPs to send a variety of different orders to NYSE American Options, including Complex Orders to rest in the Complex Order Book.

The proposed modifications to the ACE Program are designed to further encourage market participants to direct order flow to the Exchange in an effort to achieve the modified (more achievable) qualification thresholds as well as to encourage OFPs to direct Complex Order flow to the Exchange in an effort to qualify for the proposed (more favorable) rebates. To the extent this purposes [sic] is achieved, all Exchange participants would benefit from any additional volume and liquidity through increased opportunities to trade as well as enhancing price discovery.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[17] in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,[18] in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes that the proposed amendments to the ACE Program are reasonable, equitable and not unfairly discriminatory because they would enhance the incentives to OFPs to transact Customer orders on the Exchange, which would benefit all market participants by providing more trading opportunities and tighter spreads, even to those market participants that do not participate in the ACE Program. Additionally, the Exchange believes the proposed changes to the ACE Program are consistent with the Act because they may attract greater volume and liquidity to the Exchange, which would benefit all market participants by providing tighter quoting and better prices, all of which perfects the mechanism for a free and open market and national market system.

Specifically, the Exchange believes that the proposal to eliminate Step Up qualifications (for Tiers 1 and 2) would provide the opportunity to all Exchange participants to meet the same reasonable, yet meaningful standard to qualify for the ACE Program credits. The Exchange believes that the proposed modified qualification thresholds to achieve Tier 1 or 2 are reasonably offset by the slightly reduced credits for an OFP's Simple Order executions. The Exchange believes Tiers 1 and 2, as modified, would encourage market participants to direct order flow (especially Simple Orders) to the Exchange in an effort to achieve the

Prepayment Program, respectively, as described in Section I.D. *See* Fee Schedule, Section I.E.

[10] *See supra* note 7 (regarding more favorable $0.19 credit available for OFPs that achieve Tier 2); *see also* Fee Schedule, Section I.E., n. 2 (regarding more favorable $0.25 per contract credit available for OFPs that achieve Tier 4 or 5, provided the OFP executes more than 0.50% of TCADV in Initiating CUBE Orders in a calendar month).

[11] *See supra* note 9.

[12] *See* proposed Fee Schedule, Key Terms and Definitions.

[13] As noted herein (*see supra* note 7), under Tier 2, the Exchange currently offers a credit of $0.19 per contract for executions of Customer Complex Orders.

[14] *See* proposed Fee Schedule, Section I.E., n. 1.

[15] *See* proposed Fee Schedule, Section I.E.

[16] *See* proposed Fee Schedule, Section I.E., n. 1 (making clear that the potential $0.25 credit available to OFPs that achieve Tiers 4 or 5 (described *supra* at note 10) is an *alternative* more favorable credit to the proposed (base) credits for such OFPs, which range from $0.19–$0.24). OFPs that are eligible for more than one credit will always receive the more favorable credit.

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(4) and (5).

modified (more achievable) qualification thresholds. Further, the proposal to set forth ACE credits for Complex Orders would encourage OFPs that transact Customer Complex Orders to direct this order flow to the Exchange in an effort to qualify for the proposed (more favorable) rebates. The Exchange believes that all Exchange participants would benefit from the any [sic] additional volume and liquidity (resulting from the proposed changes) through increased opportunities to trade as well as enhancing price discovery. To the extent this goal is achieved, the Exchange would improve its overall competitiveness and strengthen its market quality for all market participants. The Exchange notes that other exchanges similarly offer credits for executions of Complex Orders and such credits are therefore not new or novel.[19]

The proposal to define ''Simple Orders,'' in the Fee Schedule is likewise reasonable, equitable and not unfairly discriminatory because it would add clarity and transparency to the Fee Schedule to the benefit of all market participants.

The Exchange believes that the proposal to eliminate the overweighting in the calculation for Customer orders that take liquidity is likewise reasonable, equitable and not unfairly discriminatory because eliminating the overweighting of such orders, coupled with the proposed modifications to the ACE credits offered, should incent OFPs to send a variety of different orders to NYSE American Options, including Complex Orders to rest in the Complex Order Book.

For these reasons, the Exchange believes that the proposal is consistent with the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act,[20] the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes the proposed amendments to the ACE Program are pro-competitive as the changes should encourage OFPs to direct Customer order flow—including Complex Orders—to the Exchange and any resulting increase in volume and liquidity to the Exchange would benefit all Exchange participants through increased opportunities to trade as well as enhancing price discovery. To the extent that this purpose is achieved, this proposal would enhance the quality of the Exchange's markets and increase the volume of contracts traded here. In turn, all the Exchange's market participants would benefit from the improved market liquidity. If the proposed changes make the Exchange a more attractive marketplace for market participants at other exchanges, such market participants are welcome to become ATP Holders. The Exchange notes that other exchanges similarly offer credits for executions of Complex Orders and such credits are not new or novel and would allow the Exchange to better compete with other options exchanges.[21]

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)[22] of the Act and subparagraph (f)(2) of Rule 19b–4[23] thereunder, because it establishes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of the filing of such 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 shall institute proceedings under Section 19(b)(2)(B)[24] of the Act 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–NYSEAMER–2017–13 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–NYSEAMER–2017–13. 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

[19] *See* MIAX Options fee schedule, Section 1.a.ii. (Priority Customer Rebate Program), *available here, https://www.miaxoptions.com/sites/default/files/fee_schedule-files/MIAX_Options_Fee_Schedule_08072017.pdf* (offering per contracts credits ranging from $0.21–$0.25 for complex orders). *See also* The Chicago Board Options Exchange, Inc. (''CBOE'') fee schedule, Volume Incentive Program, at p. 3, *available here, http://www.cboe.com/publish/feeschedule/CBOEFeeSchedule.pdf* (offering per contracts credits ranging from $0.20–$0.25 for complex orders).

[20] 15 U.S.C. 78f(b)(8).

[21] *See supra* note 19.

[22] 15 U.S.C. 78s(b)(3)(A).

[23] 17 CFR 240.19b–4(f)(2).

[24] 15 U.S.C. 78s(b)(2)(B).

available publicly. All submissions should refer to File Number SR–NYSEAMER–2017–13, and should be submitted on or before October 6, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19584 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–81572; File No. SR–FINRA–2017–025]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Order Approving a Proposed Rule Change Relating to the Definition of Non-Public Arbitrator

September 11, 2017.

I. Introduction

On July 10, 2017, Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend FINRA Rule 12100 of the Code of Arbitration Procedure for Customer Disputes (''Customer Code'') and FINRA Rule 13100 of the Code of Arbitration Procedure for Industry Disputes (''Industry Code'' and, together with the Customer Code, ''Codes''). The proposed rule change would permit any person who is disqualified from service as a public arbitrator, but otherwise qualified to serve as an arbitrator, to serve as a non-public arbitrator.

The proposed rule change was published for comment in the **Federal Register** on July 28, 2017.[3] The public comment period closed on August 18, 2017. The Commission received four comment letters in response to the Notice, all of which supported the proposed rule change.[4] On August 30, 2017, FINRA responded to the comment letters received in response to the Notice.[5] This order approves the proposed rule change.

II. Description of the Proposed Rule Change[6]

FINRA classifies arbitrators under the Codes as either ''non-public'' or ''public.'' The non-public arbitrator definition lists affiliations that might qualify a person to serve as a non-public arbitrator at the forum.[7] Conversely, the public arbitrator definition describes criteria that disqualify an applicant from inclusion on the public arbitrator roster.[8]

In 2015, the Commission approved amendments to the definitions of non-public arbitrator and public arbitrator in the Codes (''2015 amendments'').[9] Among other things, the 2015 amendments: (i) Provided that persons who worked in the financial industry for any duration during their careers would always be classified as non-public arbitrators; (ii) added new disqualifications to the public arbitrator definition relating to an arbitrator's provision of services to parties in securities arbitration and litigation and to revenues earned from the financial industry by an arbitrator's co-workers; and (iii) broadened the disqualifications to the public arbitrator definition based on the activities or affiliations of an arbitrator's family members.[10]

Under the definitions as revised by the 2015 amendments, the non-public arbitrator roster is composed of individuals who work, or worked, in the financial industry, or provide services to the financial industry or to parties engaged in securities arbitration and litigation. The public arbitrator roster is composed of individuals who do not have any significant affiliation with the financial industry. The public arbitrators have never been employed by the financial industry, do not provide services to the financial industry or to parties engaged in securities arbitration and litigation, and do not have immediate family members or co-workers who do so.[11]

However, FINRA believes that the 2015 amendments to the arbitrator definitions also created an ''eligibility gap'' whereby certain otherwise qualified arbitrators[12] could not serve in any capacity. For example, FINRA states that over 800 public arbitrators were disqualified from the public arbitrator roster under the revised public arbitrator definition. More than 100 of these disqualified arbitrators did not meet any of the criteria outlined in the non-public arbitrator definition for service on the non-public arbitrator roster. Accordingly, FINRA completely removed them from its arbitrator rosters.[13] In addition, FINRA stated that due to the 2015 amendments it had to reject over 140 arbitrator applicants in 2016 who otherwise met FINRA's minimum arbitrator qualifications.[14]

Therefore, FINRA is proposing to amend Rules 12100(r) in the Customer Code and 13100(r) in the Industry Code to delete the specific criteria for inclusion on the non-public arbitrator roster. Specifically, the proposed rule would provide that the term ''non-public arbitrator'' means a person who is otherwise qualified to serve as an arbitrator, and is disqualified from service as a public arbitrator. Accordingly, the proposed rule change would allow FINRA to appoint individuals who cannot be classified as public arbitrators to the non-public arbitrator roster if they meet FINRA's general arbitrator qualification criteria.[15]

III. Comment Summary

As noted above, the Commission received four comment letters on the proposed rule change, all of which supported the proposal.[16] All four commenters believe that the proposal would expand the pool of arbitrators and provide greater choice of non-public arbitrators for parties during the panel selection process.[17] One

[25] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Exchange Act Release No. 81196 (July 24, 2017), 82 FR 35248 (July 28, 2017) (File No. SR–FINRA–2017–025) (''Notice'').

[4] *See* Letters from Steven B. Caruso, Maddox Hargett Caruso, P.C., dated July 24, 2017 (''Caruso Letter''); Glenn S. Gitomer, McCausland Keen + Buckman, dated August 14, 2017 (''Gitomer Letter''); Jill Gross, Professor of Law and Former Director, and Elissa Germaine, Supervising Attorney, Adjunct Professor of Law, and Director, Pace Law School's Investor Rights Clinic, dated August 17, 2017 (''Pace Letter''); Marnie C. Lambert, President, Public Investors Arbitration Bar Association (''PIABA''), dated August 18, 2017 (''PIABA Letter''). Comment letters are available at *https://www.sec.gov.*

[5] *See* Letter from Margo A. Hassan, Associate Chief Counsel, FINRA, to Brent J. Fields, Secretary, U.S. Securities and Exchange Commission, dated August 30, 2017 (''FINRA Letter''). The FINRA Letter is available on FINRA's Web site at *http://www.finra.org,* at the principal office of FINRA, at the Commission's Web site at *https://www.sec.gov,* and at the Commission's Public Reference Room.

[6] The subsequent description of the proposed rule change is substantially excerpted from FINRA's description in the Notice. *See* Notice, 82 FR at 35249.

[7] *See* FINRA Rules 12100(r) and 13100(r).

[8] *See* FINRA Rules 12100(y) and 13100(x).

[9] *See* Exchange Act Rel. No. 74383 (Feb. 26, 2015), 80 FR 11695 (Mar. 4, 2015) (File No. SR–FINRA–2014–028) (''2015 Order'').

[10] *See id.* (stating that ''the intent of the proposed rule change was to address concerns about arbitrator neutrality raised by forum users'').

[11] *See* 2015 Order.

[12] Unless waived by FINRA at its discretion, arbitrator applicants must have a minimum of five years of paid business and/or professional experience and at least two years of college-level credits. Qualification criteria can be found at *http://www.finra.org/arbitration-and-mediation/finra-arbitrators. See* Notice, 82 FR at note 6.

[13] *See* Notice, 82 FR at 35249.

[14] *Id.*

[15] *Id.*

[16] *See supra* note 4.

[17] *Id.*

commenter stated that the proposal represents ''a fair, equitable and reasonable approach that would facilitate the fairness and efficiency of the participant experience in the FINRA arbitration forum.'' [18] Another commenter stated that expanding the pool of available arbitrators ''translates to greater party control over the process, [which] increases parties[']' perceptions of the fairness of the forum.'' [19] Similarly, another commenter stated that ''having as many qualified, fair, and neutral arbitrators as possible will help advance the integrity of the arbitration process.'' [20]

In addition to supporting the proposed rule change, two of these commenters also recommended additional changes to the FINRA arbitration forum designed to ''ensure a fair and efficient arbitration pool.'' [21]

One commenter recommended that FINRA consider simplifying the definition of ''public arbitrator'' [22] in the Codes, which the commenter thinks is ''also too complicated.'' [23] In its response, FINRA stated that in 2016 it did reconsider its definition of ''public arbitrator'' in the Codes but determined not to change it.[24]

The second commenter recommended that FINRA amend its policies to lower or eliminate certain educational requirements for individuals to become arbitrators.[25] Currently, unless waived, by FINRA, arbitrators must have at least two years of college-level credits in order to become an arbitrator.[26] The commenter believes that ''[w]hether someone has taken college-level courses does not necessarily mean that such person cannot grasp the concepts being discussed and considered during the arbitration process.'' [27] Alternatively, the commenter thinks that one's ability to understand and pass FINRA's arbitrator training course is sufficient to qualify as an arbitrator.[28] In its response, FINRA highlighted that it has authority to waive the educational requirement in light of, for example, a candidate's number of years of employment and type of employment (*e.g.,* his or her field of employment and his or her positions held). Notwithstanding its discretion to waive the education requirement, FINRA consulted the subcommittee responsible for reviewing the arbitrator application [29] on the commenter's recommendation for its input.[30] Based on these factors, FINRA did not agree to revise the proposal at this time.[31]

The second commenter also recommended that FINRA continue its efforts to address arbitrator demographic issues.[32] In particular, the commenter recommended that FINRA continue recruiting new arbitrators to ''help increase the diversity of the pool.'' [33] Similarly, this commenter recommended that FINRA continue recruiting public arbitrators in small and mid-sized cities in order to expand the pool of public arbitrators from which parties in these areas of the country can make their selections.[34] The commenter stated that ''many constituents of FINRA arbitration . . . have had concerns about the number of . . . arbitrators who are selected to serve in the arbitrator pool outside of their nearest arbitrator site[.]'' [35] The commenter claims that these ''traveling arbitrators'' create scheduling issues that delay the arbitration process and ''may not understand a neighboring state's laws and procedures as much as a local arbitrator.'' [36]

In its response, FINRA stated that it ''has been actively recruiting new arbitrators, [especially in] locations with the greatest need.'' [37] FINRA also agreed, however, that it should ''continue [its efforts] to increase its public arbitrator pool.'' [38] In this regard, FINRA identified its recruiting methods, including, among other things, starting a program in which current FINRA arbitrators actively recruit arbitrator candidates, hiring national recruiters, utilizing social media platforms to circulate formal recruitment videos, focusing recruitment efforts in locations where public arbitrators are most needed, and targeting organizations to improve the diversity of its pool, such as women-focused groups and LGBTQ communities.[39] As a result of these methods, FINRA identified the improvements in recruiting that it has made since the 2015 amendment, including increasing the total number of public arbitrators and increasing both the percentage of new arbitrators who are women and the percentage of new applicants who are African-American.[40]

FINRA also stated, however, that notwithstanding its efforts to minimize the commenter's concerns about ''traveling arbitrators,'' FINRA uses arbitrators in neighboring hearing locations to expand arbitrator pools in other locations, as needed. FINRA believes that this option is necessary to ''ensure an effective ratio of available arbitrators to open cases in each location.'' [41]

IV. Discussion and Commission Findings

After careful review of the proposed rule change, the comment letters, and FINRA's response, the Commission finds that the proposal is consistent with the requirements of the Exchange Act and the rules and regulations thereunder that are applicable to a national securities association.[42] Specifically, the Commission finds that the proposed rule change is consistent with Section 15A(b)(6) of the Exchange Act,[43] which requires, among other things, that FINRA rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest.

The Commission agrees with FINRA that amending the definition of public arbitrator as proposed would provide greater choice for parties to an arbitration to choose a panel. As stated in the Notice, the 2015 amendments to

[18] Caruso Letter.

[19] Pace Letter.

[20] PIABA Letter.

[21] PIABA Letter; *see also* Pace Letter.

[22] *See supra* note 8.

[23] Pace Letter.

[24] *See* FINRA Letter; *see also* Notice at 82 FR 35249 (stating that the intent of the proposed rule change was to address concerns about arbitrator neutrality raised by forum users. For example, ''prior to the 2015 amendments, the Codes, with specified exceptions, permitted former financial industry employees who ended their industry affiliations to qualify as public arbitrators five years after leaving the financial industry. Forum users raised concerns about the neutrality of these individuals, and indicated that they did not believe former industry employees should ever serve as public arbitrators. In response to these concerns, the 2015 amendments eliminated the five-year cooling-off period, thereby classifying all former financial industry employees as non-public arbitrators'').

[25] *See* PIABA Letter.

[26] *See supra* note 12.

[27] PIABA Letter.

[28] *See id.*

[29] The Neutral Roster Subcommittee of the National Arbitration and Mediation Committee.

[30] *See* FINRA Letter.

[31] *Id.*

[32] *See* PIABA Letter.

[33] PIABA Letter.

[34] *See* PIABA Letter.

[35] PIABA Letter.

[36] *Id.*

[37] FINRA Letter.

[38] *Id.*

[39] *See* FINRA Letter.

[40] *See* FINRA Letter (stating that ''[FINRA r]ecruitment efforts since July 2015 added approximately 596 arbitrators to the public arbitrator roster. . . . FINRA's latest arbitrator demographic survey . . . showed that FINRA had particular success in adding women and African-Americans to the roster. In 2016, 33 percent of the arbitrators added were women and 14 percent were African-American. This represents an important improvement from the 2015 survey results which showed that 26 percent of arbitrators added were women and four percent were African-American'').

[41] FINRA Letter at note 2.

[42] In approving this rule change, the Commission has considered the rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[43] 15 U.S.C. 78o–3(b)(6).

the definitions of public and non-public arbitrators disqualified over 100 existing arbitrators from service at the FINRA forum and caused FINRA to reject over 140 prospective arbitrators in 2016.[44] FINRA stated that the disqualified arbitrators and rejected applicants would otherwise have met FINRA's minimum arbitrator qualifications.[45] The Commission agrees with FINRA and the commenters that the proposal amending the definition of non-public arbitrator would permit FINRA to admit these otherwise qualified individuals to its roster of arbitrators thus expanding parties' choice or arbitrators.[46]

In addition, the Commission agrees with FINRA that the proposed rule change will not result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Exchange Act. In the Notice, FINRA stated that it proposed the 2015 amendments to remove certain individuals from the public arbitrator roster and not to prevent these individuals from serving in any capacity. As stated above, however, the 2015 amendments resulted in the exclusion of formerly qualified arbitrators and prospective arbitrators from the FINRA roster entirely. The proposed rule change would permit these previously eligible persons to again serve as non-public arbitrators. The Commission agrees with FINRA's conclusion that increasing the number of qualified arbitrators benefits all parties who come before the forum because it ''may reduce costs that arise due to an insufficient pool of qualified arbitrators such as the costs associated with arbitrators traveling from other hearing locations.'' [47] The Commission also believes that ''the proposal would impose no direct or indirect costs on persons previously eliminated from acting as arbitrators, new candidates for arbitrator, or parties accessing the forum'' [48] because previously eliminated arbitrators will be reinstated [49] and any prospective applicant must invest the same cost to apply to be an arbitrator notwithstanding the definitions of public and non-public arbitrator.

To note, the Commission additionally recognizes that the FINRA Dispute Resolution Task Force (''Task Force'') recommended that FINRA ''monitor the application of the [2015 amended definitions of public and non-public arbitrators] in light of concerns that individuals with substantial process and subject matter expertise are stricken from the list of public arbitrators.'' [50] The proposed rule change responds to the Task Force's concerns.[51]

The Commission also acknowledges that the commenters' unanimously supported the proposal [52] and recognizes commenters' recommendations to make additional changes to the FINRA arbitration forum designed to ''ensure a fair and efficient arbitration pool.'' [53] However, those recommendations are outside the scope of this proposal.

With regard to one commenter's suggestion that FINRA also simplify the definition of public arbitrator,[54] the Commission acknowledges FINRA's response that it weighed, and decided against, amending the public arbitrator definition so soon after amending it in 2015.[55]

With regard to another commenter's recommendations to amend FINRA policies to lower or eliminate its educational requirements for individuals to become arbitrators, the Commission acknowledges an individual's educational history is not necessarily determinative of his or her ability to serve as an arbitrator.[56] However, the Commission also acknowledges that while the existing educational requirement sets a presumptive minimum threshold that may exclude otherwise appropriate candidates, FINRA has the authority to waive the requirement based on a candidate's overall experience.[57] The Commission believes that FINRA's policies setting the minimum credentials for its arbitrators along with FINRA's authority to waive those minimums appropriately balance FINRA's interest in recruiting arbitrators while maintaining the integrity of its arbitration forum.

The Commission also acknowledges this commenter's request for FINRA to recruit new arbitrators to expand the pool of public arbitrators in small and mid-sized cities from which parties can make their selections.[58] In particular, the Commission acknowledges the commenter's concern that selecting arbitrators to serve in an arbitrator pool outside of their nearest arbitrator site can create scheduling issues that delay the arbitration process.[59] The Commission also acknowledges, however, the ongoing recruitment efforts that FINRA has established and continues to employ in order to achieve this goal. In particular, the Commission notes FINRA's efforts to actively recruit new arbitrators in ''locations with the greatest need.'' [60] For example, FINRA cites its 2017 recruitment efforts in Birmingham, Phoenix, Orlando, Las Vegas, Portland, Philadelphia, and Dallas—''smaller locations where public arbitrators are most needed.'' [61]

In addition, the Commission acknowledges the commenter's recommendation that FINRA continue its efforts to recruit new arbitrators in general to create a more diverse overall pool of arbitrators.[62] The Commission also acknowledges the steps that FINRA has taken to help meet this goal. For instance, FINRA stated that it has started a program in which current FINRA arbitrators actively recruit arbitrator candidates, hired national recruiters, and utilized social media platforms to circulate formal recruitment videos.[63] In addition, FINRA stated that it has focused its recruitment efforts on demographics that are less represented in the current arbitrator pool, targeting women-focused groups and LGBTQ communities.[64] Moreover, the Commission acknowledges the advances that FINRA has made in improving the diversity of its arbitrator pool.[65] In its response, FINRA identified the improvements in recruiting that it has made since the 2015 amendments, including increasing the total number of public arbitrators and increasing the

[44] *See supra* notes 13 and 14.

[45] *Id.*

[46] *See* Caruso Letter, Gitomer Letter, Pace Letter, PIABA Letter, and FINRA Letter.

[47] Notice, 82 FR at 35249–35250; *see* Caruso Letter, Gitomer Letter, Pace Letter, and PIABA Letter.

[48] Notice, 82 FR at 35250.

[49] Telephone conversation between Kenneth L. Andrichik, Senior Vice President, FINRA Office of Dispute Resolution, and Daniel Fisher, Branch Chief, Division of Trading and Markets, Commission, on September 8, 2017.

[50] FINRA Dispute Resolution Task Force, *Final Report and Recommendations of the FINRA Dispute Resolution Task Force* (dated December 16, 2015) at page 17, available at *http://www.finra.org/sites/default/files/Final-DR-task-force-report.pdf* (''Task Force Report'').

In July 2014, FINRA formed the Task Force to ''suggest strategies to enhance the transparency, impartiality, and efficiency of FINRA's securities dispute resolution forum for all participants.'' FINRA News Release, FINRA Announces Arbitration Task Force (dated July 17, 2014), available at *http://www.finra.org/newsroom/2014/finra-announces-arbitration-task-force.*

[51] *See* Status Report on FINRA Dispute Resolution Task Force Recommendations (dated February 8, 2017) at page 2, available at *https://www.finra.org/sites/default/files/DR_task_report_status_020817.pdf.*

[52] *See supra* note 4.

[53] PIABA Letter; *see* Pace Letter.

[54] *See* Pace Letter.

[55] *See* FINRA Letter.

[56] *See* PIABA Letter.

[57] *See supra* note 12; *see also* FINRA Letter.

[58] *See* PIABA Letter.

[59] *Id.*

[60] FINRA Letter.

[61] *Id.*

[62] *See* PIABA Letter.

[63] *See* FINRA Letter.

[64] *Id.*

[65] *Id.*

percentage of new arbitrators who are women and the percentage of new arbitrators who are African-Americans.[66]

Taking into consideration the comments and FINRA's responses, the Commission believes that the proposal is consistent with the Exchange Act. The Commission believes that the proposal will help protect investors and the public interest by, among other things, increasing the size and diversity of the FINRA arbitrator pool from which parties can select a panel. The Commission believes that expanding investor choice in the arbitrator selection process improves efficiency and enhances the integrity of the forum. In addition, the Commission believes that FINRA's response to commenters, as discussed in more detail above, appropriately addressed their concerns and adequately explained FINRA's reasons for declining to modify its proposal. Accordingly, the Commission believes that the approach proposed by FINRA is appropriate and designed to protect investors and the public interest, consistent with Section 15A(b)(6) of the Exchange Act and the rules and regulations thereunder.

V. Conclusion

It is therefore ordered pursuant to Section 19(b)(2) of the Exchange Act [67] that the proposal (SR–FINRA–2017–025), be and hereby is approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[68]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19582 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33–10412; 34–8158; File No. 265–28]

Investor Advisory Committee Meeting

AGENCY: Securities and Exchange Commission.

ACTION: Notice of meeting of Securities and Exchange Commission Dodd-Frank Investor Advisory Committee.

SUMMARY: The Securities and Exchange Commission Investor Advisory Committee, established pursuant to Section 911 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, is providing notice that it will hold a public meeting. The public is invited to submit written statements to the Committee.

DATES: The meeting will be held on Thursday, October 12, 2017 from 9:30 a.m. until 3:10 p.m. (ET). Written statements should be received on or before October 12, 2017.

ADDRESSES: The meeting will be held in Multi-Purpose Room LL–006 at the Commission's headquarters, 100 F Street NE., Washington, DC 20549. The meeting will be webcast on the Commission's Web site at *www.sec.gov.* Written statements may be submitted by any of the following methods:

Electronic Statements

- Use the Commission's Internet submission form (*http://www.sec.gov/rules/other.shtml*); or
- Send an email message to *rules-comments@sec.gov.* Please include File No. 265–28 on the subject line; or

Paper Statements

- Send paper statements to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File No. 265–28. This file number should be included on the subject line if email is used. To help us process and review your statement more efficiently, please use only one method.

Statements also will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Room 1503, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. All statements received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

FOR FURTHER INFORMATION CONTACT: Marc Oorloff Sharma, Chief Counsel, Office of the Investor Advocate, at (202) 551–3302, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public, except during that portion of the meeting reserved for an administrative work session during lunch. Persons needing special accommodations to take part because of a disability should notify the contact person listed in the section above entitled **FOR FURTHER INFORMATION CONTACT**.

The agenda for the meeting includes: Remarks from Commissioners; a discussion regarding blockchain and other distributed ledger technology and implications for securities markets; an overview of law school clinic advocacy efforts on behalf of retail investors; a discussion regarding electronic delivery of information to retail investors (which may include a recommendation of the Investor as Purchaser Subcommittee); subcommittee reports; and a nonpublic administrative work session during lunch.

Dated: September 12, 2017.

Brent J. Fields,

Secretary.

[FR Doc. 2017–19674 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 32813; 812–14780]

Innovator ETFS Trust and Innovator Capital Management, LLC

September 11, 2017.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice.

Notice of an application under section 6(c) of the Investment Company Act of 1940 (''Act'') for an exemption from section 15(a) of the Act and rule 18f–2 under the Act. The requested exemption would permit an investment adviser to hire and replace certain subadvisers without shareholder approval.

APPLICANTS: Innovator ETFS Trust (the ''Trust''), a Delaware statutory trust registered under the Act as an open-end management investment company, and Innovator Capital Management, LLC, a Delaware limited liability company registered as an investment adviser under the Investment Advisers Act of 1940 (the ''Adviser'' or ''Innovator'' and, collectively with the Trust, the ''Applicants'').

FILING DATES: The application was filed on June 7, 2017 and amended on September 8, 2017.

HEARING OR NOTIFICATION OF HEARING: An order granting the application 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 October 5, 2017 and should be accompanied by proof of service on the 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,

[66] *Id.*

[67] 15 U.S.C. 78s(b)(2).

[68] 17 CFR 200.30–3(a)(12).

any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090. Applicants: H. Bruce Bond, Innovator Capital Management, LLC, 120 N. Hale Street, Suite 200, Wheaton, Illinois 60187.

FOR FURTHER INFORMATION CONTACT: Barbara T. Heussler, Senior Counsel, at (202) 551–6990, or Andrea Ottomanelli Magovern, Acting 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 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. The Adviser serves as the investment adviser to the Funds pursuant to investment advisory agreements with the Trust on behalf of each Fund (collectively, the ''Advisory Agreements'').[1] The Adviser is responsible for the overall management of the Funds' business affairs and selecting investments according to the Funds' investment objectives, policies, and restrictions, subject to the authority of the board of trustees of the Trust (''Board''). The Advisory Agreements permit the Adviser, subject to the approval of the Board, to delegate to one or more unaffiliated subadvisers (each, a ''Subadviser'' and collectively, the ''Subadvisers'') the responsibility to provide the day-to-day portfolio investment management of each Fund, subject to the supervision and direction of the Adviser. The primary responsibility for managing the Funds will remain vested in the Adviser. The Adviser will hire, evaluate, allocate assets to and oversee the Subadvisers, including determining whether a Subadviser should be terminated, at all times subject to the authority of the Board.

2. Applicants request an exemption to permit the Adviser, subject to Board approval, to hire certain Subadvisers pursuant to Subadvisory Agreements and materially amend existing Subadvisory Agreements without obtaining the shareholder approval required under section 15(a) of the Act and rule 18f–2 under the Act.[2]

3. Applicants agree that any order granting the requested relief will be subject to the terms and conditions stated in the application.[3] Such terms and conditions provide for, among other safeguards, appropriate disclosure to Fund shareholders and notification about subadvisory changes and enhanced Board oversight to protect the interests of the Funds' shareholders.

4. Section 6(c) 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 provisions of the Act, or any rule thereunder, if such relief is necessary or appropriate in the public interest and consistent with the protection of investors and purposes fairly intended by the policy and provisions of the Act. Applicants believe that the requested relief meets this standard because, as further explained in the application, the Advisory Agreements will remain subject to shareholder approval, while the role of the Subadvisers is substantially similar to that of individual portfolio managers, so that requiring shareholder approval of Subadvisory Agreements would impose unnecessary delays and expenses on the Funds.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–19577 Filed 9–14–17; 8:45 am]

BILLING CODE 8011–01–P

[1] Applicants request relief with respect to any existing or future series of the Trust and any other existing or future registered open-end management investment company or series thereof that: (a) Is advised by the Adviser or its successors, including any entity controlling, controlled by, or under common control with the Adviser or its successors (each, also an ''Adviser''); (b) uses the manager of managers structure described in the application; and (c) complies with the terms and conditions of the application (any such series, a ''Fund'' and collectively, the ''Funds''). For purposes of the requested order, ''successor'' is limited to an entity that results from a reorganization into another jurisdiction or a change in the type of business organization.

[2] The requested relief will not extend to any subadviser that is an affiliated person, as defined in section 2(a)(3) of the Act, of the Trust, a Fund or the Adviser, other than by reason of serving as a subadviser to one or more of the Funds.

[3] Prior to May, 2017, Innovator Management LLC (''Innovator Management'') served as the Funds' investment adviser. (Innovator and Innovator Management are not affiliated persons of each other.) Innovator Management entered into an agreement with Innovator pursuant to which Innovator Management transferred the assets of its investment advisory business and related intellectual property to Innovator (the ''Transaction''). The closing of the Transaction (the ''Closing'') occurred on May 9, 2017. The Commission previously granted relief to Innovator Management and the Trust that, other than the identity of the investment adviser, was identical in all material respects to that requested in the Application. Academy Funds Trust and Innovator Management LLC, Investment Company Act Release Nos. 31679 (June 17, 2015)(notice) and 31711 (July 9, 2015)(order) (''Existing Order''). On May 5, 2017, the Commission staff provided oral no-action relief to Innovator and the Trust to rely on the Existing Order until the earlier of the receipt of any order granted by the Commission on the Application or 150 days from the date of the Closing.

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15302 and #15303; Florida Disaster Number FL–00130]

Presidential Declaration of a Major Disaster for the State of Florida

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for the State of Florida (FEMA–4337–DR), dated September 10, 2017.

DATES: Issued on 09/10/2017.

Physical Loan Application Deadline Date: 11/09/2017.

Economic Injury (EIDL) Loan Application Deadline Date: 06/11/2018.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 09/10/2017, applications for disaster loans may be filed at the address listed above or other locally announced locations.

Incident: Hurricane Irma.

Incident Period: 09/04/2017 and continuing.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Charlotte, Collier, Hillsborough, Lee, Manatee, Miami-Dade, Monroe, Pinellas, Sarasota.

Contiguous Counties (Economic Injury Loans Only):

Florida: Broward, Desoto, Glades, Hardee, Hendry, Highlands, Pasco, Polk.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	3.500
Homeowners without Credit Available Elsewhere	1.750
Businesses with Credit Available Elsewhere	6.610
Businesses without Credit Available Elsewhere	3.305
Non-Profit Organizations with Credit Available Elsewhere	2.500
Non-Profit Organizations without Credit Available Elsewhere	2.500
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	3.305
Non-Profit Organizations without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 153028 and for economic injury is 153030.

(Catalog of Federal Domestic Assistance Number 59008)

James E. Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2017–19569 Filed 9–14–17; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15298 and #15299; PUERTO RICO Disaster Number PR–00029]

Presidential Declaration of a Major Disaster for the Commonwealth of Puerto Rico

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for the Commonwealth of Puerto Rico (FEMA–4336–DR), dated 09/10/2017.

Incident: Hurricane Irma.

Incident Period: 09/05/2017 and continuing.

DATES: Issued on 09/10/2017.

Physical Loan Application Deadline Date: 11/09/2017.

Economic Injury (EIDL) Loan Application Deadline Date: 06/11/2018.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 09/10/2017, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Culebra, Vieques

Contiguous Counties (Economic Injury Loans Only):

None

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	3.500
Homeowners without Credit Available Elsewhere	1.750
Businesses with Credit Available Elsewhere	6.610
Businesses without Credit Available Elsewhere	3.305
Non-Profit Organizations with Credit Available Elsewhere	2.500
Non-Profit Organizations without Credit Available Elsewhere	2.500
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	3.305
Non-Profit Organizations without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 152988 and for economic injury is 152990.

(Catalog of Federal Domestic Assistance Number 59008)

James E. Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2017–19573 Filed 9–14–17; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15300 and #15301; PUERTO RICO Disaster Number PR–00030]

Presidential Declaration of a Major Disaster for Public Assistance Only for the Commonwealth of Puerto Rico

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the Commonwealth of Puerto Rico (FEMA–4336–DR), dated 09/10/2017.

Incident: Hurricane Irma.

Incident Period: 09/05/2017 and continuing.

DATES: Issued on 09/10/2017.

Physical Loan Application Deadline Date: 11/09/2017.

Economic Injury (EIDL) Loan Application Deadline Date: 06/11/2018.

ADDRESS: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 09/10/2017, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Culebra, Vieques

The Interest Rates are:

	Percent
For Physical Damage:	
Non-Profit Organizations with Credit Available Elsewhere	2.500
Non-Profit Organizations without Credit Available Elsewhere	2.500
For Economic Injury:	
Non-Profit Organizations without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 153008 and for economic injury is 153010.

(Catalog of Federal Domestic Assistance Number 59008)

James E. Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2017–19572 Filed 9–14–17; 8:45 am]

BILLING CODE 8025–01–P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA–2017–0007]

Social Security Ruling, SSR 17–3p; Titles II and XVI: Evaluating Cases Involving Sickle Cell Disease (SCD)

AGENCY: Social Security Administration.

ACTION: Notice of Social Security Ruling (SSR).

SUMMARY: We are providing notice of SSR 17–3p. This SSR provides guidance on SCD and how we evaluate SCD in disability claims under titles II and XVI of the Social Security Act.

DATES: This SSR is applicable on September 15, 2017.

FOR FURTHER INFORMATION CONTACT: Cheryl A. Williams, Office of Disability Policy, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, (410) 965–1020. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at *http://www.socialsecurity.gov.*

SUPPLEMENTARY INFORMATION: Although 5 U.S.C. 552(a)(1) and (a)(2) do not require us to publish this SSR, we are doing so in accordance with 20 CFR 402.35(b)(1).

Through SSRs, we make available to the public precedential decisions relating to the Federal old-age, survivors, disability, supplemental security income, and special veterans' benefits programs. We may base SSRs on determinations or decisions made at all levels of administrative adjudication, Federal court decisions, Commissioner's decisions, opinions of the Office of the General Counsel, or other interpretations of the law and regulations.

Although SSRs do not have the same force and effect as statutes or regulations, they are binding on all components of the Social Security Administration. 20 CFR 402.35(b)(1).

This SSR will remain in effect until we publish a notice in the **Federal Register** that rescinds it, or until we publish a new SSR that replaces or modifies it.

(Catalog of Federal Domestic Assistance, Programs Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006—Supplemental Security Income.)

Nancy A. Berryhill,

Acting Commissioner of Social Security.

Policy Interpretation Ruling

Titles II and XVI: Evaluating Cases Involving Sickle Cell Disease (SCD)

Purpose: This Social Security Ruling (SSR) provides background information on SCD and how we evaluate SCD during our adjudication process. We provide this guidance to help adjudicators consistently apply our policies in disability claims involving SCD.

Citations: Sections 216(i), 223(d), 223(f), 1614(a)(3) and 1614(a)(4) of the Social Security Act, as amended; Regulations No. 4, subpart P, sections 404.1502, 404.1505, 404.1509, 404.1512, 404.1513, 404.1520, 404.1520a, 404.1520b, 404.1521, 404.1522, 404.1523, 404.1525, 404.1526, 404.1529, 404.1545, 404.1560–404.1569a, 404.1593, 404.1594, appendices 1 and 2; and Regulations No. 16, subpart I, sections 416.902, 416.905, 416.906, 416.909, 416.911, 416.912, 416.913, 416.920, 416.920a, 416.920b, 416.921, 416.922, 416.923, 416.924, 416.924a, 416.925, 416.926, 416.926a, 416.929, 416.945, 416.960–416.969a, 416.987, 416.993, 416.994, and 416.994a.

Introduction

SCD is the most common inherited blood disease in the United States, affecting an estimated 100,000 Americans.[1] SCD is not always easy to evaluate due to its varying nature and complications. In this SSR, we provide basic information about SCD and its variants and clarify that sickle cell trait is not a variant of SCD. We also provide guidance for assessing SCD under the hematological disorder listings and determining how this impairment may affect the residual functional capacity finding for adults and the functional equivalence finding for children.

Policy Interpretation

We consider all medical evidence when we evaluate a claim for disability benefits. The following information is in a question and answer format that provides guidance about SCD and how to consider evidence regarding this impairment. Questions 1 and 2 provide basic background information about SCD and its variants. Question 3 clarifies that sickle cell trait is not a variant of SCD. Question 4 discusses the complications and symptoms of SCD. Questions 5 through 7 explain how adjudicators should evaluate SCD at various points of the adjudication process, including the adult and child hematological listings we consider.

List of Questions

1. What is SCD?
2. What are the different variants of SCD?
3. Is sickle cell trait a variant of SCD?
4. What are the common complications and symptoms of SCD?
5. How do we evaluate the complications of SCD under the hematological disorder listings?
6. How do we evaluate the complications of SCD when assessing residual functional capacity (RFC) for adults?
7. How do we evaluate the complications of SCD under functional equivalence for children?

Answers

1. What is SCD?

SCD is a type of hemolytic anemia and an inherited hematological disorder that affects the hemoglobin within a person's red blood cells (RBC). Hemoglobin is the protein within RBC that carries oxygen. The abnormal hemoglobin makes the RBC more prone to distortion (''sickling''), which results in blocked blood vessels and a shortened RBC lifespan. Hemolytic anemia results when the abnormal RBC are destroyed faster than the body can produce them.

When hemoglobin is normal, a person's RBC are round and easily travel through blood vessels, bringing oxygen to the body's organs and tissues. SCD causes sickle-shaped RBC that are not flexible and can stick to vessel walls, causing blockages (vaso-occlusion) that slow or stop the flow of blood and oxygen. This blockage may in turn cause pain. Persons with SCD are predisposed to pain, infection, and other complications. Because people inherit SCD, the disease is present at birth, but the age when children display symptoms varies.[2]

2. What are the different variants of SCD?

The different variants of SCD may indicate the severity of complications and the resulting functional limitations caused by SCD. Laboratory blood tests such as hemoglobin electrophoresis establish the existence and the variants

[1] See Centers for Disease Control and Prevention, ''Sickle Cell Disease.'' (*https://www.cdc.gov/ncbddd/sicklecell/data.html.*)

[2] See National Heart, Lung, and Blood Institute, ''What Are the Signs and Symptoms of Sickle Cell Disease?'' (*https://www.nhlbi.nih.gov/health/health-topics/topics/sca*). Health problems usually do not appear until an infant is around 5 to 6 months of age.

of SCD. The following are the most common variants of SCD: [3]

• *Hemoglobin (Hb) SS (HbSS)*—a person with this form of SCD inherits one sickle cell gene from each parent. HbSS is the most common and usually most severe form of SCD.

• *HbSC*—a person inherits one sickle cell gene from one parent, and another gene for an abnormal hemoglobin called ''C'' from the other parent. HbSC is usually a milder type of SCD.

• *Hb S-beta (Sβ) thalassemia*— a person inherits one sickle cell gene from one parent, and a gene for beta thalassemia from the other parent. There are two forms of beta thalassemia, sickle beta zero thalassemia (Hb $S\beta^0$ thalassemia) and sickle beta plus thalassemia (Hb $S\beta^+$ thalassemia). Sickle beta zero thalassemia is usually a more severe form of SCD. People with sickle beta plus thalassemia tend to have a milder form of SCD.

• *HbSD, HbSE, and HbSO*—people with these variants of SCD have one sickle cell gene plus another abnormal hemoglobin gene, ''D,'' ''E,'' or ''O.'' These are rarer types of SCD with varying severity.

3. Is sickle cell trait a variant of SCD?

No. Sickle cell trait is not a variant of SCD. Sickle cell trait occurs when a person inherits one sickle hemoglobin gene from one parent and a normal gene from the other parent. People with sickle cell trait rarely have signs and symptoms associated with SCD and usually do not need treatment. However, in rare cases and under extreme conditions such as intense exercise, people with sickle cell trait have a higher risk of severe breakdown of muscle tissue (exertional rhabdomyolysis) that can lead to serious complications.[4] In spite of this higher risk, recent evidence indicates that sickle cell trait is not associated with an increased probability of death.[5]

Sickle cell trait alone is not an impairment. As defined by the Social Security Act, an impairment must result from anatomical, physiological, or psychological abnormalities that can be shown by medically acceptable clinical and laboratory diagnostic techniques. To establish an impairment in this context, we require objective medical evidence (medical signs and laboratory findings) from an acceptable medical source of complications from sickle cell trait. In addition, a person's complications from sickle cell trait must meet the statutory duration requirement, *i.e.,* be expected to result in death or last or be expected to last for a continuous period of not less than 12 months. Therefore, we cannot find a person disabled due to sickle cell trait if there are no medical signs or laboratory findings of complications from sickle cell trait and the complications from sickle cell trait do not meet the duration requirement.

4. What are the common complications and symptoms of SCD?

Complications of SCD may include, but are not limited to pain crises, anemia, osteomyelitis, leg ulcers, pulmonary infections or infarctions, acute chest syndrome, pulmonary hypertension, chronic heart failure, gallbladder disease, liver failure, kidney failure, nephritic syndrome, aplastic crisis, stroke, and mental impairments such as depression. Examples of symptoms that may stem from these complications include pain, fatigue, malaise, shortness of breath, and difficulty feeding in infants. The symptoms of SCD vary from person to person and can change over time.

A. *Pain (vaso-occlusive) crisis* is a common complication of SCD. Pain crises are either acute or chronic. Acute pain crises occur suddenly when sickled RBC stop blood flow and reduce oxygen delivery. This pain can be intense, stabbing, or throbbing. Pain can strike almost anywhere in the body and in more than one spot at a time. The pain often occurs in the lower back, legs, arms, abdomen, and chest.[6] Chronic pain in SCD is more than a continuation of acute pain crisis. It usually occurs when lack of oxygen to the bone due to vaso-occlusion results in the death of bone tissue (avascular necrosis) at various joints such as the hips, shoulders and ankles.[7]

B. *Anemia* is another complication of SCD. It occurs when sickled RBC die prematurely, which reduces the amount of oxygen-carrying hemoglobin in the blood. Symptoms from anemia can include fatigue, weakness, shortness of breath, and dizziness. Chronic deprivation of oxygen-rich blood can damage nerves and organs in the body, including the spleen, brain, eyes, joints, bones, lungs, liver, heart, kidneys, and other organs.

C. *Pulmonary complications* such as acute chest syndrome (ACS) and pulmonary hypertension are the leading cause of death for SCD patients.[8] ACS is a vaso-occlusion of the pulmonary vessels. Symptoms of ACS include but are not limited to chest pain, fever, tachypnea (abnormally rapid breathing), wheezing, or coughing. Pulmonary hypertension can occur when sickled RBC cause pulmonary arteries to become narrow and blocked. The result of this damage to the pulmonary arteries is high blood pressure in the lungs. Symptoms of pulmonary hypertension include shortness of breath, fatigue, and chest pain.[9]

D. *Strokes and silent strokes* affect people with SCD at a higher rate because sickled RBC clump along the walls of larger arteries going to the brain. Strokes can result in full or partial paralysis on one side of the body, problems with balance, or difficulty speaking or understanding. Silent strokes can occur without outward symptoms and are only detectable by brain imaging. However, silent strokes can impair intellectual ability, attention, visual-spatial skills, language, and long-term memory.[10]

E. *Bacterial infections* are often severe complications in people with SCD. Anemia from SCD and vaso-occlusions can damage the spleen, which ultimately increases risk of infection and damages other organs. Infection frequently leads to hospitalization and is the primary cause of death in young children with SCD.[11]

F. *Mental disorders* in people with SCD are often secondary to the impact of treatment, pain, and other symptoms. For example, depression from reoccurring pain is especially common

[3] See Centers for Disease Control and Prevention, ''Sickle Cell Disease.'' (*https://www.cdc.gov/ncbddd/sicklecell/facts.html*).

[4] Other conditions that could be harmful for people with sickle cell trait include high altitudes, dehydration, low oxygen levels in the air, and increased pressure in the atmosphere. We evaluate impairments that result from sickle cell trait under the affected body system.

[5] See Nelson D.A., et al. Sickle Cell Trait, Rhabdomyolysis, and Mortality among U.S. Army Soldiers. New England Journal of Medicine, Aug; 375(17), 1695–6 (2016).

[6] See National Heart, Lung, and Blood Institute, ''What Are the Signs and Symptoms of Sickle Cell Disease?'' (*http://www.nhlbi.nih.gov/health/health-topics/topics/sca/signs*).

[7] See Okpala I, Tawil A. Management of Pain in Sickle-Cell Disease. Journal of the Royal Society of Medicine, Sep; 95(9), 456–458, 2002 (available at: *http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1279994/*).

[8] See Gladwin MT, Miller, A. Pulmonary Complications of Sickle Cell Disease. American Journal of Respiratory and Critical Care Medicine, Jun; 185(11), 1154–1165, 2012 (available at: *https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3373067/*).

[9] See National Institutes of Health. MedlinePlus. ''Pulmonary Hypertension.'' (*https://medlineplus.gov/pulmonaryhypertension.html*).

[10] See, The Internet Stroke Center, ''Stroke as a Complication of Sickle Cell Disease.'' (*http://www.strokecenter.org/patients/about-stroke/pediatric-stroke/stroke-as-a-complication-of-sickle-cell-disease/*).

[11] See Booth, C., et al. Infection in Sickle Cell Disease: A Review. International Journal of Infectious Diseases, Jan; 14(1), e2–e12, 2010 (available at: *http://www.sciencedirect.com/science/article/pii/S1201971209001453*).

in people with SCD.[12] Other mental disorders that may occur include, but are not limited to, anxiety and cognitive disorders from stroke.[13]

5. How do we evaluate the complications of SCD under the hematological disorder listings?

We may evaluate SCD under the following hematological disorder listings:

- Listing 7.05 and 107.05, Hemolytic anemias; or
- Listing 7.17 and 107.17, Hematological disorders treated by bone marrow or stem cell transplantation; or
- Listing 7.18, Repeated complications of hematological disorders.

Under listing 7.05 and 107.05, we assess hemolytic anemias, including sickle cell disease, thalassemia, and their variants. We evaluate pain crises caused by SCD under listings 7.05A and 107.05A. We assess complications of SCD requiring hospitalizations under listings 7.05B and 107.05B. Listings 7.05C and 107.05C describes the criteria we use to evaluate SCD that results in anemia with low hemoglobin levels.

Under listings 7.17 and 107.17, we consider people who receive bone marrow or stem cell transplantation to treat their SCD, to be disabled for at least 12 months after the date of transplant.

We evaluate adults who have repeated complications from SCD, but do not have the requisite findings for listing 7.05 or 7.17, under listing 7.18.[14] To meet listing 7.18, SCD must cause repeated complications, resulting in significant, documented symptoms or signs and a ''marked'' level of limitation in one of the general areas of functioning: Activities of daily living, social functioning, or completing tasks because of deficiencies in concentration, persistence, or pace. We use listing 7.18 to evaluate only hematological disorders.[15]

If a person's SCD does not meet a hematological listing, we will compare the specific findings in each case to any appropriate hematological listings to determine whether medical equivalence may exist. We may also find medical equivalence if the person has multiple impairments, including SCD, none of which meet or medically equal the requirements of a listing alone, but the combination of impairments is medically equivalent in severity to a listed impairment.

If the person's SCD does not meet or equal the criteria in a listing, we will consider whether he or she has an impairment that satisfies the criteria in a listing in another body system. For example, we may evaluate the effects of intracranial bleeding or stroke under 11.00 or 12.00.

6. How do we evaluate the complications of SCD when assessing residual functional capacity (RFC) for adults?

For adults, we assess RFC when the effects of a person's SCD, either alone or in combination with another impairment(s), do not meet or medically equal a listing. We base the RFC assessment on all the relevant evidence in the record, including the effects of treatment.[16] In assessing RFC, we must consider all of a person's work-related limitations, whether due to SCD, other impairment(s), or a combination of impairments. For example, adults with SCD may have pain, fatigue, and shortness of breath that may affect their ability to stand and walk. In addition, a person experiencing repeated acute pain crises may have difficulty maintaining concentration to complete tasks and have frequent absences from work.

7. How do we evaluate the complications of SCD under functional equivalence?[17]

Children with SCD that does not meet or medically equal a listing may nevertheless have an impairment(s) that functionally equals the listings under our rules for evaluating disability in children.[18] When we determine whether a child's impairment(s) functionally equal the listings, we use the six domains of functioning.

When we evaluate a child's functioning in these six domains, we consider how the child functions compared to children the same age who do not have impairments. We must explain any limitation in a child's ability to function appropriately for his or her age based on a medically determinable impairment(s).[19] It is important to remember that the cumulative physical effects of SCD and its treatment can vary in kind and intensity, affecting each child differently. The six domains of functioning are:

Acquiring and using information. Some children with SCD may have limitations in acquiring and using information due to stroke, including silent stroke.[20] A stroke can cause brain injury that impairs a child's ability to learn, concentrate, speak, and remember.

Attending and completing tasks. Frequent pain crises can result in limitations in attending and completing tasks at school and at home.[21] If a child does not feel well due to pain, it may be difficult for him or her to stay focused on activities long enough to complete them in an age-appropriate manner. A child with SCD who is experiencing pain may also have difficulty paying attention to details and may make mistakes on schoolwork due to an inability to concentrate.

Interacting and relating with others. SCD can also cause limitations interacting and relating with others.[22] The unpredictable nature of pain in SCD may cause anxiety and difficulty maintaining relationships. Children suffering from complications of SCD may become withdrawn, uncooperative, or unresponsive.

Moving about and manipulating objects. If SCD limits a child's ability to move and manipulate objects, we evaluate those effects in the domain of ''Moving about and manipulating objects.'' [23] For example, sickling in the hip bones, knees, and ankles due to SCD may cause joint pain and problems with walking, running, and climbing up and down stairs.

Caring for yourself. Caring for yourself involves a child's basic understanding of his or her body's normal functioning

[12] See Jonassaint CR, Jones VL, Leong S, Frierson GM. A Systematic Review of the Association between Depression and Health Care Utilization in Children and Adults with Sickle Cell Disease. British Journal of Hematology, Jul; 174(1), 136–47, 2016.

[13] Becker M, Axelrod DJ. Hematologic Problems in Psychosomatic Medicine. Psychiatric Clinics of North America, Dec; 30(4), 739–759, 2007 (available at: *http://www.sciencedirect.com/science/article/pii/S0193953X07000767*).

[14] We evaluate a child's functioning under the rules for functional equivalence. See 20 CFR 416.926a.

[15] We use listing 7.18 to evaluate hematological disorders and complications caused by hematological disorders. We can only evaluate anemia under 7.18 if it results from an underlying hematological disorder. If the person's anemia results from a condition that is not a hematological disorder, we would evaluate the anemia under the listing for that impairment.

[16] See 20 CFR 404.1545 and 416.945, and SSR 96–8p.

[17] Functional equivalence applies only to claims for children under title XVI. All claims for title II, even if the claimant is under age 18, are decided under the adult rules.

[18] See 20 CFR 416.926a, SSR 09–1p, 74 FR 7527 (2009) also available at *https://www.ssa.gov/OP_Home/rulings/ssi/02/SSR2009-01-ssi-02.html,* and SSR 09–2p, 74 FR 7525 (2009) also available at *https://www.ssa.gov/OP_Home/rulings/ssi/02/SSR2009-02-ssi-02.html.* For the complete titles of all SSRs cited in this footnote and those following, see the *CROSS-REFERENCES* section at the end of this SSR.

[19] See 20 CFR 416.924a(b) and 416.926a.

[20] See 20 CFR 416.926a(g) and SSR 09–3p.

[21] See 20 CFR 416.926a(h) and SSR 09–4p.

[22] See 20 CFR 416.926a(i) and SSR 09–5p.

[23] See 20 CFR 416.926a(j) and SSR 09–6p.

and the adequate emotional health for carrying out self-care tasks.[24] A child with SCD may avoid taking medication or ignore complications of the disease out of frustration with the limitations of SCD.

Health and physical well-being. The ongoing effects of SCD and its treatment may affect a child's health and physical well-being.[25] In this domain, we evaluate the effects of periodic exacerbations of pain crises due to sickle cell anemia. We consider the frequency and duration of the exacerbations as well as the extent to which they affect a child's ability to function physically.

This SSR is applicable on September 15, 2017. [26]

Cross References: SSR 86–8: Titles II and XVI: The Sequential Evaluation Process; SSR 96–3p: Titles II and XVI: Considering Allegations of Pain and Other Symptoms in Determining Whether a Medically Determinable Impairment is Severe; SSR 96–8p: Titles II and XVI: Assessing Residual Functional Capacity in Initial Claims; SSR 09–1p: Title XVI: Determining Childhood Disability Under the Functional Equivalence Rule—The ''Whole Child'' Approach; SSR 09–2p: Title XVI: Determining Childhood Disability—Documenting a Child's Impairment-Related Limitations; SSR 09–3p: Title XVI: Determining Childhood Disability—The Functional Equivalence Domain of ''Acquiring and Using Information''; SSR 09–4p: Title XVI: Determining Childhood Disability—The Functional Equivalence Domain of ''Attending and Completing Tasks''; SSR 09–5p: Title XVI: Determining Childhood Disability—The Functional Equivalence Domain of ''Interacting and Relating with Others''; SSR 09–6p: Title XVI: Determining Childhood Disability—The Functional Equivalence Domain of ''Moving About and Manipulating Objects''; SSR 09–7p: Title XVI: Determining Childhood Disability—The Functional Equivalence Domain of ''Caring for Yourself''; SSR 09–8p: Title XVI: Determining Childhood Disability—The Functional Equivalence Domain of ''Health and Physical Well-Being''; SSR 16–3p: Titles II and XVI: Evaluation of Symptoms in Disability Claims; and Program Operations Manual System (POMS) DI 22001.001, DI 22505.001, DI 22505.003, DI 24501.021, DI 24510.005, DI 25201.005, DI 25220.010, DI 25505.025, and DI 25505.030.

[24] See 20 CFR 416.926a(k) and SSR 09–7p.

[25] See 20 CFR 416.926a(l) and SSR 09–8p.

[26] We will use this SSR beginning on its applicable date. We will apply this SSR to new applications filed on or after the applicable date of the SSR and to claims that are pending on and after the applicable date. This means that we will use this ruling on and after its applicable date in any case in which we make a determination or decision. We expect that Federal courts will review our final decisions using the rules that were in effect at the time we issued the decisions. If a court reverses our final decision and remands a case for further administrative proceedings after the applicable date of this SSR, we will apply this SSR to the entire period at issue in the decision we make after the court's remand.

[FR Doc. 2017–19551 Filed 9–14–17; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice: 10119]

Cultural Property Advisory Committee; Notice of Meeting

AGENCY: Department of State.

ACTION: Notice of a meeting.

SUMMARY: The Department of State is issuing this notice to announce the location, date, time and agenda for the next meeting of the Cultural Property Advisory Committee.

DATES: October 23 through 25, 2017, 9:00 a.m. to 5:00 p.m. (EDT). The open session of the Cultural Property Advisory Committee will be held on October 23, 2017 at 10:00 a.m. (EDT). It will last approximately one hour. Participants will participate electronically. Those who wish to participate in the open session should visit *http://culturalheritage.state.gov* where information will be provided on how to access the meeting no later than October 16, 2017.

Written Comments: must be received no later than October 15, 2017, at 11:59 p.m. (EDT).

ADDRESSES: The meeting will be held at the U.S. Department of State, Annex 5, 2200 C St. NW. and the Harry S Truman Building, 2201 C St. NW., Washington, DC.

Comments: Methods of written comment submission are as follows:

- *Electronic Comments:* Use *http://www.regulations.gov,* enter the docket [DOS–2017–0036] and follow the prompts to submit comments.
- *Paper Comments:* Only send paper comments if comments contain privileged or confidential information (within the meaning of 19 U.S.C. 2605(i)(1)) to: U.S. Department of State, Bureau of Educational and Cultural Affairs—Cultural Heritage Center, SA–5 Floor 5, 2200 C St. NW., Washington, DC 20522–0505.

FOR FURTHER INFORMATION CONTACT: For general questions concerning the meeting, contact Catherine Foster, Bureau of Educational and Cultural Affairs—Cultural Heritage Center by phone, (202) 632–6301, or mail: *CulProp@state.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to section 306(e)(2) of the Convention on Cultural Property Implementation Act (5 U.S.C. 2601 *et seq.*) (''the Act''), the Department is announcing a meeting of the Cultural Property Advisory Committee (''the Committee''). The Committee's responsibilities are carried out in accordance with provisions of the Act. A portion of this meeting will be closed to the public pursuant to 5 U.S.C. 552b(c)(9)(B) and 19 U.S.C. 2605.

Meeting Agenda: The Committee will review a proposal to extend the *Memorandum of Understanding Between the Government of United States of America and the Government of the Kingdom of Cambodia Concerning the Imposition of Import Restrictions on Archaeological Material from Cambodia from the Bronze Age through the Khmer Era* (''the Cambodia MOU'').

Open Session Participation: An open session of the meeting to receive oral public comments on the proposed extension of the Cambodia MOU will be held Monday, October 23, 2017, from 10:00 a.m. to 11:00 a.m. (EDT). The text of the Act and a copy of the Cambodia MOU may be found at *http://culturalheritage.state.gov.*

If you wish to make an oral presentation at the meeting, you must request to be scheduled by October 15, 2017 via email (*culprop@state.gov*), and you must submit a written summary of your oral presentation, ensuring that it is received no later than 11:59 p.m. (EDT) on October 15, 2017, via the *Regulations.gov* Web site listed in the ''COMMENTS'' section above. Oral comments will be limited to five (5) minutes to allow time for questions from members of the Committee. All oral comments must relate specifically to matters referred to in 19 U.S.C. 2602(a)(1), with respect to which the Committee makes its findings and recommendations. Oral presentation to the Committee may be requested but, due to time constraints, is not guaranteed.

Written Comments: If you do not wish to make oral comments but still wish to make your views known, you may submit written comments for the Committee to consider. Written comments from outside interested parties regarding the proposed extension of the Cambodia MOU must be received no later than October 15, 2017, at 11:59 p.m. (EDT). Your written comments should relate specifically to

the matters referred to in 19 U.S.C. 2602(a)(1).

D. Bruce Wharton,

Acting Under Secretary for Public Diplomacy and Public Affairs, Department of State.

[FR Doc. 2017–19623 Filed 9–14–17; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 10129]

Notice of Determinations; Culturally Significant Object Imported for Exhibition Determinations: ''Stephen Shore'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that a certain object to be included in the exhibition ''Stephen Shore,'' imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit object at The Museum of Modern Art, New York, New York, from on or about November 19, 2017, until on or about May 28, 2018, and at possible additional exhibitions or venues yet to be determined, is in the national interest.

FOR FURTHER INFORMATION CONTACT: For further information, including information identifying the object, contact Elliot Chiu in the Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O. 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000 (and, as appropriate, Delegation of Authority No. 257–1 of December 11, 2015). I have ordered that Public Notice of these determinations be published in the **Federal Register**.

Alyson Grunder,

Deputy Assistant Secretary for Policy, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2017–19625 Filed 9–14–17; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 10128]

U.S. Department of State Advisory Committee on Private International Law: Notice of Annual Meeting

The Department of State's Advisory Committee on Private International Law (ACPIL) will hold its annual meeting on Tuesday, October 31, 2017 in Washington, DC. The meeting will be held at the Georgetown University Law Center, Gerwirz Student Hall, 600 New Jersey Ave. NW., Washington, DC. The program is scheduled to run from 8:30 a.m. to 4:00 p.m.

The discussion will focus on topics to include contractual networking, investor-state dispute settlement, and warehouse receipts. It is anticipated that discussions will explore the possibility of future work in the private international law field with a solicitation for suggestions in that regard.

Persons planning to attend the meeting should contact *pil@state.gov* as soon as possible. The meeting is open to the public up to the capacity of the conference facility, and seating will be reserved based upon when persons contact *pil@state.gov.* Those planning to attend should provide their name, affiliation and contact information to *pil@state.gov.* A member of the public needing reasonable accommodation should notify *pil@state.gov* not later than October 20, 2017. Requests made after that date will be considered, but might not be able to be fulfilled. A more detailed agenda will be available as the meeting approaches. Persons who wish to have their views considered are encouraged, but not required, to submit written comments in advance. Those who are unable to attend are also encouraged to submit written views. Comments should be sent electronically to *pil@state.gov.*

Michael S. Coffee,

Attorney-Adviser, Office of Private International Law, Office of the Legal Adviser, Department of State.

[FR Doc. 2017–19624 Filed 9–14–17; 8:45 am]

BILLING CODE 4710–08–P

DEPARTMENT OF STATE

[Public Notice: 10115]

30-Day Notice of Proposed Information Collection: Medical Examination for Visa or Refugee Applicant

AGENCY: Department of State.

ACTION: Notice of request for public comment and submission to OMB of proposed collection of information.

SUMMARY: The Department of State has submitted the information collection described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on this collection from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

DATES: Submit comments directly to the Office of Management and Budget (OMB) up to October 16, 2017.

ADDRESSES: Direct comments to the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

- *Email: oira_submission@omb.eop.gov.* You must include the DS form number, information collection title, and the OMB control number in the subject line of your message.
- *Fax:* 202–395–5806. Attention: Desk Officer for Department of State.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents to *PRA_Burdencomments@state.gov.*

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Medical Examination for Visa or Refugee Applicant.
- *OMB Control Number:* 1405–0113.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* CA/VO/L/R.
- *Form Number:* Forms DS–2054, DS–3030, DS–3025, DS–3026.
- *Respondents:* Immigrant and Refugees Applicants,
- *Estimated Number of Respondents:* 828,728.
- *Estimated Number of Responses:* 828,728.
- *Average Time per Response:* 1 hour.
- *Total Estimated Burden Time:* 828,728 annual hours.
- *Frequency:* Once per respondent.
- *Obligation to Respond:* Required to Obtain or Retain a Benefit.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the

validity of the methodology and assumptions used.

• Enhance the quality, utility, and clarity of the information to be collected.

• Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of proposed collection: Forms for this collection are completed by panel physicians for refugees, aliens seeking immigrant visas, and for some aliens seeking nonimmigrant visas to the United States. The collection records medical information necessary to determine whether refugees or visa applicants have medical conditions affecting the applicant's eligibility for a visa, or affecting the public health and requiring treatment.

Methodology: A panel physician, contracted by the consular post in accordance with instructions issued by the Centers for Disease Control (CDC), performs the medical examination of the applicant and completes the forms. Panel physicians follow Forms DS–3025, DS–3026, and DS–3030. Upon completing the applicant's medical examination, the examining panel physician submits a report to the consular officer on Form DS–2054.

Edward Ramotowski,

Deputy Assistant Secretary, Bureau of Consular Affairs, Department of State.

[FR Doc. 2017–19671 Filed 9–14–17; 8:45 a.m.]

BILLING CODE 4710–06–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 772X)]

CSX Transportation, Inc.—Abandonment Exemption—In Greenbrier and Nicholas Counties, WV

CSX Transportation, Inc. (CSXT) has filed a verified notice of exemption under 49 CFR pt. 1152 subpart F—*Exempt Abandonments* to abandon an approximately 14.4-mile rail line, known as the G&E Subdivision, in the Southern Region, Florence Division, between milepost CAJ 0.0 at the switch to the Sewell Valley Subdivision mainline track in Rainelle, and the end of the line at milepost CAJ 14.43 about two miles northeast of Green Valley, in Greenbrier and Nicholas Counties, W. Va. (the Line).[1] The Line traverses United States Postal Service Zip Codes 25962, 25981, and 26676 and includes the Quinwood station (FSAC 83070/SPLC 278129), the Bellburn station (FSAC 83062/SPLC 278121), and the Rainelle Jct. station (FSAC 83044/SPLC 278176). CSXT states that these stations can be closed.

CSXT has certified that: (1) No local freight traffic has moved over the Line for at least two years; (2) because the Line is not a through route, no overhead traffic has operated; and, therefore, none needs to be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on October 17, 2017, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[2] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[3] and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by September 25, 2017. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 5, 2017, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

CSXT has filed a combined environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by September 22, 2017. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423–0001) or by calling OEA at (202) 245–0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at (800) 877–8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by CSXT's filing of a notice of consummation by September 15, 2018, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at *WWW.STB.GOV.*

Decided: September 12, 2017.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2017–19646 Filed 9–14–17; 8:45 am]

BILLING CODE 4915–01–P

[1] In the verified notice, CSXT states that, following abandonment, it plans to consummate the abandonment, reclassify the Line as a spur track, and lease it to a customer who plans to redevelop the site and use the track to reach its facility.

[2] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Serv. Rail Lines,* 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[3] Each OFA must be accompanied by the filing fee, which is currently set at $1,800. *See Regulations Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2017 Update,* EP 542 (Sub-No. 25), slip op. App. C at 20 (STB served July 28, 2017).

TENNESSEE VALLEY AUTHORITY

Rarity Pointe Commercial Recreation and Residential Development on Tellico Reservoir, Loudon and Monroe Counties, Tennessee

AGENCY: Tennessee Valley Authority.

ACTION: Amended Record of Decision.

SUMMARY: The Tennessee Valley Authority (TVA) is amending its September 10, 2003, Record of Decision (ROD) for the *Rarity Pointe Commercial Recreation and Residential Development on Tellico Reservoir, Loudon and Monroe Counties, Tennessee Final Environmental Impact Statement (2003 Rarity Pointe FEIS).* In 2012, WindRiver Management LLC (WindRiver) purchased the Rarity Pointe development and requested that TVA consider modifications to the original development plan. In July 2017, TVA completed a supplemental environmental assessment analyzing the potential impacts of the proposed modifications. This amended ROD incorporates TVA's decisions relating to the modifications.

FOR FURTHER INFORMATION CONTACT: Amy Henry, NEPA Program and Valley Projects, Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902; Telephone: 865–632–4045 or Email: *abhenry@tva.gov.*

SUPPLEMENTARY INFORMATION: This notice is provided in accordance with the Council on Environmental Quality's regulations and the TVA procedures for implementing the National Environmental Policy Act (NEPA). On September 10, 2003, TVA published in the **Federal Register** (68 FR 53421) its Record of Decision (ROD) for the *Rarity Pointe Commercial Recreation and Residential Development on Tellico Reservoir, Loudon and Monroe Counties, Tennessee Final Environmental Impact Statement.* In the ROD, TVA selected Alternative E of the FEIS, approving construction of a marina facility and par 3 golf course, changes to land use allocations in the Tellico Reservoir Land Management Plan, and acceptance of a transfer of properties for recreation and natural resources conservation use.

In 2012, WindRiver Management LLC (WindRiver) purchased the Rarity Pointe development and requested approval under Section 26a of the TVA Act to install riprap shoreline stabilization, two irrigation water intakes, a stormwater outfall, and a park in replacement of the previously planned par 3 golf course. In July 2017, TVA completed the *Brightwater Park at WindRiver Final Supplemental Environmental Assessment (Final SEA)* analyzing the potential impacts of the proposed actions that modify the original development plan. TVA now amends the September 2003 ROD to incorporate the revised proposal. By this notice, TVA is providing notification of its decision and agency reasoning.

To construct Brightwater Park and install rip-rap stabilization at locations around the WindRiver development, TVA approval is needed within TVA's Section 26a jurisdiction. U.S. Army Corps of Engineers (USACE) approval is also needed under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act for the proposed stabilization and pier. Section 26a of the TVA Act of 1933, as amended, requires that TVA approval be obtained prior to the construction, operation, or maintenance of an obstruction affecting navigation, flood control, or public lands. Therefore, TVA's action would be to make a decision on the Section 26a approval request for the proposed park, shoreline stabilization, water intakes and stormwater outfall. The USACE and TVA have a Memorandum of Understanding that designates TVA as the Lead Federal Agency for conducting environmental reviews under NEPA and other applicable federal laws and regulations for proposed work that may occur on property which is under TVA custody or control.

The Final SEA analyzes two alternatives: Alternative A—the No Action Alternative, and Alternative B—Section 26a Permit Approval. Under Alternative A, TVA would not issue approval under Section 26a. The applicant would not be permitted to take any actions on TVA land below the 820 foot contour elevation except those previously authorized by TVA under the 2003 ROD. Under Alternative B, TVA would issue a Section 26a permit approval to install riprap shoreline stabilization, a park, two irrigation water intakes, and a stormwater outfall.

The Final SEA identified Alternative B—Section 26a Permit Approval as the preferred alternative. Riprap stabilization under Alternative B includes approximately 6,360 linear feet of rip-rap along steeper portions of the shoreline of Tellico Reservoir which are actively eroding resulting in undermining of banks and loss of riparian vegetation. The proposed Brightwater Park includes a gravel and asphalt parking area, two fire pits, a retaining wall, an irrigation water intake and pump installed under one canoe/kayak floating dock (attached to a fixed pier), lighting, electrical service, a community garden, a shuffleboard court, two pavilions, a fenced play area, a dog park, a picnic shelter, sidewalk and walkways, picnic tables, playground structures, and signage. The majority of the park would be located on TVA property below the 820 foot contour elevation.

Environmental Consequences

In the Final SEA, TVA adopted the analysis in the 2003 Rarity Pointe FEIS and provided supplemental analysis of the potential impacts of both Alternative A and B on aesthetics, recreation, floodplains, wetlands, aquatic ecology, terrestrial ecology, water quality, noise, and historic and archaeological resources. The potential environmental impacts of each alternative are summarized for comparison in Section 2.2 of the Final SEA.

The proposed Alternative B would have no additional impact on most environmental resources evaluated in the 2003 Rarity Pointe FEIS. There would be no impacts to wetlands and historic and archaeological resources under Alternative B. Minor and temporary impacts associated with Alternative B were identified to aquatic ecology, water quality, and noise primarily in association with short-term construction activities. These impacts would be similar to the short-term construction impacts for those same resources in the 2003 Rarity Pointe FEIS. Additionally, TVA has determined that there would be new minor impacts to aesthetics, floodplains, and terrestrial ecology as a result of the permanent changes resulting from implementation of Alternative B beyond those previously evaluated in the 2003 Rarity Pointe FEIS. Alternative B would result in minor beneficial impacts to recreation due to the increased recreation opportunities in the area.

Environmentally Preferable Alternative

TVA has concluded that Alternative A, the No Action Alternative, is the environmentally preferred alternative, as it would result in fewer environmental impacts than Alternative B. The No Action Alternative would result in no additional or different environmental impacts beyond those previously evaluated in the 2003 Rarity Pointe FEIS. These additional impacts would be primarily associated with the installation of the riprap stabilization. Although Alternative B would have slightly greater impacts than the No Action Alternative, most of those impacts would be minor. The predominant adverse impact associated with Alternative B would be a minor change in the visual appearance of the shoreline from various viewpoints around the reservoir. This change would

be consistent, however, with the shoreline appearance in other locations and therefore would not be significant. Alternative B would, however, provide some environmental benefits. These benefits include reducing shoreline erosion at locations where the riprap stabilization measures are placed and completion of Brightwater Park providing accessible public land and recreation resources as was originally intended with the 2003 decision.

Amended Decision

TVA has decided to amend the September 2003 ROD to incorporate the approval of Alternative B—Section 26a Permit Approval. The rationale for approving Alternative B is consistent with the rationale provided in the September 2003 ROD. The changes to the original proposal described in Alternative B achieves both WindRiver's objectives for development of the residential and recreational community and TVA's overall goals for providing recreational opportunities in the Tennessee Valley. Environmental impacts associated with Alternative B would be minor and slightly greater than impacts associated with Alternative A.

Mitigation Measures

The September 2003 ROD lists mitigation measures associated with the 2003 Rarity Pointe FEIS. These mitigation measures remain in effect across the development. TVA has identified the following 2003 mitigation measures to be specifically applicable to the current proposed actions related to the stabilization measures and Brightwater Park:

- Fully shielded light fixtures or those with internal low-glare optics (so no light is emitted from the fixture at angles above the horizon) will be used in the development. This commitment would also apply to the actions at Brightwater Park.
- Any future facilities or equipment subject to flood damage will be located at or above elevation of 820 feet.
- Any future development proposed within the limits of the 100-year floodplain, elevation 816.7 feet MSL, will be consistent with the requirements of EO 11988.
- All future development will be consistent with the requirements of TVA's Flood Control Storage Loss Guideline.
- WindRiver will continue to mitigate impacts to wetlands (W4 and W5) in the vicinity of Brightwater Park by implementing the wetland mitigation plan in Appendix C of the 2003 Rarity Pointe FEIS.

TVA has identified the following new mitigation measures associated with the implementation of the Brightwater Park SEA Alternative B—Section 26a Permit Approval.

- No flood-damageable facilities or equipment would be located within the Brightwater Park grand lawn. The lawn would be kept as a grassy area which would not be expected to incur damage during a flood.
- The switch on the irrigation pump would be located at or above an elevation of 820 feet.
- The minimum amount of rip-rap would be used while still meeting project objectives.
- The Brightwater Park sun shelter will remain open to the elements and may never be enclosed in the future. Any flood-damageable equipment stored in the sun shelter will be elevated to or above elevation 820 feet.
- For purposes of shoreline bank stabilization, all portions will be constructed or placed, on average, no more than two feet from the existing shoreline at normal summer pool elevation.
- For all electrical services permitted, including the electrical plug, a disconnect must be located at or above elevation 818.1 that is accessible during flooding.
- The floor elevation of the fixed courtesy pier will be a minimum of 2.0 feet above the normal summer pool elevation 813.0.
- The applicant should contact the local government official(s) to ensure that this facility complies with all applicable local floodplain regulations.
- Any excess excavated material not needed to grade Edgewater Road and the parking lot will be disposed of and contained on land lying and being above the 816.7-foot contour. Every precaution will be taken to prevent the reentry of the spoil material into the reservoir.
- In the stabilization areas, the only trees that would be removed are those already undermined and actively falling into the adjacent water. No trees greater than 3 inches in diameter at breast height would be removed.
- A vegetated buffer zone of at least 50 feet will be retained by TVA and maintained along the shoreline from the summer pool level in order to maintain continuity on the site, and reduce possible impacts to water quality and wetlands.
- If the reservoir falls below the elevation of the intake, the applicant will be responsible for finding another source of raw water.
- Cultural resource site 40LD29 would be avoided for all construction activities. TVA would place a commitment within the permit that states that in the vicinity of cultural resource site 40LD346, rip-rap would be placed from the beach with no equipment allowed on top of the site and no bank shaping would be done. In addition, TVA would require that an archaeological monitor be present while work is being conducted in that area.

David Bowling,

Vice President, Land and Resource Management.

[FR Doc. 2017–19657 Filed 9–14–17; 8:45 am]

BILLING CODE 8120–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2010–0073]

Portland & Western Railroad's Request for Positive Train Control Safety Plan Approval and System Certification

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

ACTION: Notice of availability and request for comments.

SUMMARY: This document notifies the public that Portland & Western Railroad (PNWR) submitted to FRA its Positive Train Control Safety Plan (PTCSP) (Version 1.5, dated July 21, 2017) for its Westside Express Service and a copy of that PTCSP is available for public review and comment. PNWR asks FRA to approve its PTCSP and issue a Positive Train Control System Certification for PNWR's Enhanced Automatic Train Control (E–ATC), under the appropriate regulations.

DATES: FRA will consider comments received by October 16, 2017, before taking final action on the PTCSP. FRA may consider comments received after that date if practicable.

ADDRESSES: All communications concerning this proceeding should identify Docket Number FRA–2010–0073 and may be submitted by any of the following methods:

- *Web site: http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: Dr. Mark Hartong, Senior Scientific Technical Advisor, at (202) 493–1332 or *Mark.Hartong@dot.gov;* or Mr. David Blackmore, Staff Director, Positive Train Control Division, at (312) 835–3903 or *David.Blackmore@dot.gov.*

SUPPLEMENTARY INFORMATION: In its PTCSP, PNWR asserts that its E–ATC system is designed as a vital overlay positive train control (PTC) system as defined in 49 CFR 236.1015(e)(2). The PTCSP describes PNWR's E–ATC implementation and the associated E–ATC safety processes, safety analyses, and test, validation, and verification processes used during the development of E–ATC. The PTCSP also contains PNWR's operational and support requirements and procedures.

PNWR's PTCSP and the accompanying request for approval and system certification are available for review online at *http://www.regulations.gov* (Docket Number FRA–2010–0073) and in person at DOT's Docket Operations Facility, 1200 New Jersey Avenue SE., W12–140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to comment on the PTCSP by submitting written comments or data. During its review of the PTCSP, FRA will consider any comments or data submitted. However, FRA may elect not to respond to any particular comment and, under 49 CFR 236.1009(d)(3), FRA maintains the authority to approve or disapprove the PTCSP at its sole discretion. FRA does not anticipate scheduling a public hearing regarding PNWR's PTCSP because the circumstances do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, the party should notify FRA in writing before the end of the comment period and specify the basis for his or her request.

Privacy Act Notice

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See *https://www.regulations.gov/privacyNotice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC, on September 8, 2017.

Robert C. Lauby,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2017–19598 Filed 9–14–17; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2017–0083]

Reports, Forms, and Recordkeeping Requirements

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

ACTION: Request for public comment on the modification of an existing collection of information.

SUMMARY: Before a Federal agency may collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatements of previously approved collections. This document describes a modification of an existing collection of information for which NHTSA intends to seek OMB approval.

DATES: Comments must be received on or before November 14, 2017.

ADDRESSES: You may submit comments using any of the following methods:

Electronic submissions: 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, 1200 New Jersey Ave. SE., Room W12–140, Washington, DC 20590.

Hand Delivery: West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. Telephone (202) 366–9826; Fax: (202) 493–2251.

Instructions: Each submission must include the Agency name and the Docket number for this proposed collection of information. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our 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 *http://www.dot.gov/privacy.html.*

FOR FURTHER INFORMATION CONTACT: Ms. Debbie Sweet, NHTSA, 1200 New Jersey Avenue SE., Washington, DC 20590; Telephone (202) 366–7179; Fax: (202) 366–2106; email address: *Debbie.Sweet@dot.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must request public comment on the following:

(i) 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;

(ii) 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;

(iii) how to enhance the quality, utility, and clarity of the information to be collected;

(iv) how 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, *e.g.* permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information:

Title: Automated Driving Systems 2.0: A Vision for Safety.

Type of Request: Modification of a currently approved information collection.

OMB Clearance Number: 2127–0723.

Form Number: None.

Requested Expiration Date of Approval: Three years from date of approval.

Summary of the collection of Information: In a separate notice published in the **Federal Register** today, the Department of Transportation is announcing the publication of the policy document [1] titled *Automated Driving Systems 2.0: A Vision for Safety.* [2] Recognizing the potential that highly Automated Driving Systems (ADSs) have to enhance safety and mobility, this document sets out an approach to enable the safe deployment of Automated Driving Systems [3] (SAE Automation Levels 3 through 5—Conditional, High, and Full Automation Systems as defined in SAE J3016).[4]

Consistent with its statutory purpose to reduce traffic accidents and deaths and injuries resulting from traffic accidents,[5] NHTSA is amending its recommendations for recordkeeping and disclosure of information related to automated vehicle technologies by vehicle manufacturers and other entities as described in *Automated Driving Systems 2.0: A Vision for Safety.* Specifically, NHTSA recommends that manufacturers and other entities assess their ADS-equipped vehicle against specific safety elements, summarize that assessment, and then voluntarily disclose that summary as discussed in the section titled ''Voluntary Guidance for Automated Driving Systems'' (hereafter referred to as ''Voluntary Guidance''). The Voluntary Guidance outlines recommended best practices, many of which should be commonplace in the industry, for the safe pre-deployment design, development, and testing of ADSs prior to commercial sale or operation on public roads. Further, the Voluntary Guidance identifies key areas manufacturers and other entities should consider prior to testing or deploying ADS on public roadways.

To assist States and the public in understanding how safety is being considered by manufacturers and other entities developing and testing ADSs, NHTSA encourages documentation, recordkeeping, and disclosures that aid in that mission. The burden estimates contained in this notice are based on the Agency's present understanding of the ADS market and the time associated with following the Voluntary Guidance, generating a self-assessment, and voluntarily making a summary of that self-assessment public. NHTSA seeks comment on the burden estimates in this notice in whole or in part.

The manner by which NHTSA encourages ADS manufacturers and other entities to disclose information is through Voluntary Safety Self-Assessments for ADSs. The Voluntary Safety Self-Assessment would summarize how the manufacturer or other entity have considered the safety elements contained in the Voluntary Guidance as shown below:

- System Safety
- Operational Design Domain
- Object and Event Detection and Response
- Fallback (Minimal Risk Condition)
- Validation Methods
- Human Machine Interface
- Vehicle Cybersecurity
- Crashworthiness
- Post-Crash ADS Behavior
- Data Recording
- Consumer Education and Training
- Federal, State and Local Laws

The Agency expects much of the work associated with consideration of the safety element in the Voluntary Guidance to be an extension of good and safe engineering practices already in place. It therefore believes that manufacturers and other entities will have access to all the information needed to craft a Voluntary Safety Self-Assessment that discusses how the safety elements were considered and if they choose, release a summary of that assessment publicly. Of the manufacturers and other entities who voluntarily disclose this information, NHTSA anticipates that most manufacturers and other entities will post the disclosures online.

The safety elements are fully described in the Voluntary Guidance section (section I) of *Automated Driving Systems 2.0: A Vision for Safety,* as is the Voluntary Safety Self-Assessment. The Voluntary Safety Self-Assessment (including the public release of that summary assessment) is intended to communicate to the public (particularly States and consumers) that entities are (1) considering the safety aspects of ADSs; (2) communicating and collaborating with DOT; (3) encouraging the self-establishments of industry safety norms for ADSs; and (4) building public trust, acceptance, and confidence through transparent testing and deployment of ADSs. For each safety element laid out by the Voluntary Guidance, NHTSA encourages each manufacturer or entity to include an acknowledgement within the Voluntary Safety Self-Assessment that indicates either:

- This safety element was considered during product development efforts for the subject feature; or
- This safety element is not applicable to the subject product development effort.

Burden Calculations

There are currently 39 manufacturers that have registered with the State of California as licensed entities capable of testing automated systems.[6] Previously, when NHTSA established this information collection, only 15 manufacturers had registered with the State of California. NHTSA expects that this number will continue to increase over the next three years, and for purposes of estimating the burden of this collection, NHTSA believes there will be 50 respondents annually during the three years covered by this information collection request. This increase takes into account the addition of new entrants as well as the fact that that many entities have already begun testing of automated vehicles and thus already included in this figure.

The adjustments from the previous approved collection are a result of the Voluntary Guidance reducing the number of priority safety design elements for consideration from 15 to 12 (removal of Privacy, Registration and Certification, and Ethical Considerations).[7] It also removes the data sharing aspect of the Voluntary Guidance, and limits the scope of the Voluntary Guidance to SAE system Levels 3–5 instead of also including Level 2. The Voluntary Guidance encourages public disclosure rather than providing information to NTHSA;

[1] Conformance to the guidance in *Automated Driving Systems 2.0: A Vision for Safety* is voluntary. *See* Fixing America's Surface Transportation Act, Public Law 114–94, § 24406 (2015) (''No guidelines issued by the Secretary with respect to motor vehicle safety shall confer any rights on any person, State, or locality, nor shall operate to bind the Secretary or any person to the approach recommended in such guidelines'').

[2] The policy document titled *Automated Driving Systems 2.0: A Vision for Safety* supersedes, in its entirety, the policy document published on September 20, 2016, titled *Federal Automated Vehicles Policy.*

[3] In the *Federal Automated Vehicles Policy,* NHTSA used the terms Highly Automated Vehicles (HAVs) (Levels 3 through 5 vehicles) and L2 systems. *Automated Driving Systems 2.0: A Vision for Safety* only applies to Level 3 through 5 systems, reducing the number of respondents in this collection. Also, for consistency NHTSA now refers to SAE Level 3 through 5 systems as Automated Driving Systems (ADSs) instead of HAVs.

[4] For more information about SAE J3016, *see http://www.sae.org/misc/pdfs/automated_driving.pdf.*

[5] 49 U.S.C. § 30101.

[6] *https://www.dmv.ca.gov/portal/dmv/detail/vr/autonomous/testing* (last accessed September 5, 2017).

[7] NHTSA acknowledges that Privacy and Ethical Considerations are also important elements for entities to deliberate. See NHTSA's Web site for the Agency's approach on each.

however, this change is not expected to change burden.

NHTSA expects the industry burden of following the Voluntary Guidance to be comprised of efforts entities would already incur in normal business operation and existing documentation; however, there may be an increased burden for documentation of procedures and some minor analysis or review. In calculating the burden for an entity to consider the safety elements in the Voluntary Guidance, NHTSA has adjusted its estimates in accordance with the new Voluntary Guidance from the original estimated annual burden of 1,630 hours for each reporting entity plus an additional 20 hours for select entities. By limiting the scope and safety elements in the Voluntary Guidance, the estimated annual burden for an entity to consider the safety elements in the Voluntary Guidance is now 835 hours.

In addition to the estimated annual burden associated with existing documentation and business operation to follow the Voluntary Guidance, disclosure of a Voluntary Safety Self-Assessment may involve additional burden for format and content adherence, varying by safety element. NHTSA estimates that each entity will spend an additional 600 hours to use the documentation recommendations contained in the Voluntary Guidance. This estimate of burden is comprised of efforts to transmit information from existing format into a summary format that would be consumable by the public, including data translation, analysis, and discussion of traditionally-technical information. This is a reduction from the original estimate of 1,380 burden hours per year.

Estimated Burden for This Collection: This estimated burden is a change from the previous collection, which estimated a total burden of 136,050 hours for 45 HAV manufacturers or entities responding and 45 L2 manufacturers or entities responding. As the new Voluntary Guidance does not contain any recommendations for documentation or disclosure for L2 manufacturers, NHTSA has removed estimates for L2 manufacturers, which the agency had estimated as leading to 1,375 burden hours per entity per year. NHTSA has also increased the estimated respondents for ADS (previously referred to as HAV) manufacturers or entities from 45 to 50 based on recent trends and has adjusted the burdens for each safety element based on the new Voluntary Guidance. NHTSA estimates the total burden associated with conforming with the documentation and disclosure recommendations contained in the Voluntary Guidance would be 1,435 hours per manufacturer or entity per year. NHTSA estimates that 50 manufacturers will conform with the recommendations contained in the Voluntary Guidance for a total burden of 71,750 hours. Assuming an average cost to manufacturers or entities of $100 per hour, the total estimated annual burden on all respondents to this collection is $7,175,000, which represents a net decrease of $6,430,000 from the prior approval.

The agency seeks comment on the estimated burden hours.

Authority: 44 U.S.C. Section 3506(c)(2)(A).

Nathaniel Beuse,

Associate Administrator for Vehicle Safety Research.

[FR Doc. 2017–19638 Filed 9–14–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2017–0039; Notice 1]

Ride the Ducks International, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Receipt of petition.

SUMMARY: Ride the Ducks International, LLC (RTDI), has determined that certain model year (MY) 1996–2014 Ride the Ducks International Stretch Amphibious passenger vehicles (APVs) do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 113, *Hood Latch System,* and Federal Motor Vehicle Safety Standard (FMVSS) No. 302, *Flammability of Interior Materials.* RTDI filed a noncompliance information report dated March 15, 2017. RTDI also petitioned NHTSA on April 12, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is October 16, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000 (65 FR 19477–78).

SUPPLEMENTARY INFORMATION:

I. *Overview:* Ride the Ducks International, LLC (RTDI), has determined that certain model year (MY) 1996–2014 Ride the Ducks International Stretch Amphibious passenger vehicles (APVs) do not fully

comply with paragraph S4.2 of Federal Motor Vehicle Safety Standard (FMVSS) No. 113, *Hood Latch System,* and paragraph S2 of Federal Motor Vehicle Safety Standard (FMVSS) No. 302, *Flammability of Interior Materials.* RTDI filed a noncompliance information report dated March 15, 2017, pursuant to 49 CFR 573, *Defect and Noncompliance Responsibility and Reports.* RTDI also petitioned NHTSA on April 12, 2017, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of RTDI's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. *Vehicles Involved:* Approximately 105 MY 1996–2014 Ride the Ducks International Stretch APVs, manufactured between January 1, 1996, and December 31, 2014, are potentially involved.

III. *Noncompliance:* RTDI explained that the noncompliance is that the subject vehicles were not equipped with a secondary hood latch system, as required by paragraph S4.2 of FMVSS No. 113 and that there are interior components and materials that do not conform to the burn rate requirements of paragraph S2 of FMVSS No. 302.

IV. *Rule Text:* Paragraph S4.2 of FMVSS No. 113 states in pertinent part:

> S4.2 A front opening hood which, in any open position, partially or completely obstructs a driver's forward view through the windshield must be provided with a second latch position on the hood latch system or with a second hood latch system.

Paragraph S2 of FMVSS No. 302 states in pertinent part:

> S2 Purpose. The purpose of this standard is to reduce the deaths and injuries to motor vehicle occupants caused by vehicle fires, especially those originating in the interior of the vehicle from sources such as matches or cigarettes.

V. *Summary of RTDI's Petition:* As background, in 1996, RTDI began to produce APVs. The original Amphibious Passenger vehicles (APVs) are based on military vehicles that were capable of operation over both land and water. The ''Stretch'' APVs were refurbished by RTDI in accordance with state and U.S. Coast Guard rules and regulations. These vehicles have renewed hulls that are ''stretched'' over the original chassis frame and original vehicle components that were replaced with modern equipment. RTDI manufactured the stretch APVs until 2005, when RTDI introduced its ''Truck'' APVs. The truck APVs are based on military cargo vehicles. RTDI has not manufactured any vehicles since 2014.

RTDI described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, RTDI submitted the following reasoning:

1. FMVSS No. 113 specifies, ''a front opening hood which, in any open position, partially or completely obstructs a driver's forward view through the windshield must be provided with a second latch position on the hood latch system or with a second hood latch system.'' 49 CFR § 571.113, S4.2. The purpose of FMVSS No. 113 is to establish requirements for vehicle hood latch systems so that the hood remains secure while the vehicle is operated.

2. FMVSS 302 sets out the burn resistance requirements for materials used in certain parameters within the occupant compartments of vehicles. The stated purpose of FMVSS No. 302 is ''to reduce the deaths and injuries to motor vehicle occupants caused by vehicle fires, especially those originating in the interior of the vehicle from sources such as matches or cigarettes.'' 49 CFR 571.302, S2.

3. The fire risks that exist in traditional motor vehicles are not the same concerns that present themselves in the APVs. Mitigating the risks of a fire occurring on board an APV are centered around the operation and safeguarding of the engine compartment and passenger egress conditions. The USCG has adopted specific design and operational requirements for APVs.[1] Pursuant to the USCG regulations, while an APV is operating, the hood is to remain in an ''open'' position. *See* 46 CFR 182.460 (''a space containing machinery powered by, or fuel tanks for, gasoline must have a ventilation system that complies with this section''), 46 CFR 182.465 (''a space containing diesel machinery must be fitted with adequate means . . . to provide sufficient air for proper operation of main engines and auxiliary engines.'') This requirement is intended to permit a sufficient amount of air flow around the engine compartment which reduces the potential for the engine to overheat and potentially cause a fire.[2] During operation, the hood of the APV is opened or elevated by approximately four inches. Although the hood of the APV is slightly raised, it has vertical arms which rest on manually operated drop latches. The hood does not pose a risk of opening unexpectedly during operation, even without a secondary hood latch system. The hoods of the APVs are substantially heavier than the hoods of traditional motor vehicles. As a practical matter, it is highly unlikely that the force of the wind against the vehicle could move the hood of the APV. In its more than 30 years of operation, RTDI has never received a report or allegation involving the opening of a vehicle's hood while operating either on the public roads or in the public waterways.

4. The APVs also have installed a series of systems designed to protect passengers and allow for ease of egress from the occupant compartment in the event of a fire. The RTDI vehicles have an open-air design with multiple areas of passenger egress. Additionally, and per USCG requirements, all of the vehicles have a fire suppression system installed throughout the vehicle. The fire suppression systems include vent closures, heat detection devices, vapor detection systems and fire extinguishing systems. In the event of a fire in the APV, the operator will activate the fire suppression system which releases the carbon dioxide fire extinguishing agent. The vehicles are also equipped with two portable fire extinguishers and all vehicle operators receive emergency evacuation training on no less than a quarterly basis, per Coast Guard requirements, and often more regularly.

5. By contrast, FMVSS No. 302 is primarily concerned with protecting passengers against vehicle fires that occur due to flames or sparks inside the vehicle. In addition to the safety features described above, the vehicles have implemented other measures that provide an equivalent measure of safety to vehicle occupants. Smoking is expressly prohibited in the APVs. Passengers are advised of this requirement prior to the start of the tour. On board each vehicle there is a ''narrator'' or second crew member present. The narrator sits rearward, facing into the occupant compartment and is in continuous view of the passenger's activities at all times while the APV is in operation. The narrator is physically located so that he/she would

[1] Under the USCG rubric, APVs are classified as ''T-Boats'' which are small passenger vessels weighing less than 100 gross tons.

[2] USCG regulations also require that while operating in the water, the engine compartment has the ability to be fully closed. In the event of a fire in the engine compartment, the operator will deploy the hood latch, dropping the hood and closing off the compartment. This feature is designed to contain the fire by preventing the flow of oxygen around the engine.

be able to see and stop a passenger attempting to light a match, flame or smoke on board.

6. In recognizing that APVs have a unique design and may encounter specialized hazard conditions, the USCG employs a ''systems approach'' to certification for APVs. To meet the USCG requirements, the APVs must have ''a level of safety equivalent to that required for a vessel of similar size and service.'' *See* Navigation and Vessel Inspection Circular (NVIC) No. 1–01. These requirements are met, ''in part through a combination of design requirements and operational restrictions'' and by considering ''the entire vehicle and its equipment as a complete safety system.'' *Id.* The RTDI APVs are certified to meet the USCG's fire safety requirements for T-boats.

7. From its inception, the Safety Act has included a provision recognizing that some noncompliances may pose little or no actual safety risk. The Safety Act exempts manufacturers from their statutory obligation to provide notice and remedy upon a determination by NHTSA that a noncompliance is inconsequential to motor vehicle safety. *See* 49 U.S.C. 30118(d). In applying this recognition to particular fact situations, the agency considers whether the noncompliance gives rise to ''a significantly greater risk than . . . in a compliant vehicle.'' 69 FR 19897, 19900 (April 14, 2000). The design and construction of the APVs addresses the potential risks to passenger safety arising from fire-related concerns particular to these vehicles. The safety features present on the APVs provide a level of protection that is, at a minimum, equivalent to the vehicle safety standards so that granting the company's petition would be appropriate.

RTDI concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that RTDI no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after RTDI notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–19631 Filed 9–14–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[Docket ID OCC–2017–0017]

Minority Depository Institutions Advisory Committee

AGENCY: Office of the Comptroller of the Currency, Department of the Treasury.

ACTION: Notice.

SUMMARY: The Office of the Comptroller of the Currency (OCC) announces a meeting of the Minority Depository Institutions Advisory Committee (MDIAC).

DATES: The OCC MDIAC will hold a public meeting on Tuesday, October 3, 2017, beginning at 8:30 a.m. Eastern Daylight Time (EDT).

ADDRESSES: The OCC will hold the October 3, 2017 meeting of the MDIAC at the Office of the Comptroller of the Currency, 400 7th Street SW., Washington, DC 20219.

FOR FURTHER INFORMATION CONTACT: Beverly Cole, Designated Federal Officer and Deputy Comptroller for Compliance Supervision Management, (202) 649–6862, Office of the Comptroller of the Currency, Washington, DC 20219.

SUPPLEMENTARY INFORMATION: By this notice, the OCC is announcing that the MDIAC will convene a meeting at 8:30 a.m. EDT on Tuesday, October 3, 2017, at the Office of the Comptroller of the Currency, 400 7th Street SW., Washington, DC 20219. Agenda items will include current topics of interest to the industry. The purpose of the meeting is for the MDIAC to advise the OCC on steps the agency may be able to take to ensure the continued health and viability of minority depository institutions and other issues of concern to minority depository institutions.

Members of the public may submit written statements to the MDIAC by any one of the following methods:

- *Email to: MDIAC@OCC.treas.gov.*
- *Mail to:* Beverly Cole, Designated Federal Officer, Office of the Comptroller of the Currency, 400 7th Street SW., Washington, DC 20219.

The OCC must receive written statements no later than 5:00 p.m. EDT on Tuesday, September 26, 2017. Members of the public who plan to attend the meeting should contact the OCC by 5:00 p.m. EDT on Tuesday, September 26, 2017, to inform the OCC of their desire to attend the meeting and to provide information that will be required to facilitate entry into the meeting. Members of the public may contact the OCC via email at *MDIAC@OCC.treas.gov* or by telephone at (202) 649–6862. Attendees should provide their full name, email address, and organization, if any. For security reasons, attendees will be subject to security screening procedures and must present a valid government-issued identification to enter the building. Members of the public who are deaf or hard of hearing should call (202) 649–5597 (TTY) no later than 5:00 p.m. EDT on Tuesday, September 26, 2017, to arrange auxiliary aids such as sign language interpretation for this meeting.

Dated: September 7, 2017.

Keith A. Noreika,

Acting Comptroller of the Currency.

[FR Doc. 2017–19559 Filed 9–14–17; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Sanctions Actions Pursuant to Executive Order 13581

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of persons whose property and interests in property have been unblocked pursuant to Executive Order 13581 of July 24, 2011, ''Blocking Property of Transnational Criminal Organizations.''

DATES: OFAC's actions described in this notice were effective on April 6, 2017.

FOR FURTHER INFORMATION CONTACT: The Department of the Treasury's Office of Foreign Assets Control: Assistant Director for Licensing, tel.: 202–622–2480, Assistant Director for Regulatory Affairs, tel.: 202–622–4855, Assistant Director for Sanctions Compliance &

Evaluation, tel.: 202–622–2490; or the Department of the Treasury's Office of the Chief Counsel (Foreign Assets Control), Office of the General Counsel, tel.: 202–622–2410.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The list of Specially Designated Nationals and Blocked Persons (SDN List) and additional information concerning OFAC sanctions programs are available from OFAC's Web site at *http://www.treasury.gov/ofac.*

Notice of OFAC Actions

On April 6, 2017, OFAC removed from the SDN List the persons listed below, whose property and interests in property were blocked pursuant to Executive Order 13581.

Individuals

1. HANRAHAN, Siobhan Ann, Shannon Airport House, Shannon Free Zone, Shannon, County Clare, Ireland; Meadow View, Clonlohan, Newmarket-on-Fergus, County Clare, Ireland; DOB May 1972 (individual) [TCO] (Linked To: PACNET HOLDINGS LIMITED; Linked To: PACNET SERVICES LTD.; Linked To: PACNET CONNECTIONS LIMITED; Linked To: PACNET SERVICES (IRELAND) LIMITED; Linked To: AEROPAY LIMITED; Linked To: PACNET EUROPE; Linked To: PACNET GROUP).

2. MACBAIN, Donna Maria, Parkshot House, 5 Kew Road, Richmond, Surrey TW9 2PR, United Kingdom; DOB 01 Feb 1979 to 28 Feb 1979; nationality United Kingdom (individual) [TCO] (Linked To: COUNTING HOUSE SERVICES LTD.; Linked To: PACNET SERVICES LTD.; Linked To: PACNET GROUP).

Dated: April 6, 2017.

Andrea Gacki,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2017–19635 Filed 9–14–17; 8:45 am]

BILLING CODE 4810–AL–P

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