

After consideration of all relevant matter presented, including the information and recommendation submitted by the Board 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.

#### List of Subjects in 7 CFR Part 996

Food grades and standards, Marketing agreements, Peanuts, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 996 is amended as follows:

#### PART 996—MINIMUM QUALITY AND HANDLING STANDARDS FOR DOMESTIC AND IMPORTED PEANUTS MARKETED IN THE UNITED STATES

■ 1. The authority citation for 7 CFR part 996 continues to read as follows:

**Authority:** 7 U.S.C. 7958.

■ 2. Section 996.13 is amended by revising paragraphs (b) and (c) to read as follows:

#### § 996.13 Peanuts.

\* \* \* \* \*

(b) *Segregation 1.* “Segregation 1 peanuts” means farmers stock peanuts with not more than 3.49 percent damaged kernels nor more than 1.00 percent concealed damage caused by rancidity, mold, or decay and which are free from visible *Aspergillus flavus*.

(c) *Segregation 2.* “Segregation 2 peanuts” means farmers stock peanuts with more than 3.49 percent damaged kernels or more than 1.00 percent concealed damage caused by rancidity, mold, or decay and which are free from visible *Aspergillus flavus*.

\* \* \* \* \*

Dated: October 16, 2017.

**Bruce Summers,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2017–22712 Filed 10–19–17; 8:45 am]

**BILLING CODE 3410–02–P**

#### FARM CREDIT ADMINISTRATION

#### 12 CFR Part 607

RIN 3052–AD30

#### Assessment and Apportionment of Administrative Expenses

**AGENCY:** Farm Credit Administration.

**ACTION:** Direct final rule.

**SUMMARY:** The Farm Credit Administration (FCA or we) issues this direct final rule adopting technical

amendments to eliminate language that is obsolete, confusing, and unnecessary to determine the annual assessment amount of Farm Credit System institutions.

**DATES:** If no significant adverse comment is received on or before November 20, 2017, this regulation shall become effective no earlier than the expiration of 30 days after publication in the **Federal Register** during which either or both Houses of Congress are in session. We will publish notice of the effective date in the **Federal Register**.

**ADDRESSES:** For accuracy and efficiency reasons, please submit comments by email or through the FCA’s Web site. We do not accept comments submitted by facsimile (fax), as faxes are difficult for us to process in compliance with section 508 of the Rehabilitation Act. Please do not submit your comment multiple times via different methods. You may submit comments by any of the following methods:

- **Email:** Send us an email at [reg-comm@fca.gov](mailto:reg-comm@fca.gov).
- **FCA Web site:** <http://www.fca.gov>. Select “Public Commenters,” then “Public Comments,” and follow the directions for “Submitting a Comment.”
- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Mail:** Barry F. Mardock, Deputy Director, Office of Regulatory Policy, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102–5090.

You may review copies of all comments we receive at our office in McLean, Virginia, or from our Web site at <http://www.fca.gov>. Once you are in the Web site, select “Public Commenters,” then “Public Comments,” and follow the directions for “Reading Submitted Public Comments.” We will show your comments as submitted, but for technical reasons we may omit items such as logos and special characters. Identifying information you provide, such as phone numbers and addresses, will be publicly available. However, we will attempt to remove email addresses to help reduce Internet spam.

#### FOR FURTHER INFORMATION CONTACT:

Jeremy R. Edelstein, Senior Policy Analyst, Office of Regulatory Policy, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4497, TTY (703) 883–4056; or

Jennifer A. Cohn, Senior Counsel, Office of General Counsel, Farm Credit Administration, McLean, VA 22102–5090, (303) 696–9737, TTY (703) 883–4056.

#### SUPPLEMENTARY INFORMATION:

#### I. Objective

The objective of this direct final rule is to eliminate confusion in the definition of “average risk-adjusted asset base” in § 607.2(b), which is used to determine the annual assessment amount of System institutions, by:

- Removing an obsolete and unnecessary reference to FCA’s call report schedule; and
- Clarifying the effect of mergers and consolidations based on current accounting practices and deleting obsolete language relating to transfers of direct lending authority.

#### II. Discussion

Effective January 1, 2017, the FCA published the Tier 1/Tier 2 Framework; Final Rule (new capital rule).<sup>1</sup> The new capital rule, in pertinent part, revised the risk-weights that determine the risk-adjusted asset base (the denominator) of the permanent capital ratio that Farm Credit System (System) institutions must compute. The average risk-adjusted asset base of a System bank, association, or designated other System entity is used to determine its annual assessment of funds to cover FCA’s expenses.<sup>2</sup> Existing § 607.2(b) defines and specifies how to calculate “average risk-adjusted asset base” in four different ways, depending on when the institution was formed and how many quarters of risk-adjusted assets are available. All these variations, however, define “average risk-adjusted asset base” using the regulatory definition of “risk-adjusted asset base” and with reference to risk-adjusted assets as reported on each quarterly Call Report Schedule RC–G.

The FCA significantly revised and relabeled its call report schedules in connection with the new capital rule. An institution’s permanent capital ratio denominator—its average risk-adjusted asset base—is no longer reported in Call Report Schedule RC–G. Accordingly, FCA is revising the definition of “average risk-adjusted asset base” in § 607.2(b) to remove the references to Call Report Schedule RC–G. Because call report schedules are subject to change outside of the regulatory process, the revised definition does not refer to a call report schedule. Rather, revised § 607.2(b) defines “average risk-adjusted asset base” with reference to the average daily risk-adjusted assets as of the last day of the quarter and without reference to the call report schedule. Because average daily risk-adjusted assets can be determined under FCA’s regulations, the reference to the

<sup>1</sup> 81 FR 48720, July 28, 2016.

<sup>2</sup> See 12 CFR part 607.

call report schedule is unnecessary.<sup>3</sup> In the current version of the call report as of the date of this technical amendment, the denominator of the permanent capital ratio (average daily risk-adjusted assets) is reported at Line 8a of Schedule RC-R.1, but this location is subject to change.<sup>4</sup>

In addition, we revise § 607.2(b)(3) and (b)(4) to clarify, based on current accounting practices, that mergers result in continuing institutions and consolidations result in newly formed institutions.<sup>5</sup> We also revise these two paragraphs to remove obsolete provisions governing transfers of direct lending authority, since we do not expect any future transfers of direct lending authority.<sup>6</sup> Finally, we make minor grammatical changes throughout § 607.2(b).

These changes are technical in nature and have no substantive effect. This rule will have no impact on the formula used to calculate an institution's assessment amount. Moreover, this rule does not change the definition of "average risk-adjusted asset base" other than to remove obsolete and unnecessary references, clarify the effect of mergers and consolidations, and correct minor grammatical errors.

### III. Direct Final Rule

We are amending the definition of "average risk-adjusted asset base" in § 607.2(b) by a direct final rulemaking. The Administrative Conference of the United States recommends direct final rulemaking for Federal agencies to enact noncontroversial regulations on an expedited basis, without the usual notice and comment period.<sup>7</sup> This process enables us to reduce the time and resources we need to develop, review, and publish a final rule while still affording the public an adequate

opportunity to comment or object to the rule.

In a direct final rulemaking, we notify the public that the rule will become final on a specified date unless we receive a significant adverse comment during the comment period. A significant adverse comment is one where the commenter explains why the rule would be inappropriate (including challenges to its underlying premise or approach), ineffective, or unacceptable without a change. In general, a significant adverse comment would raise an issue serious enough to warrant a substantive response from the FCA in a notice-and-comment proceeding.

We believe that a direct final rulemaking is the appropriate method for amending § 607.2(b) because the changes are technical in nature and do not substantively alter the rights or responsibilities of any party. We do not anticipate there will be significant adverse comments. If, however, we receive a significant adverse comment during the comment period, we will publish a notice of withdrawal of the relevant provisions of this rule that will also indicate how further rulemaking will proceed. If we receive no significant adverse comments, we will publish notice of the effective date of the rule following the required congressional waiting period under section 5.17(c)(1) of the Farm Credit Act of 1971, as amended.

### IV. Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the FCA hereby certifies that the direct final rule will not have a significant economic impact on a substantial number of small entities. Each of the banks in the Farm Credit System, considered together with its affiliated associations, has assets and annual income in excess of the amounts that would qualify them as small entities. Therefore, Farm Credit System institutions are not "small entities" as defined in the Regulatory Flexibility Act.

#### List of Subjects in 12 CFR Part 607

Accounting, Agriculture, Banks, banking, Reporting and recordkeeping requirements, Rural areas.

For the reasons stated in the preamble, part 607 of chapter VI, title 12 of the Code of Federal Regulations is amended as follows:

### PART 607—ASSESSMENT AND APPORTIONMENT OF ADMINISTRATIVE EXPENSES

■ 1. The authority citation for part 607 continues to read as follows:

**Authority:** Secs. 5.15, 5.17 of the Farm Credit Act (12 U.S.C. 2250, 2252) and 12 U.S.C. 3025.

■ 2. Section 607.2 is amended by revising paragraph (b) to read as follows:

#### § 607.2 Definitions.

\* \* \* \* \*

(b) *Average risk-adjusted asset base* means the average of the risk-adjusted asset base (as defined in § 615.5201 of this chapter) of banks, associations, and designated other System entities, calculated as follows:

(1) For a bank, association, or designated other System entity with four quarters of risk-adjusted assets as of June 30 of each year, the sum of the average daily risk-adjusted assets as of the last day of the quarter for the most recent four quarters immediately preceding each September 15, divided by four;

(2) Except as provided in paragraphs (b)(3) and (b)(4) of this section, for a bank, association, or designated other System entity with less than four quarters of risk-adjusted assets as of June 30 of each year, the sum of the average daily risk-adjusted assets as of the last day of the quarter for the quarters in which it was in existence immediately preceding September 15, divided by the number of quarters in which it was in existence immediately preceding September 15;

(3) For a bank, association, or designated other System entity that is the continuing institution after a merger of existing institutions or a newly formed institution formed through a consolidation of existing institutions and that has less than four quarters of risk-adjusted assets as of June 30 of each year, the sum of the average daily risk-adjusted assets as of the last day of the quarter for the most recent four quarters immediately preceding September 15 for all the institutions that were merged or consolidated, divided by four;

(4) For a bank, association, or designated other System entity chartered during the period July 1 through September 30 of each year that is not the continuing institution after a merger of existing institutions or a newly formed institution formed through a consolidation of existing institutions, the total of the average daily risk-adjusted assets as of the last day of the quarter ending September 30.

\* \* \* \* \*

<sup>3</sup> In the rare circumstance that an institution was unable to submit a call report, it could, for assessment purposes, calculate and provide the same data outside of the call report.

<sup>4</sup> By Informational Memorandum dated June 16, 2017, the FCA informed System banks and associations about the changes to the assessment calculation in the capital rules and about the changes to the call report schedules relevant to assessments.

<sup>5</sup> Section 621.3(a) requires System institutions to prepare financial statements and reports in accordance with generally accepted accounting principles (GAAP).

<sup>6</sup> Section 7.6 of the Farm Credit Act of 1971, as amended, 12 U.S.C. 2279b, authorized Federal land banks and merged banks to transfer their direct lending authority to System associations, and all associations now have direct lending authority.

<sup>7</sup> Recommendation 95-4, referencing the Administrative Procedure Act "good cause" exemption at 5 U.S.C. 553(b)(B), adopted June 15, 1995.

Dated: October 16, 2017.

**Dale L. Aultman,**

*Secretary, Farm Credit Administration Board.*

[FR Doc. 2017-22721 Filed 10-19-17; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Economic Development Administration

#### 13 CFR Part 313

[Docket No.: 170828819-7819-01]

RIN 0610-AA70

#### Elimination of Regulations Implementing Community Trade Adjustment Assistance Program

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

**ACTION:** Final rule.

**SUMMARY:** Through this final rule, the Economic Development Administration (“EDA”), U.S. Department of Commerce, eliminates the regulations implementing the Community Trade Adjustment Assistance (“CTAA”) Program. Established in 2009 under the Trade Act of 1974, the CTAA Program was subsequently eliminated by Congress in 2011. Implementing regulations for this now-defunct Program are thus unnecessary. This final rule is a “deregulatory action” pursuant to the April 5, 2017, Office of Management and Budget (“OMB”) guidance memorandum implementing Executive Order 13771.

**DATES:** This rule is effective October 20, 2017.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Roberson, Deputy Chief Counsel, Office of the Chief Counsel, Economic Development Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Suite 72023, Washington, DC 20230; telephone: (202) 482-1315.

#### SUPPLEMENTARY INFORMATION:

##### Background

The CTAA Program was enacted as part of the Trade Act of 1974 (19 U.S.C. 2101 *et seq.*) by the Trade and Globalization Adjustment Assistance Act of 2009, which was included as subtitle I (letter “I”) of title I of Division B of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5). CTAA was intended to help communities respond to job losses resulting from international trade impacts. EDA’s implementing regulations for CTAA, located at 13 CFR

part 313, became effective August 18, 2009 (74 FR 41592). For Fiscal Year 2010, the only year in which EDA made awards under CTAA, EDA awarded \$36,768,000 in grants to 36 recipients. The CTAA Program was subsequently repealed by section 222 of the Trade Adjustment Assistance Extension Act of 2011 (Pub. L. 112-40) “because it was considered duplicative of other federal programs. . . .” See CRS Report R41922, *Trade Adjustment Assistance (TAA) and Its Role in U.S. Trade Policy*, Aug. 5, 2013, p. 14. With the elimination of the CTAA Program by Congress, EDA’s implementing regulations are now unnecessary.

This elimination of 13 CFR part 313 is a “deregulatory action” pursuant to the April 5, 2017, OMB guidance memorandum implementing Executive Order 13771. Since the program is already defunct, there are no cost savings associated with this elimination.

#### Classification

*Administrative Procedure Act and Regulatory Flexibility Act*

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary. This rule removes obsolete regulations implementing the CTAA Program, which has been eliminated by Congress. Therefore, public comment would serve no purpose and is unnecessary. There is also good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness. This rule does not alter the rights or responsibilities of any party, and delaying implementation of this rule serves no purpose.

Because prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

*Executive Orders No. 12866, 13563, and 13771*

This final rule was drafted in accordance with Executive Orders 12866, 13563, and 13771. OMB has determined that this rule is not significant for purposes of Executive Orders 12866. This final rule is a “deregulatory action” pursuant to the April 5, 2017, OMB guidance memorandum implementing Executive Order 13771 (M-17-21).

#### Congressional Review Act

This final rule is not major under the Congressional Review Act (5 U.S.C. 801 *et seq.*).

#### Executive Order No. 13132

This final rule does not contain policies that have federalism implications.

#### Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (“PRA”) requires that a Federal agency consider the impact of paperwork and other information collection burdens imposed on the public and, under the provisions of PRA section 3507(d), obtain approval from OMB for each collection of information it conducts, sponsors, or requires through regulations. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the PRA unless that collection displays a currently valid OMB Control Number. This final rule does not require the collection of any information.

#### List of Subjects in 13 CFR Part 313

Trade adjustment assistance for communities, Impacted community, Petition and affirmative determination requirements, Strategic plan, Implementation grant.

■ For the reasons discussed above, and under the authority of 19 U.S.C. 2341-2372, EDA is removing and reserving 13 CFR part 313.

#### PART 313—[REMOVED AND RESERVED]

Dated: October 16, 2017.

**Dennis Alvord,**

*Deputy Assistant Secretary for Regional Affairs.*

[FR Doc. 2017-22782 Filed 10-19-17; 8:45 am]

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Parts 1264 and 1271

RIN 2700-AE30

[Document Number NASA-17-071: Docket Number-NASA-2017-0004]

#### Implementation of the Federal Civil Penalties Inflation Adjustment Act and Adjustment of Amounts for 2017

**AGENCY:** National Aeronautics and Space Administration.