AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 83 Wednesday,
No. 16 January 24, 2018

Pages 3261–3400

OFFICE OF THE FEDERAL REGISTER

The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see *www.ofr.gov.*

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the **Federal Register** shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge at *www.fdsys.gov*, a service of the U.S. Government Publishing Office.

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6:00 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, 1 (January 2, 1994) forward. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800 or 866-512-1800 (toll free). E-mail, *gpocusthelp.com.*

The annual subscription price for the **Federal Register** paper edition is $749 plus postage, or $808, plus postage, for a combined **Federal Register, Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is $165, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register,** including postage, is based on the number of pages: $11 for an issue containing less than 200 pages; $22 for an issue containing 200 to 400 pages; and $33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for $3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Publishing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see *bookstore.gpo.gov.*

There are no restrictions on the republication of material appearing in the **Federal Register.**

How To Cite This Publication: Use the volume number and the page number. Example: 83 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Publishing Office, Washington, DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	**202–512–1800**
Assistance with public subscriptions	**202–512–1806**
General online information	**202–512–1530; 1–888–293–6498**

Single copies/back copies:

Paper or fiche	**202–512–1800**
Assistance with public single copies	**1–866–512–1800 (Toll-Free)**

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:

Email	*FRSubscriptions@nara.gov*
Phone	**202–741–6000**

Printed on recycled paper.

Contents

Federal Register

Vol. 83, No. 16

Wednesday, January 24, 2018

Agriculture Department
See Food and Nutrition Service

Centers for Medicare & Medicaid Services
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 3348–3349

Civil Rights Commission
NOTICES
Meetings:
Georgia Advisory Committee, 3296

Coast Guard
RULES
Inland Navigation Rules, 3273–3274

Commerce Department
See Economic Development Administration
See International Trade Administration
See National Institute of Standards and Technology
See National Oceanic and Atmospheric Administration

Corporation for National and Community Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Concept Paper, Application and Budget Instructions, Project Progress Report and Progress Report Supplement, 3333–3334

Defense Department
RULES
Federal Acquisition Regulation:
Federal Acquisition Circular 2005–97; Introduction, 3396
Federal Acquisition Circular 2005–97; Small Entity Compliance Guide, 3399
Trade Agreements Thresholds, 3396–3398

Economic Development Administration
NOTICES
Trade Adjustment Assistance; Petitions, 3296–3297

Education Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Freedom of Information Act Third Party Perjury Form, 3334–3335
D.C. Opportunity Scholarship Program; Extension and Waiver, 3336–3338
Review of Accrediting Agencies, 3335–3336

Energy Department
See Federal Energy Regulatory Commission
NOTICES
Meetings:
Electricity Advisory Committee, 3338–3339

Environmental Protection Agency
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Pesticide Data Call-in Program, 3344–3345

Federal Aviation Administration
RULES
Airworthiness Directives:
Honeywell International Inc. Turboprop and Turboshaft Engines, 3263–3268
PROPOSED RULES
Airworthiness Directives:
GE Aviation Czech s.r.o. Turboprop Engines, 3287–3291
Zodiac Aero Evacuation Systems, 3283–3287
NOTICES
Land Use Waiver Requests:
Bolton Field Airport, Columbus, OH, 3389

Federal Communications Commission
RULES
Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, 3274–3275
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 3346–3347
Pleading Cycle Extended for Comment on Applications for State Certification for the Provision of Telecommunications Relay Service, 3345–3346

Federal Emergency Management Agency
NOTICES
Flood Hazard Determinations; Changes, 3359–3362
Flood Hazard Determinations; Proposals, 3356–3358
Major Disaster and Related Determinations:
California, 3359
Vermont, 3362
Major Disaster Declarations:
California; Amendment No. 1, 3358–3359
Mississippi; Amendment No. 1, 3358

Federal Energy Regulatory Commission
RULES
Emergency Preparedness and Operations Reliability Standards, 3268–3272
NOTICES
Applications:
Verdant Power, LLC, 3342–3343
Combined Filings, 3339–3340, 3343–3344
Environmental Assessments; Availability, etc.:
Deschutes Valley Water District, 3340–3341
Initial Market-Based Rate Filings Including Requests for Blanket Section 204 Authorizations:
Steamboat Hills, LLC, 3341
Institution of Section 206 Proceedings:
Calpine Bethlehem, LLC; Calpine Mid-Atlantic Generation, LLC; Calpine Mid Merit, LLC; et al., 3343
License Transfer; Applications:
Northern Indiana Public Service Co.; Northern Indiana Public Service Co. LLC, 3341
PVM Commercial Center, LLC; Pine Valley Hydroelectric Power Company, LLC, 3342

Meetings:
PacifiCorp; Klamath River Renewal Corp.; Tribal Consultation; Teleconference, 3342

Federal Highway Administration
NOTICES
Federal Agency Actions:
Proposed Highway in California, 3390

Federal Reserve System
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Announcement of Board Approval under Delegated Authority and Submission to OMB, 3347–3348

Federal Transit Administration
NOTICES
Transfers of Federally Assisted Lands or Facilities, 3390–3392

Food and Nutrition Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Supplemental Nutrition Assistance Program Waivers, 3295–3296

Foreign Assets Control Office
NOTICES
Blocking or Unblocking of Persons and Properties, 3392

General Services Administration
RULES
Federal Acquisition Regulation:
Federal Acquisition Circular 2005–97; Introduction, 3396
Federal Acquisition Circular 2005–97; Small Entity Compliance Guide, 3399
Federal Supply Schedule, Order-Level Materials, 3275–3281
Trade Agreements Thresholds, 3396–3398
NOTICES
Environmental Impact Statements; Availability, etc.:
Modernization and Expansion of the Existing Otay Mesa Land Port of Entry, 3348

Health and Human Services Department
See Centers for Medicare & Medicaid Services
See National Institutes of Health

Homeland Security Department
See Coast Guard
See Federal Emergency Management Agency
See Transportation Security Administration

Housing and Urban Development Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Multifamily Insurance Benefits Claims Package, 3364–3365
Mortgage and Loan Insurance Programs under the National Housing Act:
Debenture Interest Rates, 3363–3364

Interior Department
See Land Management Bureau

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Carbon and Alloy Steel Wire Rod from Belarus, the Russian Federation, and the United Arab Emirates, 3297–3299
Certain Tool Chests and Cabinets from the People's Republic of China, 3299–3301

International Trade Commission
NOTICES
Investigations; Determinations, Modifications, and Rulings, etc.:
Certain Circular Welded Pipe and Tube from Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey, 3366
Certain Digital Cable and Satellite Products, Set-Top Boxes, Gateways and Components Thereof, 3366–3367
Certain Periodontal Laser Devices and Components Thereof, 3366
Certain Personal Computers, Mobile Devices, Digital Media Players, and Microconsoles, 3367–3368

Land Management Bureau
NOTICES
Meetings:
Boise District Resource Advisory Council, 3365

Management and Budget Office
NOTICES
Calendar Year 2017 Cost of Outpatient Medical, Dental, and Cosmetic Surgery Services Furnished by the Department of Defense Medical Treatment Facilities:
Certain Rates Regarding Recovery from Tortiously Liable Third Persons, 3368
Fiscal Year 2018 Cost of Inpatient Hospital and Medical Care Treatment Furnished by the Department of Defense Medical Treatment Facilities:
Certain Rates Regarding Recovery from Tortiously Liable Third Persons, 3368

National Aeronautics and Space Administration
RULES
Federal Acquisition Regulation:
Federal Acquisition Circular 2005–97; Introduction, 3396
Federal Acquisition Circular 2005–97; Small Entity Compliance Guide, 3399
Trade Agreements Thresholds, 3396–3398

National Institute of Standards and Technology
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Generic Request for Customer Service-Related Data Collections, 3301–3302

National Institutes of Health
NOTICES
Charter Renewals:
National Center for Advancing Translational Sciences, 3349
Meetings:
Center for Scientific Review, 3352–3355
National Cancer Institute, 3350–3352
National Institute of Allergy and Infectious Diseases, 3355

National Institute of Diabetes and Digestive and Kidney Diseases, 3355–3356
National Institute of Mental Health, 3349–3350
Office of the Director, 3350–3351

National Oceanic and Atmospheric Administration
RULES
Fisheries of the Exclusive Economic Zone off Alaska:
Pacific Cod by Catcher Vessels Greater than or Equal to 60 feet Length Overall Using Pot Gear in Bering Sea and Aleutian Islands Management Area, 3281–3282
Pacific cod by Pot Catcher/Processors in Bering Sea and Aleutian Islands Management Area, 3281
Pacific Cod by Trawl Catcher Vessels in Central Regulatory Area of Gulf of Alaska, 3282
PROPOSED RULES
Fisheries off West Coast States:
Pacific Coast Groundfish Fishery; 2018 Tribal Fishery for Pacific Whiting, 3291–3294
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 3306, 3308
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Shipboard Observation Form for Floating Marine Debris, 3307–3308
Evaluation of State Coastal Management Program, 3304
Meetings:
Fisheries of the Gulf of Mexico Southeast Data, Assessment, and Review, 3305
Mid-Atlantic Fishery Management Council, 3305–3306
Pacific Fishery Management Council, 3303–3307
Western Pacific Fishery Management Council, 3307
Requests for Nominations:
Advisory Councils Established Pursuant to the National Marine Sanctuaries Act and Executive Orders, 3302–3303
Takes of Marine Mammals Incidental to Specified Activities:
Rocky Intertidal Monitoring Surveys along the Oregon and California Coasts, 3308–3318
Waterfront Improvement Projects at Portsmouth Naval Shipyard, 3318–3333

Nuclear Regulatory Commission
RULES
List of Approved Spent Fuel Storage Casks:
TN Americas LLC, Standardized NUHOMS Horizontal Modular Storage System, Certificate of Compliance No. 1004, Renewal of Initial Certificate and Amendment Nos. 1 Through 11 and 13, Revision 1, and 14; Corrections, 3261–3263
NOTICES
Environmental Assessments; Availability, etc.:
Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station; Correction, 3368–3369

Pension Benefit Guaranty Corporation
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Payment of Premiums, 3369–3370

Personnel Management Office
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
General Request for Investigative Information, etc., 3370–3371

Securities and Exchange Commission
NOTICES
Self-Regulatory Organizations; Proposed Rule Changes:
Cboe Exchange, Inc., 3372–3376
New York Stock Exchange LLC, 3371–3372
NYSE Arca, Inc., 3380–3387
Options Clearing Corp., 3376
The NASDAQ Stock Market LLC, 3377–3380

State Department
NOTICES
Culturally Significant Objects Imported for Exhibition:
Fra Angelico: Heaven on Earth Exhibition, 3388
Unknown Tibet: Buddhist Paintings from the Tucci Expeditions Exhibition, 3388
Designations as a Specially Designated Global Terrorist
Abdelatif Gaini, 3388
Designations as Global Terrorists:
Khalid Batarfi, aka Khaled Batarfi, aka Khaled Saeed Batarfi, aka Abu Miqdad, aka Abu al-Miqdad al-Kindi, aka Khalid bin Umar Batarfi, aka Khalid Saeed Batarfi, 3387–3388
Siddhartha Dhar, aka Abu Rumaysah, aka Abu Dhar, aka Saiful Islam, aka Jihadi Sid, aka Abu Rumaysah al Britani, aka Siddartha Dhar, 3389

Transportation Department
See Federal Aviation Administration
See Federal Highway Administration
See Federal Transit Administration

Transportation Security Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Law Enforcement Officer Flying Armed Training, 3362–3363

Treasury Department
See Foreign Assets Control Office

Veterans Affairs Department
NOTICES
Meetings:
National Research Advisory Council, 3392–3393
New Hampshire Vision 2025 Task Force, 3392

Separate Parts In This Issue

Part II
Defense Department, 3396–3399
General Services Administration, 3396–3399
National Aeronautics and Space Administration, 3396–3399

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

To subscribe to the Federal Register Table of Contents electronic mailing list, go to https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

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

10 CFR
72 3261

14 CFR
39 3263

Proposed Rules:
39 (2 documents) 3283, 3287

18 CFR
40 3268

33 CFR
83 3273

47 CFR
15 3274

48 CFR
Ch. I (2 documents) 3396, 3399
22 3396
25 3396
52 3396
515 3275
538 3275
552 3275

50 CFR
679 (3 documents) 3281, 3282

Proposed Rules:
660 3291

Rules and Regulations

Federal Register

Vol. 83, No. 16

Wednesday, January 24, 2018

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2017–0138]

RIN 3150–AK05

List of Approved Spent Fuel Storage Casks: TN Americas LLC, Standardized NUHOMS® Horizontal Modular Storage System, Certificate of Compliance No. 1004, Renewal of Initial Certificate and Amendment Nos. 1 Through 11 and 13, Revision 1, and 14; Corrections

AGENCY: Nuclear Regulatory Commission.

ACTION: Correcting amendments.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) published a direct final rule in the **Federal Register** on September 27, 2017, which amended its spent fuel storage regulations by revising the Standardized NUHOMS® Horizontal Modular Storage System (NUHOMS® System) listing within the ''List of approved spent fuel storage casks'' to renew, for an additional 40-year period, the initial certificate and Amendment Nos. 1 through 11 and 13, Revision 1, and Amendment No. 14 of Certificate of Compliance (CoC) No. 1004. That direct final rule was effective on December 11, 2017. The technical specifications (TS) for the NUHOMS® System, Renewed Amendments No. 11, Revision 1, and No. 13, Revision 1 included an incorrect title in Figure 1–15. The purpose of this action is to correct this minor editorial and non-substantive error to Figure 1–15 for both Renewed Amendments No. 11, Revision 1, and No. 13, Revision 1.

DATES: The correction is effective January 24, 2018.

ADDRESSES: Please refer to Docket ID NRC–2017–0138 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action using any of the following methods:

- *Federal Rulemaking website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2017–0138. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Christian Jacobs, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6825; email: C*hristian.Jacobs@nrc.gov.*

SUPPLEMENTARY INFORMATION: The NRC published a direct final rule in the **Federal Register** on September 27, 2017 (82 FR 44879), which revised the NUHOMS® System listing within the ''List of approved spent fuel storage casks'' to renew, for an additional 40-year period, the initial certificate and Amendment Nos. 1 through 11 and 13, Revision 1, and Amendment No. 14 of CoC No. 1004. The direct final rule was effective on December 11, 2017. The TSs for the NUHOMS® System, Renewed Amendments No. 11, Revision 1, and No. 13, Revision 1, include an incorrect title in Figure 1–15. Specifically, the title of Figure 1–15 for Amendment No. 11, Revision 1, and Amendment No. 13, Revision 1, reads ''Heat Load Zoning Configuration Number 5 for 24PTH–S and 24PTH–L DSCs (with or without Control Components)(2)'' instead of ''Heat Load Zoning Configuration Number 5 for 24PTH–S–LC DSC (with or without Control Components)(2)''.

Figure 1–15 was first included in the TSs for CoC No. 1004 after the NRC's review and approval in Amendment No. 8 (ADAMS Accession No. ML053390278). During the revision process for the 13 amendments that became effective on April 25, 2017 (82 FR 17749), the title of Figure 1–15 was unintentionally changed in the technical specifications for Amendment No. 11, Revision 1, and Amendment No. 13, Revision 1, from ''Heat Load Zoning Configuration Number 5 for 24PTH–S–LC DSC (with or without Control Components)(2)'' to ''Heat Load Zoning Configuration Number 5 for 24PTH–S and 24PTH–L DSCs (with or without Control Components)(2)''. This error was carried forward to Renewed Amendments No. 11, Revision 1, and No. 13, Revision 1. The NRC is correcting the title of Figure 1–15 in the technical specifications for both of these amendments back to the original, intended title, which is ''Heat Load Zoning Configuration Number 5 for 24PTH–S–LC DSC (with or without Control Components)(2)''. The Renewed Amendments No. 11, Revision 1, and No. 13, Revision 1, listings within ''List of approved spent fuel storage casks'' in § 72.214 of title 10 of the *Code of Federal Regulations* (10 CFR) are being revised to note that they have been corrected.

Rulemaking Procedure

Under the Administrative Procedure Act (5 U.S.C. 553(b)), an agency may waive the normal notice and comment requirements if it finds, for good cause, that they are impracticable, unnecessary, or contrary to the public interest. As authorized by 5 U.S.C. 553(b)(3)(B), the NRC finds good cause to waive notice and opportunity for comment on the amendments because they will have no substantive impact and is of a minor and administrative nature dealing with a correction to a CFR section related to procedure and practice. Specifically, this amendment is to correct a minor editorial and non-substantive error. This amendment does not require action by any person or entity regulated by the NRC. Also, this

final rule does not change the substantive responsibilities of any person or entity regulated by the NRC. Accordingly, for the reasons stated, the NRC finds, pursuant to 5 U.S.C. 553(d)(3), that good cause exists to make this rule effective upon publication.

List of Subjects in 10 CFR Part 72

Administrative practice and procedures, Criminal penalties, Hazardous waste, Indians, Intergovernmental relations, Manpower training programs, Nuclear energy, Nuclear materials, Occupational safety and health, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting the following amendment to 10 CFR part 72:

PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE

■ 1. The authority citation for part 72 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2210e, 2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act of 1969 (42 U.S.C. 4332); Nuclear Waste Policy Act of 1982, secs. 117(a), 132, 133, 134, 135, 137, 141, 145(g), 148, 218(a) (42 U.S.C. 10137(a), 10152, 10153, 10154, 10155, 10157, 10161, 10165(g), 10168, 10198(a)); 44 U.S.C. 3504 note.

■ 2. In § 72.214, Certificate of Compliance 1004 is revised to read as follows:

§ 72.214 List of approved spent fuel storage casks.

* * * * *

Certificate Number: 1004.

Initial Certificate Effective Date: January 23, 1995, superseded by Initial Certificate, Revision 1, on April 25, 2017, superseded by Renewed Initial Certificate, Revision 1, on December 11, 2017.

Initial Certificate, Revision 1, Effective Date: April 25, 2017.

Renewed Initial Certificate, Revision 1, Effective Date: December 11, 2017.

Amendment Number 1 Effective Date: April 27, 2000, superseded by Amendment Number 1, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 1, Revision 1, on December 11, 2017.

Amendment Number 1, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 1, Revision 1, Effective Date: December 11, 2017.

Amendment Number 2 Effective Date: September 5, 2000, superseded by Amendment Number 2, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 2, Revision 1, on December 11, 2017.

Amendment Number 2, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 2, Revision 1, Effective Date: December 11, 2017.

Amendment Number 3 Effective Date: September 12, 2001, superseded by Amendment Number 3, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 3, Revision 1, on December 11, 2017.

Amendment Number 3, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 3, Revision 1, Effective Date: December 11, 2017.

Amendment Number 4 Effective Date: February 12, 2002, superseded by Amendment Number 4, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 4, Revision 1, on December 11, 2017.

Amendment Number 4, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 4, Revision 1, Effective Date: December 11, 2017.

Amendment Number 5 Effective Date: January 7, 2004, superseded by Amendment Number 5, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 5, Revision 1, on December 11, 2017.

Amendment Number 5, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 5, Revision 1, Effective Date: December 11, 2017.

Amendment Number 6 Effective Date: December 22, 2003, superseded by Amendment Number 6, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 6, Revision 1, on December 11, 2017.

Amendment Number 6, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 6, Revision 1, Effective Date: December 11, 2017.

Amendment Number 7 Effective Date: March 2, 2004, superseded by Amendment Number 7, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 7, Revision 1, on December 11, 2017.

Amendment Number 7, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 7, Revision 1, Effective Date: December 11, 2017.

Amendment Number 8 Effective Date: December 5, 2005, superseded by Amendment Number 8, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 8, Revision 1, on December 11, 2017.

Amendment Number 8, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 8, Revision 1, Effective Date: December 11, 2017.

Amendment Number 9 Effective Date: April 17, 2007, superseded by Amendment Number 9, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 9, Revision 1, on December 11, 2017.

Amendment Number 9, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 9, Revision 1, Effective Date: December 11, 2017.

Amendment Number 10 Effective Date: August 24, 2009, superseded by Amendment Number 10, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 10, Revision 1, on December 11, 2017.

Amendment Number 10, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 10, Revision 1, Effective Date: December 11, 2017.

Amendment Number 11 Effective Date: January 7, 2014, superseded by Amendment Number 11, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 11, Revision 1, on December 11, 2017.

Amendment Number 11, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 11, Revision 1, Effective Date: December 11, 2017, as corrected (ADAMS Accession No. ML18018A043).

Amendment Number 12 Effective Date: Amendment not issued by the NRC.

Amendment Number 13 Effective Date: May 24, 2014, superseded by Amendment Number 13, Revision 1, on April 25, 2017, superseded by Renewed Amendment Number 13, Revision 1, on December 11, 2017.

Amendment Number 13, Revision 1, Effective Date: April 25, 2017.

Renewed Amendment Number 13, Revision 1, Effective Date: December 11, 2017, as corrected (ADAMS Accession No. ML18018A100).

Amendment Number 14 Effective Date: April 25, 2017, superseded by Renewed Amendment Number 14 on December 11, 2017.

Renewed Amendment Number 14 Effective Date: December 11, 2017.

SAR Submitted by: Transnuclear, Inc.

SAR Title: Final Safety Analysis Report for the Standardized NUHOMS® Horizontal Modular Storage System for Irradiated Nuclear Fuel.

Docket Number: 72–1004.

Certificate Expiration Date: January 23, 2015.

Renewed Certificate Expiration Date: January 23, 2055.

Model Number: NUHOMS®–24P, –24PHB, –24PTH, –32PT, –32PTH1, –37PTH, –52B, –61BT –61BTH, and –69BTH.

* * * * *

Dated at Rockville, Maryland, this 19th day of January 2018.

For the Nuclear Regulatory Commission.

Pamela J. Shepherd-Vladimir,

Acting Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2018–01278 Filed 1–23–18; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2016–9418; Product Identifier 2016–NE–23–AD; Amendment 39–19167; AD 2018–02–14]

RIN 2120–AA64

Airworthiness Directives; Honeywell International Inc. Turboprop and Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Honeywell International Inc. (Honeywell) TPE331 turboprop and TSE331 turboshaft engines. This AD was prompted by reports that combustion chamber case assemblies have cracked and ruptured. This AD requires inspection of the affected combustion chamber case assembly, replacement of those assemblies found cracked, and removal of affected assemblies on certain TPE331 and TSE331 engines. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective February 28, 2018.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of February 28, 2018.

ADDRESSES: For service information identified in this final rule, contact Honeywell International Inc., 111 S 34th Street, Phoenix, AZ 85034–2802; phone: 800–601–3099; internet: *https://myaerospace.honeywell.com/wps/portal.* You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7759. It is also available on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9418.

Examining the AD Docket

You may examine the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9418; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the regulatory evaluation, any comments received, and other information. The address for Docket Operations (phone: 800–647–5527) is Document Operations, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Joseph Costa, Aerospace Engineer, Los Angeles ACO Branch, FAA, 3960 Paramount Blvd., Lakewood, CA 90712–4137; phone: 562–627–5246; fax: 562–627–5210; email: *joseph.costa@faa.gov.*

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Honeywell TPE331 turboprop and TSE331 turboshaft engines. The NPRM published in the **Federal Register** on April 19, 2017 (82 FR 18402). The NPRM was prompted by reports of three accidents involving combustion chamber case assembly ruptures. Investigations have shown numerous cracked and ruptured combustion chamber case assemblies resulting from high stresses in the as-designed weld joints and contributing factors due to repair weld quality, poor maintenance and inspection practices, and cycles-in-service. The NPRM proposed to require inspection, replacement of the affected combustion chamber case assemblies, and removal of affected assemblies on certain TPE331 turboprop and TSE331 turboshaft engines. We are issuing this AD to address the unsafe condition on these products.

Comments

We gave the public the opportunity to participate in developing this final rule. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Revise Internet Address

Honeywell requested that its internet address be revised.

We agree. We revised the internet address as requested by Honeywell.

Request To Revise Service Information

Honeywell requested that we revise the service bulletins in this AD to reference the latest revisions.

We agree. We revised the references in this AD to Honeywell Service Bulletins (SBs) TPE331–72–2218; TPE331–72–2235; and TPE331–72–2244 from Revision 1 to Revision 2. However, we did not update the references to the SB that is incorporated by reference since this SB is already at the latest revision.

Request To Revise Discussion of Proposed AD Requirements

Honeywell requested that we reference the TSE331 turboshaft engine in the ''Proposed AD Requirements'' section of this final rule.

We partially agree. We agree that we inadvertently omitted mention of the TSE331 turboshaft engines from the ''Proposed AD Requirements'' section in the NPRM. We disagree with making a change to this final rule because the ''Proposed AD Requirements'' section does not exist in this final rule AD. We did not change this AD.

Request To Revise Discussion of Removal and Replacement Times

Honeywell requested changes to the Differences Between This Proposed AD and the Service Information section contained within the NPRM, recommending revision of the removal and replacement statement. Honeywell's referenced service bulletins in the NPRM recommend a revised compliance calendar deadline for certain redesigned combustion chamber case assemblies. Honeywell indicated the compliance deadline is March 31, 2021, for all redesigned combustion chamber case assemblies.

We partially agree. We agree it would be appropriate to reference this calendar deadline in this discussion within the

NPRM. We do not agree to revise this final rule because this discussion does not exist in this final rule. Further explanation in this final rule is not necessary. We did not change this final rule.

Request To Revise Number of Affected Engines

Honeywell indicated its records show 11,280 engines have been shipped with suspect combustion chamber case assemblies. Honeywell, therefore, requested we revise the number of engines accordingly within the Costs of Compliance section in this final rule.

We disagree. We estimate costs based on the number of affected engines in the U.S. Registry. We estimate 50% of the engines Honeywell shipped are in the U.S. Registry. We did not change this final rule.

Request To Revise Applicability To Include TPE331–12B Engine

Honeywell requested we revise the applicability of this AD to include the TPE331–12B engine. Honeywell commented this engine was used in military operations but now is operated commercially and has experienced similar cracks in its combustion chamber case assembly.

We partially agree. The combustion chamber case assemblies installed on these engines are subject to the same cracking as those installed on the other affected TPE331 engines. However, in the interest of safety, we will proceed to publish this final rule without adding the TPE331–12B engine model. We will consider further rulemaking action to incorporate the TPE331–12B engines.

Request To Revise Compliance Time

Honeywell, Council 331 (a TPE331 operators and maintenance group), and an individual operator requested a change to repetitive compliance time for the visual inspection of the combustion chamber case assembly and suggested a specified calendar date. The commenters noted compliance at 50 and 400 hours would not align with the fuel nozzle inspection interval and requested clarification.

We partially agree. We interpret Honeywell's comment on the 50-hour initial compliance interval as a request to clarify the intent of the 50-hour interval rather than as a request to change this AD. We used the 50-hour compliance interval and not a calendar date because a grace period is necessary to give operators time to comply with this AD.

We agree the repetitive combustion chamber case assembly inspections should be aligned with the fuel nozzle inspections not to exceed 450 hours. We revised this AD to indicate repetitive visual inspection of the combustion chamber case assembly be performed before accumulating 450 hours since last fuel nozzle inspection.

Request To Note Ruptures of Additional Combustion Chamber Case Assemblies

Honeywell requested this final rule note that combustion chamber case assembly ruptures occurred on parts other than those part numbers (P/Ns) mentioned in paragraph (g) of this AD. Honeywell indicated ruptures have occurred on other P/N combustor chamber case assemblies.

We agree. Combustion chamber case assembly ruptures have occurred with other configurations other than those P/Ns mentioned in paragraph (g) of this AD. We agree the public should be aware of combustion chamber case assembly cracks that may propagate to failure or rupture if not properly inspected and maintained. We reviewed other combustion chamber case assembly configurations and determined the risk of rupture for P/N 3101668–x (''x'' denotes all dash numbers) is lower than those configurations identified in paragraph (g)(2) of this AD. We have adequately addressed more frequent inspections and removal from service of high risk and cracked combustion chamber case assemblies. We did not change this AD.

Request To Remove All Combustion Chamber Case Assemblies From Service

Honeywell requested that we revise the Compliance section of this AD to require removal from service, at the next removal from the engine, all combustion chamber case assemblies other than the P/Ns listed in paragraph (g)(2) of this AD. In addition, Honeywell has performed a Continued Airworthiness Assessment, in accordance with Advisory Circular 39–8 and determined replacement of the combustion chamber case assemblies with redesigned assemblies is the only corrective action that would return the product to the level of safety intended by the original basis of certification.

We disagree. This AD requires corrective actions that reduce the probability of combustion chamber case rupture. We identified in paragraph (g)(2) of this AD certain combustion chamber case assemblies with high stresses in the specified weld joint that showed higher incidents of cracking and rupture, a short crack propagation life, and poor crack detectability compared to other combustion chamber case assemblies. These combustion chamber case assemblies require replacement within the AD's specified compliance time. We did not change this AD.

Request To Clarify Identity of Supplemental Type Certificate (STC) Holder

Honeywell requested we clarify that Honeywell is not the holder of the STC referenced in this AD.

We agree. Indication of ownership of the subject STC may assist owners to identify the engine modification. We changed this AD by identifying National Flight Services Inc. as the holder of the STC SE383CH.

Request To Clarify Engines That Have Been Modified With Increased P3 Pressures

Honeywell requested we clarify paragraph (g) of this AD to describe how operators would determine that their engines have been modified with increased P3 pressures not under STC SE383CH.

We agree that operators may be unable to determine that their engines have been modified with increased P3 case pressures. Therefore, we will limit the applicability of paragraph (g) of this AD to the referenced STC. We revised paragraph (g) of this AD by removing the phrase ''modified with increased P3 pressures, including, but not limited to . . .'' from this paragraph.''

Request To Limit Weld Repairs

Honeywell requested we revise the compliance section of this AD to disallow any weld repairs on any combustion chamber case assemblies that are affected by this AD.

We partially agree. We agree a weld repair is a sensitive process that may affect the fatigue life of the combustion chamber case assembly. We agree not to allow use of any weld repair procedures dated before the effective date of this AD. We will assess repair procedures of certain combustion chamber case assemblies with lower stresses on a case-by-case basis. We did not change this AD.

Request To Prohibit Installation of Weld-Repaired Combustion Chamber Case Assemblies

Honeywell requested the compliance section be revised to prohibit installation of any applicable combustion chamber case assembly which has been weld repaired.

We do not agree. In paragraphs (g)(2), (h) and (i) of this AD, we identified the combustion chamber case configurations with the highest risk of rupture. Prohibiting installation of all welded combustion chamber case assemblies is unnecessary because they

do not all create the same unsafe condition. We did not change this AD.

Request To Add Further Information on Combustion Chamber Assembly Failures

Perimeter Aviation LP (Perimeter) requested we add information to this AD regarding the number of failures of combustion chamber assemblies with or without the one-piece bleed pad. Perimeter requested further information on how these failures relate to the P/N 3101668–12 combustion chamber assembly.

We agree. We note that five of the six combustion chamber case assemblies that ruptured were assemblies without the one-piece bleed pad. P/N 3101668–x has the one-piece bleed pad with P3 boss, which demonstrated significantly reduced cracking between the P3 and bleed boss; therefore, this combustion chamber case assembly is not affected by this AD. No further changes are needed. We did not change this AD.

Request To Add More Frequent Inspections

Hancock Enterprises, Inc. and Council 331 requested we require more frequent visual inspections and/or fluorescent penetrant inspections during the combustion chamber case assembly's removal. They recommended allowing the assembly be re-installed and replaced with an updated part at the next overhaul or continuous airworthiness maintenance. Council 331 cited the non-destructive testing experience of these combustion chamber case assemblies.

We disagree. We do not believe more frequent inspections would maintain an adequate level of safety. Allowing the most difficult-to-inspect and highest risk combustion chamber case assemblies back into service would allow excessive risk. Although we agree more frequent visual inspections would improve the probability of detecting cracks, thereby reducing the risk of a rupture, the FAA believes the probability of crack detection for a visual inspection of an installed combustion chamber case assembly is generally low and will not maintain an acceptable level of safety. We did not change this AD.

Request To Add Terminating Action

Council 331 requested that compliance with one of the service bulletins listed in ''Other Related Service Information'' provide terminating action for the proposed AD. Terminating action in the AD will provide added incentive to operators in removing from service suspect parts with a documented history of failure. Council 331 commented that, as drafted, the new redesign combustion chamber case assembly does not eliminate the AD's compliance requirements. There have been no known failures of the new redesign combustion chamber case assembly.

We partially agree. We agree lower stress and improved reliability should eliminate the need for repetitive visual inspection. We also agree to limiting the ADs applicability to only the suspect configurations should provide adequate safety. We therefore changed the Applicability section of this AD to refer only to engines ''with combustion chamber case assemblies, part numbers (P/Ns) 869728–x, 893973–x, 3101668–x, and 3102613–x, where ''x'' denotes any dash number, installed.''

We do not agree it is necessary to specify terminating action in this AD. This AD only applies to the specified engine models with the specific P/N combustor chamber case assemblies installed. Therefore, a terminating action for new combustor chamber assemblies is unnecessary. We did not change this AD.

Revision to Engine Operating Time Limit

After further review, we revised the engine operating time limit in paragraph (g)(2) of this AD to ''not to exceed 3,700 hours time-in-service since last hot section inspection.'' This is equivalent to removal of the combustion chamber case assemblies at their next removal from the engine, which was specified in the NPRM.

Revision to Installation Prohibition

After further review, we revised the Installation Prohibition, paragraph (i) of this AD, to limit this prohibition against installation of affected combustion chamber case assemblies in certain engine models. This clarification makes this prohibition consistent with paragraph (g)(2) of this AD.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting this final rule with the changes described previously and minor editorial changes. We have determined that these minor changes:

- Are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- Do not add any additional burden upon the public than was already proposed in the NPRM.

We also determined that these changes will not increase the economic burden on any operator or increase the scope of this final rule.

Related Service Information Under 1 CFR Part 51

We reviewed Honeywell SB TPE331–72–2178, Revision 0, dated May 3, 2011. Honeywell SB TPE331–72–2178 describe procedures for inspection and removal of the affected combustion chamber case assemblies installed on all affected engines except for the TPE331–12B engine. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Other Related Service Information

Honeywell has also issued SBs TPE331–72–2228, Revision 0, dated June 12, 2014; TPE331–72–2230, Revision 0, dated June 19, 2014; TPE331–72–2218, Revision 2, dated February 18, 2017; TPE331–72–2244, Revision 2, dated March 20 2017; TPE331–72–2235, Revision 2, dated February 18, 2017; TPE331–72–2281, Revision 0, dated July 22, 2016; TPE331–72–2294, Revision 0, dated December 22, 2016; and TSE331–72–2245, Revision 0, dated November 11, 2016. These SBs provide guidance on replacement of the affected combustion chamber case assemblies.

Costs of Compliance

We estimate that this AD affects 5,644 engines installed on airplanes of U.S. registry.

We estimate the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
On-wing inspection	1 work-hour × $85 per hour = $85	$0	$85 per inspection	$479,740 per inspection cycle.

We estimate the following costs to do any necessary replacements that would be required based on the results of the proposed inspection. We estimate that 158 engines will need this replacement during the first year of inspection.

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Replacement of the combustion chamber assembly ...	1 work-hour × $85 per hour = $85	$15,000	$15,085

Authority for This Rulemaking

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

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and associated appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

Regulatory Findings

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

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2018–02–14 Honeywell International Inc. (Type Certificate previously held by AlliedSignal Inc., Garrett Engine Division; Garrett Turbine Engine Company; and AiResearch Manufacturing Company of Arizona): Amendment 39–19167; Docket No. FAA–2016–9418; Product Identifier 2016–NE–23–AD.

(a) Effective Date

This AD is effective February 28, 2018.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Honeywell International Inc. (Honeywell) TPE331–1, –2, –2UA, –3U, –3UW, –5, –5A, –5AB, –5B, –6, –6A, –8, –10, –10AV, –10GP, –10GT, –10N, –10P, –10R, –10T, –10U, –10UA, –10UF, –10UG, –10UGR, –10UR, and –11U, –12JR, –12UA, –12UAR, –12UHR, –25AA, –25AB, –25DA, –25DB, –25FA, –43A, –43BL, –47A, –55B, and –61A model turboprop engines, and TSE331–3U model turboshaft engines with combustion chamber case assemblies, part numbers (P/Ns) 869728–x, 893973–x, 3101668–x, and 3102613–x, where ''x'' denotes any dash number, installed.

(d) Subject

Joint Aircraft System Component (JASC) Code 7240, Turbine Engine Combustion Section.

(e) Unsafe Condition

This AD was prompted by reports that combustion chamber case assemblies have cracked and ruptured. We are issuing this AD to prevent failure of the combustion chamber case assembly. The unsafe condition, if not addressed, could result in failure of the combustion chamber, in-flight shutdown, and reduced control of the airplane.

(f) Compliance

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

(g) Required Actions

(1) For all affected engines:

(i) Inspect all accessible areas of the combustion chamber case assembly, focusing on the weld joints, before accumulating 450 hours in service since last fuel nozzle inspection or within 50 hours in service after the effective date of this AD, whichever occurs later.

(ii) Do the inspection in accordance with the Accomplishment Instructions, paragraphs 3.B.(1) through 3.B.(2), in Honeywell Service Bulletin TPE331–72–2178, Revision 0, dated May 3, 2011.

(iii) Thereafter, repeat this inspection during scheduled fuel nozzle inspections at intervals not to exceed 450 hours.

(2) For TPE331–3U, –3UW, –5, –5A, –5AB, –5B, –6, and –6A engines with combustion chamber case assemblies, P/Ns 869728–1, 869728–3, or 893973–5, installed, and without the one-piece bleed pad with P3 boss; and for TPE331–1, –2, and –2UA engines modified by National Flight Services, Inc., supplemental type certificate (STC) SE383CH, remove the combustion chamber case assembly from service at the next removal of the combustion chamber case from the engine, not to exceed 3,700 hours time-in-service since last hot section inspection.

(3) As of the effective date of this AD, do not weld repair the applicable combustion chamber case assemblies using procedures dated before the effective date of this AD.

(h) Definition

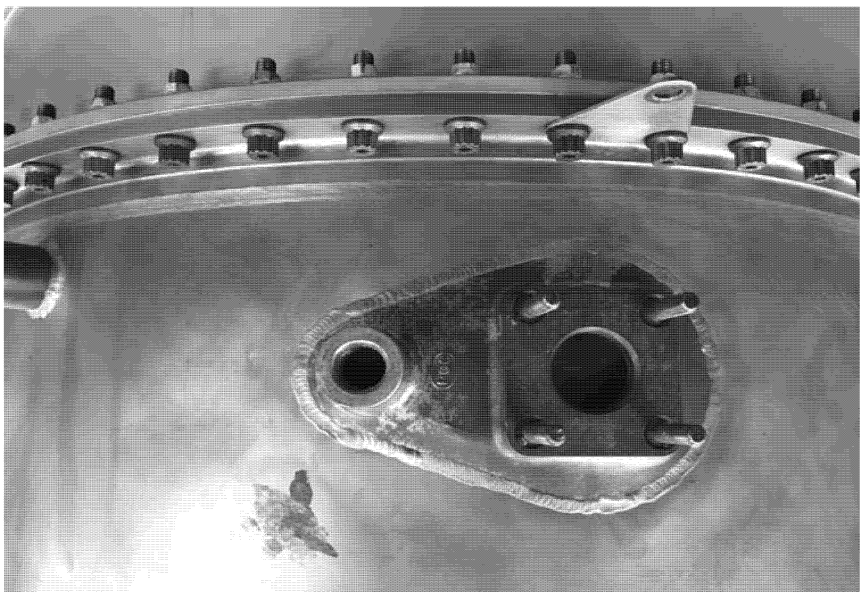
TPE331 model engines modified by STC SE383CH may be defined as the ''Super 1'' and ''Super 2'' for the compressor modification of the TPE331–1 and the TPE331–2, –2U, and –2UA engines, respectively. Figures 1 and 2 to paragraph (h) of this AD illustrate the appearance of combustion chamber case assembly, P/N

893973–5, without and with, respectively, the one-piece bleed pad with the P3 boss.

BILLING CODE 4910–13–P

Figure 1 to Paragraph (h) of this AD. Combustion Chamber Case Assembly Without the One-Piece Bleed Pad with P3 Boss

Figure 2 to Paragraph (h) of this AD. Combustion Chamber Case Assembly with One-Piece Bleed Pad with P3 Boss



BILLING CODE 4910–13–C

(i) Installation Prohibition

After the effective date of this AD, do not install a combustion chamber case assembly, P/N 869728–1, 869728–3, or 893973–5, in TPE331–3U, –3UW, –5, –5A, –5AB, –5B, –6, and –6A engines or in TPE331–1, –2, and –2UA engines modified by National Flight Services, Inc., STC SE383CH, unless the combustion chamber case assembly has a one-piece bleed pad with P3 boss.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

For more information about this AD, contact Joseph Costa, Aerospace Engineer, Los Angeles ACO Branch, FAA, 3960 Paramount Blvd., Lakewood, CA 90712–4137; phone: 562–627–5246; fax: 562–627–5210; email: *joseph.costa@faa.gov*.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Honeywell Service Bulletin TPE331–72–2178, Revision 0, dated May 3, 2011.

(ii) Reserved.

(3) For Honeywell service information identified in this AD, contact Honeywell International Inc., 111 S 34th Street, Phoenix, AZ 85034–2802; phone: 800–601–3099; internet: *https://myaerospace.honeywell.com/wps/portal*.

(4) You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7759.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html*.

Issued in Burlington, Massachusetts, on January 17, 2018.

Robert J. Ganley,

Manager, Engine and Propeller Standards Branch, Aircraft Certification Service.

[FR Doc. 2018–01228 Filed 1–23–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 40

[Docket No. RM17–12–000; Order No. 840]

Emergency Preparedness and Operations Reliability Standards

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission approves Emergency Preparedness and Operations (EOP) Reliability Standards EOP–004–4 (Event Reporting), EOP–005–3 (System Restoration from Blackstart Resources), EOP–006–3 (System Restoration Coordination), and EOP–008–2 (Loss of Control Center Functionality).

DATES: This rule will become effective March 26, 2018.

FOR FURTHER INFORMATION CONTACT:

E. Nick Henery (Technical Information), Office of Electric Reliability, Division of Reliability Standards and Security, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, Telephone: (202) 502–8636, *Nick.Henery@ferc.gov.*

Bob Stroh (Legal Information), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, Telephone: (202) 502–8473, *Robert.Stroh@ferc.gov*.

SUPPLEMENTARY INFORMATION: Before Commissioners: Kevin J. McIntyre, Chairman; Cheryl A. LaFleur, Neil Chatterjee, Robert F. Powelson, and Richard Glick.

1. Pursuant to section 215 of the Federal Power Act (FPA),[1] the Commission approves Emergency Preparedness and Operations (EOP) Reliability Standards EOP–004–4 (Event Reporting), EOP–005–3 (System Restoration from Blackstart Resources), EOP–006–3 (System Restoration Coordination), and EOP–008–2 (Loss of Control Center Functionality), submitted by the North American Electric Reliability Corporation (NERC), the Commission-certified Electric Reliability Organization (ERO). The Commission also approves the associated violation risk factors, violation severity levels, implementation plans, and effective dates. In addition, the Commission approves the retirement of currently-effective Reliability Standards EOP–004–3, EOP–005–2, EOP–006–2, and EOP–008–1 immediately prior to the effective dates of the EOP Reliability Standards.

2. The Commission determines that the approved EOP Reliability Standards will enhance reliability by: (1) Providing accurate reporting of events to NERC's event analysis group to analyze the impact on the reliability of the bulk electric system (Reliability Standard EOP–004–4); (2) delineating the roles and responsibilities of entities that support system restoration from blackstart resources which generate power without the support of the bulk electric system (Reliability Standard EOP–005–3); (3) clarifying the procedures and coordination requirements for reliability coordinator personnel to execute system restoration processes (Reliability Standard EOP–006–3); and (4) refining the required elements of an operating plan used to continue reliable operations of the bulk electric system in the event that primary control center functionality is lost (Reliability Standard EOP–008–2).

I. Background

A. Regulatory Background

3. Section 215 of the FPA requires a Commission-certified ERO to develop mandatory and enforceable Reliability Standards that are subject to Commission review and approval. The Commission may approve, by rule or order, a proposed Reliability Standard or modification to a Reliability Standard if it determines that the Reliability Standard is just, reasonable, not unduly discriminatory or preferential and in the public interest.[2] Once approved, the Reliability Standards may be enforced by the ERO, subject to Commission oversight, or by the Commission independently.[3]

4. Pursuant to section 215 of the FPA, the Commission established a process to select and certify an ERO,[4] and subsequently certified NERC.[5] On March 16, 2007, the Commission issued Order No. 693, approving 83 of the 107 Reliability Standards filed by NERC,

[1] 16 U.S.C. 824(o). The approved Reliability Standards are available on the Commission's eLibrary document retrieval system in Docket No. RM17–12–000 and on the NERC website, *www.nerc.com.*

[2] *Id.* 824o(d)(2).

[3] *Id.* 824o(e).

[4] *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards,* Order No. 672, FERC Stats. & Regs. ¶ 31,204, *order on reh'g,* Order No. 672–A, FERC Stats. & Regs. ¶ 31,212 (2006).

[5] *North American Electric Reliability Corp.,* 116 FERC ¶ 61,062, *order on reh'g and compliance,* 117 FERC ¶ 61,126 (2006), *aff'd sub nom. Alcoa, Inc.* v. *FERC,* 564 F.3d 1342 (D.C. Cir. 2009).

including the initial EOP Reliability Standards.[6]

B. NERC Petition

5. On March 27, 2017, NERC filed a petition seeking approval of the proposed EOP Reliability Standards and retirement of currently-effective Reliability Standards EOP–004–3, EOP–005–2, EOP–006–2, and EOP–008–1. NERC indicated that the revisions were intended to: (1) Streamline the currently-effective EOP Reliability Standards; (2) remove redundancies and other unnecessary language while making the Reliability Standards more results-based; [7] and (3) address the Commission's concern articulated in Order No. 749 regarding system restoration training.[8]

C. Notice of Proposed Rulemaking and Comments

6. On September 20, 2017, the Commission issued a Notice of Proposed Rulemaking proposing to approve the EOP Reliability Standards submitted by NERC.[9] In the NOPR the Commission indicated that Reliability Standard EOP–004–4 will enhance reliability by assigning reporting responsibilities to appropriate entities and clarifying the threshold reporting for a given event. In addition, the Commission proposed to find that Reliability Standard EOP–004–4 promotes efficiency and clarity by eliminating redundant reporting of a single event by multiple entities. The Commission also proposed to determine that Reliability Standards EOP–005–3, EOP–006–3, and EOP–008–2 will enhance reliability by delineating the roles and responsibilities of entities that support system restoration from blackstart resources; clarifying the procedures and coordination requirements for reliability coordinator personnel to execute system restoration processes; and refining the contents of an operating plan used by reliability coordinators, balancing authorities, and transmission operators to maintain the reliability of the bulk electric system in the event that primary control center functionality is lost.

7. NERC, Edison Electric Institute (EEI), and Magnum CAES, LLC (Magnum) filed comments in response to the NOPR either supporting or taking no position on the NOPR proposal. NERC and EEI request that the Commission adopt the NOPR proposal to approve the EOP Reliability Standards. Magnum states that it does not take a specific position on the EOP Reliability Standards but believes that they are important tools in maintaining grid safety and reliability.

II. Discussion

8. Pursuant to FPA section 215(d)(2), the Commission approves Reliability Standards EOP–004–4, EOP–005–3, EOP–006–3, and EOP–008–2 as just, reasonable, not unduly discriminatory or preferential, and in the public interest. The Commission also approves the associated violation risk factors, violation severity levels, implementation plans, and effective dates. Further, the Commission approves the retirement of currently-effective Reliability Standards EOP–004–3, EOP–005–2, EOP–006–2, and EOP–008–1 immediately prior to the effective dates of the approved EOP Reliability Standards.

9. The Commission determines that Reliability Standard EOP–004–4 will enhance reliability by assigning reporting responsibilities to appropriate entities and clarifying the threshold reporting for a given event. In addition, aligning the reportable events and thresholds, where appropriate, identified in Attachments 1 and 2 of the Reliability Standard with the Department of Energy's Form OE–417 will improve the quality of information received by NERC and, as a result, the quality of analysis that NERC produces to assess the greatest risks to the bulk electric system. Further, Reliability Standard EOP–004–4 promotes efficiency and clarity by eliminating redundant reporting of a single event by multiple entities. The Commission determines that Reliability Standards EOP–005–3, EOP–006–3, and EOP–008–2 will enhance reliability by delineating the roles and responsibilities of entities that support system restoration from blackstart resources; clarifying the procedures and coordination requirements for reliability coordinator personnel to execute system restoration processes; and refining the contents of an operating plan used by reliability coordinators, balancing authorities, and transmission operators to maintain the reliability of the BES in the event that primary control center functionality is lost.

10. As discussed in the NOPR, under currently-effective Reliability Standard EOP–004–3, Attachment 1, reliability coordinators must report to NERC when they operate outside of their interconnection reliability operating limit (IROL) for greater than "T_v" (defined as less than or equal to 30 minutes). NERC proposed to eliminate the IROL violation reporting requirement in Attachment 1 of Reliability Standard EOP–004–4 because, according to NERC, Reliability Standard EOP–004 is primarily a tool for trending analysis and developing lessons learned and not designed to be a real-time tool. NERC stated that any real-time reporting to NERC or Regional Entities (*i.e.,* contemporaneous with the transmission operator's notification of the IROL to the reliability coordinator) should be addressed in the Transmission Operations Reliability Standards, which deal with the real-time operations time horizon. NERC identified in its petition three Reliability Standards that, NERC asserted, require the reporting of such information.[10] However, in the NOPR, the Commission indicated that it did not appear that these Reliability Standards require the reporting of IROL T_v exceedance information; instead, the Commission observed that currently NERC voluntarily shares IROL T_v exceedance information, collected pursuant to Reliability Standard EOP–004–3, with Commission staff so that Commission staff can monitor the transmission system and identify reliability trends.[11] In the NOPR, the Commission stated that it understands that NERC will continue to receive IROL T_v exceedance information and share it with Commission staff even after the retirement of Reliability Standard EOP–004–3. NERC did not dispute or otherwise take issue with the Commission's understanding in NERC's comments.[12] The Commission approves the retirement of currently-effective Reliability Standard EOP–004–3.

[6] *Mandatory Reliability Standards for the Bulk-Power System,* Order No. 693, 72 FR 16416 (Apr. 4, 2007), FERC Stats. & Regs. ¶ 31,242, at P 297, *order on reh'g,* Order No. 693–A, 120 FERC ¶ 61,053 (2007).

[7] *North American Electric Reliability Corp.,* 138 FERC ¶ 61,193, at P 81 (March 2012 Order), *order on reh'g and clarification,* 139 FERC ¶ 61,168 (2012). The March 2012 Order approved a NERC process to identify requirements that could be removed from Reliability Standards without impacting the reliability of the interconnected transmission network.

[8] *System Restoration Reliability Standards,* Order No. 749, 134 FERC ¶ 61,215, at PP 18, 24 (2011).

[9] *Emergency Preparedness and Operations Reliability Standards,* Notice of Proposed Rulemaking, 82 FR 44746 (Sept. 26, 2017), 160 FERC ¶ 61,072 (2017) (NOPR).

[10] NERC cited Reliability Standards TOP–001–3 (Transmission Operations) and TOP–007–0 (Reporting System Operating Limit (SOL) and IROL Violations), and Reliability Standard IRO–009–2 (Reliability Coordinator Actions to Operate within IROLs).

[11] NOPR, 160 FERC ¶ 61,072 at P 15.

[12] None of the commenters disagreed with the Commission's understanding regarding IROL T_v exceedance information sharing.

III. Information Collection Statement

11. The Paperwork Reduction Act (PRA)[13] requires each federal agency to seek and obtain Office of Management and Budget (OMB) approval before undertaking a collection of information directed to ten or more persons, or contained in a rule of general applicability. The OMB regulations require that OMB approve certain reporting and recordkeeping (collections of information) imposed by an agency.[14] Upon approval of a collection(s) of information, OMB will assign an OMB control number and expiration date. Respondents subject to the filing requirements of this rule will not be penalized for failing to respond to these collections of information unless the collections of information display a valid OMB control number.

12. In this Final Rule the Commission is approving the following Reliability Standards: EOP–004–4 (Event Reporting), EOP–005–3 (System Restoration from Blackstart Resources), EOP–006–3 (System Restoration Coordination), and EOP–008–2 (Loss of Control Center Functionality), associated with information collections FERC–725A and FERC–725S. The Commission also approves the associated violation risk factors, violation severity levels, implementation plans, and effective dates.

13. *Public Reporting Burden:* The changes reflected in these Reliability Standards are not expected to result in a net increase in the annual record-keeping and reporting requirements on applicable entities (GO, DP, RC, TO, TOP, and GOP).[15] Our estimate in the tables below regarding the number of respondents is based on the NERC Compliance Registry as of September 15, 2017. Reliability Standards EOP–004–4, EOP–005–3, EOP–006–3, and EOP–008–2 will replace the paperwork burden approved in FERC–725A (OMB Control. No. 1902–0244) and be added to FERC–725S. That burden reflects an increase in total burden hours and cost based on adjustments in the number of entities and cost per hour applicable under the EOP Reliability Standards approved in this Final Rule. However, analysis comparing both previous burden approved in FERC–725A and burden for FERC–725S show an increase in total burden but no increase in burden hours per response.

14. The first table for FERC–725A addresses the burden reduction for a total of 59,591.5 hours and $3,744,990 (55,929.5 hours and $3,595,708 from reporting requirement; and 3,662 hours and $149,282 from record keeping). The second table: (a) Moves burden from the old version in the Reliability Standards approved in FERC–725A to FERC–725S; (b) shows no net change in burden per entity between the new and old versions of the Reliability Standards; and (c) updates applicable entities and cost per hour figure.

REDUCTIONS TO FERC–725A, FROM THE FINAL RULE IN DOCKET NO. RM17–12

Reliability standard and associated requirement	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden and cost per response[16]	Total annual burden and total annual cost[17]	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
EOP–008–2						
One-time Review and Revision of Plan (affected entities).	215	1	215	20 hrs. (Eng.); ($1,286) (Reduction).	4,300 hrs. (Eng.); ($276,447) (Reduction).	($1,286) (Eng.) (Reduction).
Updating, Approving, and Maintaining Records (affected entities).	215	1	215	6 hrs. (Eng.); ($386) 2 hrs. (R.K.); ($76) (Reduction).	1,290 hrs. (Eng.); ($82,934) 430 hrs. (R.K.); ($16,233) (Reduction).	($386) (Eng.); ($76) (R.K.) (Reduction).
One-time Contracting (affected entities).	27	1	27	120 hrs. (Eng.) ($7,715) (Reduction).	3,240 hrs. ($208,300) (Eng.) (Reduction).	($7,715) (Eng.) (Reduction).
EOP–005–3 & EOP–006–3						
RC Data Retention	26	2	52	8 hrs. (R.K.) ($514) (Reduction).	416 hrs. (R.K.); ($26,745) (Reduction).	($514) (R.K.) (Reduction).
TOP Reporting Data	176	1	176	116 hrs. (Eng.); ($7,458) 16 hrs. (R.K.); ($604) (Reduction).	20,416 hrs. (Eng.); ($1,312,545) 2,816 hrs. (R.K.); ($106,304).	($7,458) (Eng.); ($604) (R.K.) (Reduction).
GOP Testing	230	1	230	80 hrs. (Eng.); ($5,143) (Reduction).	18,400 hrs. (Eng.); ($1,182,936) (Reduction).	($5,143) (Eng.) (Reduction).
TO and DP Training	678	1	678	8 hrs. (Eng.); ($514) (Reduction).	5,424 hrs. (Eng.); ($348,709) (Reduction).	($514) (Eng.) (Reduction).
EOP–004–4						
One-Time Review and Revision of Plan (affected entities).	1,400	1	1,400	2 hrs. (Eng.); ($129) (Reduction).	2,800 hrs. (Eng.) ($180,012) (Reduction).	($129) (Reduction).
Reporting Events (affected entities).	350	1	350	0.17 hrs. (Eng.); ($11) (Reduction).	59.5 hrs. (Eng.); ($3,825) (Reduction).	($11) (Reduction).

[13] 44 U.S.C. 3501–3520.

[14] 5 CFR 1320.11.

[15] Generator Operator (GOP); Generator Owner (GO); Transmission Operators (TOP); Transmission Owners (TO); Reliability Coordinator (RC); Distribution Provider (DP).

[16] In the burden table, reporting requirements (engineering) is abbreviated as ''Eng.'' and record keeping is abbreviated as ''R.K.''

[17] The estimates for cost per hour are based on 2015 wage figures. The table uses 2015 wage figures because 2015 wage figures were used when the requirements listed in the table were implemented. The wage figures were derived as follows:

$64.29/hour, the average salary plus benefits per electrical engineer, Occupation Code 17–2071 (from Bureau of Labor Statistics at *https://www.bls.gov/oes/current/naics2_22.htm*)

$37.75/hour, the average salary plus benefits for information and record clerks, Occupation Code 43–4071 (from Bureau of Labor Statistics at *https://www.bls.gov/oes/current/naics2_22.htm*)

The results of calculations are rounded to the nearest dollar in the burden table.

REDUCTIONS TO FERC–725A, FROM THE FINAL RULE IN DOCKET NO. RM17–12—Continued

Reliability standard and associated requirement	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden and cost per response [16]	Total annual burden and total annual cost [17]	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
Total, Reductions to FERC–725A.	.....	.....	3,343 (Reduction)	.....	59,591.5 hrs; ($3,744,990) (Eng.) 55,929.5 hrs.; ($3,595,708); (R.K.) 3,662 hrs.; ($149,282) (Reduction).	

In the table below Reliability Standards EOP–004–4, EOP–005–3, EOP–006–3, and EOP–008–2 will result in paperwork burden being added to FERC–725S (OMB Control No. 1902–0270). These Reliability Standards will replace previous versions whose paperwork burden was previously approved in FERC–725A (OMB Control. No. 1902–0244). The burden being added to FERC–725S reflects an increase from the previous versions of the Reliability Standards in total burden hours and cost based on adjustments in the one additional entities and changes to hourly cost.

FERC–725S, MODIFICATIONS DUE TO FINAL RULE IN DOCKET NO. RM17–12

Reliability standard and associated requirement	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden and cost per response [18]	Total annual burden and total annual cost [19]	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
EOP–008–2						
One-time Review in Year 1	216	1	216	20 hrs. (Eng.); $1,362	4,320 hrs. (Eng.); $294,192	$1,362 (Eng.).
Updating, Approving, and Maintaining Records.	216	1	216	6 hrs. (Eng.); $409 2 hrs. (R.K.); $78.	1728 hrs., $105,092 (1,296 hrs. (Eng.); $88,244 (R.K.); 432 hrs; $16,848).	$487 ($409 (Eng.); $78 (R.K.)).
One-time Contracting in Year 1.	27	1	27	120 hrs. (Eng.) $8174	3,240 hrs. $220,698 (Eng.)	$8174 (Eng.).
EOP–005–3 & EOP–006–3						
RC Data Retention	11	2	22	8 hrs. (R.K.) $313	176 hrs. (R.K.); $6,886	$626 (R.K.).
TOP Reporting Data	177	1	177	132 hrs., $8528 (116 hrs. (Eng.); $7,902 16 hrs. (R.K.); $626).	23,364 hrs., $1,209,456 (20,532 hrs. (Eng.); $1,398,654 2,832 hrs. (R.K.); $110,802).	$8528 ($7,902 (Eng.); $626 (R.K.).
GOP Testing	264	1	264	80 hrs. (Eng.); $5450	21,120 hrs. (Eng.); $1,438,800.	$5,450 (Eng.).
TO and DP Training	524	1	524	8 hrs. (Eng.); $545	4,192 hrs. (Eng.); $285,580	$545 (Eng.).
EOP–004–4						
One-Time Review and Revision in Year 1 (affected entities).	1,475	1	1,475	2 hrs. (Eng.); $136	2,950 hrs. (Eng.) $200,600	$136 (Eng.).
Reporting Events (affected entities).	368	1	368	0.17 hrs. (Eng.); $12	63 hrs. (Eng.); $4,416	$12 (Eng.).
Total Year 1	.....	.....	3,289	.....	61,090 hrs.; $4,036,100 ((Eng.) 57,650 hrs., $3,901,204; (R.K) 3440 hrs., $134,896).	
Total Year 2	.....	.....	1,571	.....	50,643 hrs., $3,350,230	
Total Year 3	.....	.....	1,571	.....	50,643 hrs., $3,350,230	

In the table above, we indicate the annual total burden for years 1, 2 and 3 for FERC–725S (OMB Control No. 1902–0270). The average annual burden for years 1, 2, and 3 is (61,090 hours + 50,643 hours + 50,643/3 = 54,125. The average annual cost is $3,578,853.

[18] In the burden table, reporting requirement (engineering) is abbreviated as ''Eng.'' and record keeping is abbreviated as ''R.K.''

[19] The estimates for cost per hour are based on May 2016 wage figures and derived as follows:

$68.12/hour, the average salary plus benefits per electric engineer, Occupation Code 17–2071, (from Bureau of Labor Statistics at *https://www.bls.gov/oes/current/naics2_22.htm*)

$39.14/hour, the average salary plus benefits per information and record clerks Occupation Code 43–4071, (from Bureau of Labor Statistics at *https://www.bls.gov/oes/current/naics2_22.htm*)

The results of calculations are rounded to the nearest dollar within the burden table.

Title: FERC–725A, Mandatory Reliability Standards for the Bulk-Power System and FERC–725S Mandatory Reliability Standards: Emergency Preparedness and Operations (EOP).

Action: Revision to existing collections.

OMB Control Nos.: 1902–0244 (FERC–725A); 1902–0270 (FERC–725S).

Respondents: Businesses or other for-profit institutions; not-for-profit institutions.

Frequency of Responses: One-Time and Annually.

Necessity of the Information: Reliability Standards EOP–008–1, EOP–005–3, EOP–006–3, and EOP–004–4 provide accurate reporting of events to NERC's event analysis group to analyze the impact on the reliability of the bulk electric system (Reliability Standard EOP–004–4); delineate the roles and responsibilities of entities that support system restoration from blackstart resources (Reliability Standard EOP–005–3); clarify the procedures and coordination requirements for reliability coordinator personnel to execute system restoration processes (Reliability Standard EOP–006–3); and, refine the required elements of an operating plan used to continue reliable operations of the bulk electric system if that primary control functionality is lost (Reliability Standard EOP–008–2). These Reliability Standards modifications are designed to eliminate redundant reporting of a single event by multiple entities, assign reporting requirements to appropriate entities, and clarify the threshold reporting for a given event.

Internal Review: The Commission reviewed the revised Reliability Standards and made a determination that its action is necessary to implement section 215 of the FPA. The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements.

15. Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426 [Attention: Ellen Brown, Office of the Executive Director, email: *DataClearance@ferc.gov,* phone: (202) 502–8663, fax: (202) 273–0873].

For submitting comments concerning the collection(s) of information and the associated burden estimate(s), please send your comments to the Commission and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503 [Attention: Desk Officer for the Federal Energy Regulatory Commission, phone: (202) 395–0710, fax: (202) 395–7285]. For security reasons, comments to OMB should be submitted by email to: *oira_submission@omb.eop.gov.* Comments submitted to OMB should include 1902–0244 and 1902–0270 and Docket Number RM17–12–000.

IV. Environmental Analysis

16. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.[20] The Commission has categorically excluded certain actions from this requirement as not having a significant effect on the human environment. Included in the exclusion are rules that are clarifying, corrective, or procedural or that do not substantially change the effect of the regulations being amended.[21] The actions taken here fall within this categorical exclusion in the Commission's regulations.

V. Regulatory Flexibility Act

17. The Regulatory Flexibility Act of 1980 (RFA)[22] generally requires a description and analysis of Final Rule that will have significant economic impact on a substantial number of small entities. The RFA does not mandate any particular outcome in a rulemaking. It only requires consideration of alternatives that are less burdensome to small entities and an agency explanation of why alternatives were rejected.

18. In this Final Rule, the Commission estimates a one-time cost of compliance for administering the changes in the approved Reliability Standards versus their prior versions but no ongoing net burden change. The total average annual burden and cost to industry over years 1, 2 and 3 is 54,125 hours and $3,578,853. Therefore, the average annual cost per entity is $16,569. Comparison of the applicable entities with the Commission's small business data indicates that approximately 45 (or 21 percent) of applicable entities are small entities. Accordingly, the Commission certifies that the Final Rule will not have a significant economic impact on a substantial number of small entities.

VI. Effective Date and Congressional Notification

19. These regulations are effective March 26, 2018. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB, that this rule is not a ''major rule'' as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996.

VII. Document Availability

20. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) and in the Commission's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE, Room 2A, Washington, DC 20426.

21. From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number of this document, excluding the last three digits, in the docket number field.

22. User assistance is available for eLibrary and the Commission's website during normal business hours from the Commission's Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

VIII. Effective Date and Congressional Notification

23. These regulations are effective March 26, 2018. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB, that this rule is not a ''major rule'' as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996. The Commission will submit the Final Rule to both houses of Congress and to the General Accountability Office.

By the Commission.

Issued: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01246 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

[20] *Regulations Implementing the National Environmental Policy Act of 1969,* Order No. 486, FERC Stats. & Regs. ¶ 30,783 (1987).

[21] 18 CFR 380.4(a)(2)(ii).

[22] 5 U.S.C. 601–612.

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 83

[Docket No. USCG–2017–1002]

Inland Navigation Rules; Technical Amendment

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: This rule makes technical, non-substantive amendments to remove the word ''danger'' from the Coast Guard's Inland Navigation Rule regarding Maneuvering and Warning Signals, to align this regulation with the International Maritime Organization's International Regulations for Preventing Collisions at Sea, 1972.

DATES: This final rule is effective January 24, 2018.

FOR FURTHER INFORMATION CONTACT: For information about this document call or email LCDR M. J. Walter, Coast Guard; telephone 202–372–1565, email *cgnav@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Basis, Purpose, and Good Cause Exception to Notice and Comment Requirements

This rule makes technical, non-substantive changes in 33 CFR 83.34, ''Maneuvering and warning signals (Rule 34),'' to provide greater clarity and align this regulation with the International Maritime Organization's International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS). This rule does not create or change any substantive requirements. This final rule is issued under the authority of 5 U.S.C. 553; 14 U.S.C. 2(3); 33 U.S.C. 2071 and Department of Homeland Security Delegation No. 0170.1.

We did not publish a notice of proposed rulemaking for this rule. The Coast Guard finds that notice and comment procedures are unnecessary under 5 U.S.C. 553(b)(B) as this rule consists only of technical and editorial corrections, and that these changes will have no substantive effect on the public. Under 5 U.S.C. 553(d)(3), the Coast Guard finds that, for the same reasons, good cause exists for making this final rule effective upon publication in the **Federal Register**.

II. Discussion of Rule

This rule revises 33 CFR 83.34(a)(ii) and 83.34(c)(ii) by removing the word ''danger.'' After removing the word ''danger'' the remaining text in each paragraph is ''signal prescribed in paragraph (d) of this Rule.'' This change will conform this section to the International Regulations for Preventing Collisions at Sea (72 COLREGS), which the United States has ratified. The word ''danger'', describing ''signal'', does not appear in Rule 34 of the 72 COLREGS and the Inland Navigation Rules do not define the term ''danger signal.'' Therefore, to remain consistent with our 2014 final rule amending the Inland Navigation Rules to align these regulations as much as possible with the 72 COLREGS (79 FR 37898, July 2, 2014), we are deleting the term ''danger'' from two locations in § 83.34 that were inadvertently omitted from our 2014 rulemaking. Removal of the word ''danger'' from this regulation, in addition to alignment with the 72 COLREGS, also alleviates potential ambiguity. The signal described in Rule 34(d) is specific to a vessel that does not clearly understand the intentions or actions of another vessel, or is in doubt if sufficient action is being taken to avoid collision. It is a signal of warning as the title of Rule 34 indicates: ''Maneuvering and warning signals.'' Vessels may use this signal even when ''danger'' is not present.

This rule also changes the heading of part 83 from ''Rules'' to ''Navigational Rules.'' This is a clarifying change only and is intended to alert the reader about the content of this part of the CFR.

III. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on these statutes or Executive orders.

A. Regulatory Planning and Review

Executive Orders 12866 (''Regulatory Planning and Review'') and 13563 (''Improving Regulation and Regulatory Review'') 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 (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. Executive Order 13771 (''Reducing Regulation and Controlling Regulatory Costs'') directs agencies to reduce regulation and control regulatory costs and provides that ''for every one new regulation issued, at least two prior regulations be identified for elimination, and that the cost of planned regulations be prudently managed and controlled through a budgeting process.''

The Office of Management and Budget (OMB) has not designated this rule a significant regulatory action under section 3(f) of Executive Order 12866. Accordingly, OMB has not reviewed it. Because this rule is not a significant regulatory action, this rule is exempt from the requirements of Executive Order 13771. See OMB's Memorandum ''Guidance Implementing Executive Order 13771, entitled ''Reducing Regulation and Controlling Regulatory Costs'' (April 5, 2017). This rule involves non-substantive changes and internal agency practices and procedures; it will not impose any additional costs on the public. The benefit of the non-substantive changes is increased clarity of regulations.

B. Small Entities

This rule is not preceded by a notice of proposed rulemaking and, therefore is exempt from the requirements of the Regulatory Flexibility Act (5 U.S.C. 601–612). The Regulatory Flexibility Act does not apply when notice and comment rulemaking is not required.

C. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121, we offer to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking. 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.

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).

D. Collection of Information

This rule calls for no new or modified collection of information under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3520.

E. Federalism

A rule has implications for federalism under Executive Order 13132

(''Federalism'') if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under Executive Order 13132 and have determined that it does not have implications for federalism.

F. Unfunded Mandates Reform Act

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

G. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630 (''Governmental Actions and Interference with Constitutionally Protected Property Rights'').

H. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, (''Civil Justice Reform''), to minimize litigation, eliminate ambiguity, and reduce burden.

I. Protection of Children

We have analyzed this rule under Executive Order 13045 (''Protection of Children from Environmental Health Risks and Safety Risks''). This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

J. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175 (''Consultation and Coordination with Indian Tribal Governments''), because it would 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.

K. Energy Effects

We have analyzed this rule under Executive Order 13211 (''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use''). We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

L. Technical Standards

The National Technology Transfer and Advancement Act, codified as a note to 15 U.S.C. 272, directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through OMB, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies. This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

M. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD (COMDTINST M16475.1D), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded under section 2.B.2 and figure 2–1, paragraphs (34)(a) of the Instruction. This final rule involves amendments to regulations that are editorial.

List of Subjects in 33 CFR Part 83

Navigation (water), Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 83 as follows:

PART 83—NAVIGATION RULES

■ 1. The authority citation for part 83 continues to read as follows:

Authority: Sec. 303, Pub. L. 108–293, 118 Stat. 1042 (33 U.S.C. 2071); Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise the heading for part 83 to read as set forth above.

§ 83.34 [Amended]

■ 3. Amend § 83.34 as follows:

■ a. In paragraph (a)(ii), remove the word ''danger''; and

■ b. In paragraph (c)(ii), remove the word ''danger''.

Katia Kroutil,

Chief, Office of Regulations and Administrative Law.

[FR Doc. 2018–01304 Filed 1–23–18; 8:45 am]

BILLING CODE 9110–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 15

[GN Docket No. 12–268; FCC 15–140]

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: The Federal Communications Commission (Commission) is announcing that three final rules that appeared in the **Federal Register** as part of the Commission's rulemaking Expanding the Economic and Innovation Opportunities of Spectrum do not need information collection approval from the Office of Management and Budget (OMB) and are effective immediately. This document is consistent with a *Report and Order* in which the Commission stated that it would publish a document in the **Federal Register** announcing OMB approval and the effective date of these rules.

DATES: 47 CFR 15.713(b)(2)(iv), 15.713(j)(10) introductory text and 15.715(n) published at 81 FR 4969, January 29, 2016, are effective on January 24, 2018.

FOR FURTHER INFORMATION CONTACT: Cathy Williams at (202) 418–2918, or via email at *Cathy.Williams@fcc.gov.*

SUPPLEMENTARY INFORMATION: The *Report and Order,* GN Docket No. 12–268, FCC 15–140, published at 81 FR 4969, January 29, 2016, stated that modifications to section 15.713(b)(2)(iv), 15.713(j)(10) introductory text and section 15.715(n) would not become effective until after the **Federal Register** publication of the date that OMB approved the resulting modification of the information collections under the Paperwork Reduction Act (PRA) and the effective date of such modifications. Because subsequent review and consultation with OMB has revealed that there is no existing information

collection that will be modified by these rules, OMB review is not necessary. Thus, these rules may become effective immediately.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2018–01213 Filed 1–23–18; 8:45 am]

BILLING CODE 6712–01–P

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 515, 538, and 552

[GSAR Case 2016–G506; Docket No. 2016–0016; Sequence No. 1]

RIN 3090–AJ75

General Services Administration Acquisition Regulation (GSAR); Federal Supply Schedule, Order-Level Materials

AGENCY: Office of Acquisition Policy, General Services Administration.

ACTION: Final rule.

SUMMARY: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to clarify the authority to acquire order-level materials (OLMs) when placing an individual task or delivery order against a Federal Supply Schedule (FSS) contract or FSS blanket purchase agreement (BPA). OLMs are supplies and/or services acquired in direct support of an individual task or delivery order placed against an FSS contract or BPA, when the supplies and/or services are not known at the time of contract or BPA award.

DATES: *Effective:* January 24, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Leah Price, GSA Acquisition Policy Division, Senior Policy Advisor, at *leah.price@gsa.gov.* For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755. Please cite GSAR Case 2016–G506.

SUPPLEMENTARY INFORMATION:

I. Background

GSA's Federal Supply Schedule (FSS) program, commonly known as the GSA Schedules program or Multiple Award Schedule (MAS) program is the Government's most used commercial-item purchasing channel, accounting for approximately $33 billion of Federal contract awards in fiscal year 2016 (not including the VA Schedules).

GSA Schedules provide a convenient and effective option for both ordering activities and Schedule contractors. Ordering activities enjoy simplified ordering procedures and reduced prices, while Schedule contractors connect with federal business quickly and easily. Additional features of the Schedules program, including Blanket Purchase Agreements (BPAs) and Contractor Team Arrangements (CTAs), greatly enhance the flexibility of the program.

These features offer:

- Additional price discounts for ordering activities;
- Expanded opportunities for contractors;
- Elimination of redundant effort, with a single contracting vehicle fulfilling complex or ongoing needs;
- Reductions in administrative time and paperwork;
- Expanded business opportunities for socioeconomic groups; and
- Help for ordering activities wishing to reach socioeconomic goals.

The Schedules Program supports Federal Agencies' missions by providing access from simple commodities such as pens and pencils to complex services such as IT Modernization.

Authority for This Rulemaking

41 U.S.C. 152(3)(B) deemed FSS procedures to meet the Competition in Contracting Act (CICA) requirement of full and open competition as long as participation has been open to all responsible sources; and orders and contracts under those procedures result in the lowest overall cost alternative to meet the needs of the Federal Government.

GSA has long recognized the lowest overall cost alternative does not just include the actual price paid to the contractor, but also the administrative cost of conducting the acquisition. For example, GSA charges a low transactional fee for orders to be placed against a Schedule and the efficiency of the simplified acquisition process translates to time and cost savings. The administrative cost to acquire similar goods or services combined with possible fees on a new contract duplicates efforts resulting in a less efficient way to acquire those goods or services.

This is also consistent with the Federal Acquisition System and its principle to minimize administrative operating costs (FAR 1.102(b)(2)). The Federal Acquisition System is designed to deliver the best value product or service to the customer in terms of cost, quality, and timeliness. By lowering the cost to conduct the acquisition, and simplifying the acquisition process, administrative savings can be achieved.

II. Discussion of the Proposed Rule

The proposed rule published in the **Federal Register** at 81 FR 62445 on September 9, 2016 and addressed the importance of providing the same flexibility for the FSS program that is currently authorized for other indefinite delivery, indefinite quantity (IDIQ) vehicles, which will help reduce contract duplication and the associated administrative costs and inefficiencies. GSA also discussed how the proposed changes would also reduce transaction costs by eliminating the need for additional contracts for ancillary work. The rule aimed at achieving parity between the FSS programs and other IDIQs, in terms of acquiring OLMs.

The rule presented two price protections found in all IDIQ contracts which authorized OLMs plus three additional price protections not generally found in such contracts.

All IDIQ contracts authorizing OLMs include two key government protections:

1. The contracting officer must determine the prices are fair and reasonable.
2. FAR Clause 52.212–4 Alternate 1 paragraph (i)(1)(ii) which addresses:

a. Paying for commercial items at prices not to exceed established catalog or market price
b. Conditions for reimbursing contractors for actual cost
c. Procedures for handling indirect cost reimbursement

The three unique protections GSA included in the proposed rule were:

1. The requirement to submit three quotes;
2. Limitation of percentage of order which can be OLM; and
3. Establishment of an OLM SIN, which requires reporting of OLM.

Commenters noted that due to these three unique GSA protections, the proposed rule did not fully meet the parity objective. In the final rule, GSA maintained these three unique protections while simplifying and narrowing the three quote requirement. This is more fully discussed in the Analysis of Public Comments section. GSA agrees that this leaves the final rule close to, but not at full parity. However, the requirements are currently the best available means to ensure price reasonableness and provide confidence to customers when using the new OLM authority on Federal Supply Schedules. This is more fully discussed in the Analysis of Public Comments section.

These price protections, when combined with the current design of the FSS program, are sufficient to ensure the Federal Supply Schedules continue

to offer the lowest overall cost alternative. Other key features of the FSS program include ordering procedures designed to promote competition, and, at certain dollar levels to increase competition, an existing deviation to FAR 51 (which authorizes GSA contractors, performing on a time-and-material or labor-hour basis, to purchase ancillary supplies and services from Schedule contractors or process requisitions through the GSA Global Supply Program) the Acquisition Gateway, (a logical home for a future GSA effort to publicize OLM best practices), and ongoing category management work to improve the acquisition of services and IT, all work together, with this final rule, to ensure Federal Supply Schedules remain open to all and are the lowest overall cost alternative.

A. Summary of Significant Changes

Four respondents submitted comments on the proposed rule. The General Services Administration has reviewed the comments in the development of the final rule. A discussion of the comments and the changes made to the rule as a result of those comments are provided as follows:

This final rule makes the following significant changes from the proposed rule:

Eligible Schedules: GSAR 538.7201 has been revised to reference a website that lists the Federal Supply Schedules authorized to include OLMs.

Indirect Costs: The instructions to contracting officers in GSAR 538.7204 subparagraph (a)(3) have been revised to allow for indirect costs, consistent with the procedures in FAR clause 52.212–4 Alternate I(i)(1)(ii)(D)(2).

Clause Text: GSAR clause 552.238–82, Special Ordering Procedures for the Acquisition of Order-Level Materials, has been revised as follows:

- Vendors must obtain three quotes for each order-level material above the simplified acquisition threshold, for the ordering activity contracting officer to determine OLM prices fair and reasonable. Contractors with an approved purchasing system per FAR 44.3 are exempt from the three quote requirement.
- Provides procedures for the ordering activity contracting officer to make a determination that all indirect costs associated with OLMs are fair and reasonable.
- Clarifies travel costs are governed by FAR 31.205–46 and exempts travel OLMs from certain requirements, including the ⅓ of the order threshold, price reasonableness determination requirement, and GSAR clause 552.238–74 Industrial Funding Fee and Sales Reporting.
- Clarifies the ordering activity contracting officer is required to follow the procedures found at FAR 8.404(h)(3)(iv) prior to an increase in the ceiling price of OLMs.

B. Analysis of Public Comments

GSA received four comment letters in response to the proposed rule.[1] All comments filed were considered, many of which led to the changes described in the previous section.[2] Public comments are grouped into categories in order to provide clarification and to better respond to the issues raised.

1. Three Quote Requirement

Comment: Two commenters recommended GSA eliminate the proposed requirement for contractors to submit three quotes to the ordering activity contracting officer to determine price reasonableness.[3] One commenter stated the requirement would be burdensome and unnecessary; that commenter also asked if the lowest priced quote would be the basis for the price evaluation.[4] The other commenter asked if the same three quotes could be used for multiple orders.[5]

Response: GSA partially agreed with two of the commenter's recommended alternatives and revised and narrowed the three quote requirement for each OLM. First, the special ordering procedures at GSAR 552.238–82(d)(7)(i) has been revised to instruct contractors to obtain three quotes for each OLM above the simplified acquisition threshold. The three quotes are not submitted with the offer, but should be maintained in the contractor's file and are still subject to audit. The threshold has been increased from the micro-purchase threshold to the simplified acquisition threshold to be consistent with ordering procedures at FAR Subpart 8.4. Second, paragraph (d)(7)(i) has been revised to exempt contractors that have an approved purchasing system determined by a Contractor Purchasing System Review (CPSR) per FAR 44.3 from the three quote requirement. The contractor shall follow its purchasing system requirement instead of the three quote requirement identified in paragraphs (d)(7)(i)(A)–(C). The ordering activity contracting officer will make the determination that prices for all OLMs are fair and reasonable and may make this determination based on relevant pricing available, including the direct competition of offers received in response to their solicitation. Lastly, the addition of the OLM authority to the authorized Schedules provides an added flexibility through which industry can provide complete procurement solutions through the FSS program, reducing the need for contractors to prepare solutions for separate contracts. The reduction results in managing fewer open market contracts and decreasing proposal costs.

2. OLM Threshold of 33 Percent

Comment: Two commenters recommended GSA remove the requirement that OLMs be limited to 33 percent of the order per the special ordering procedures at GSAR 552.238–82(d)(4).[6] One commenter stated the 33 percent threshold was arbitrary and may be difficult to maintain over time, noting that other direct cost (ODC) Special Item Numbers (SINs) currently used in the Schedules program have no such limits.[7] The second commenter also stated the threshold was arbitrary and will invoke unnecessary consequences, citing examples where travel costs may exceed the OLM threshold.[8]

Response: GSA agrees that travel should not be included in the limitation and made this change in the final rule. However, GSA does not agree that the 33 percent cap on OLMs is arbitrary, although to make it easier to understand and remember, it is revising the threshold to 33.33 percent or ⅓ of the order. 41 U.S.C. 152(3)(B) deemed FSS procedures to meet the Competition in Contracting Act (CICA) requirement of full and open competition as long as participation has been open to all responsible sources; and orders and contracts under those procedures result in the lowest overall cost alternative. This statutory language is not found in other IDIQ contracts.

GSA determined that to meet the statutory requirement, additional levels of protection were required, one of which was a cap on order level materials.

Having determined there must be a cap, GSA's next consideration is around the appropriate level. In large scale Engineering Services and IT buys, GSA is aware of customer agencies adding additional controls once materials top 10 percent. On the other hand, in advertising services, media time, a

[1] *See* GSAR Case 2016–G506; Docket 2016–0016; Sequence 1 [81 FR 62445 (Sep. 9, 2016)].

[2] See Section II.A, Summary of Changes Made at the Final Rule Stage.

[3] *See e.g.,* CGP and ITAPS Letter and DM Letter.

[4] *See* CGP and ITAPS Letter.

[5] *See* DM Letter.

[6] *See e.g.,* CGP and ITAPS Letter and Jalad Letter.

[7] *See* CGP and ITAPS Letter.

[8] *See* Jalad Letter.

single OLM, can easily exceed 25 percent of the cost of an order. To provide a reverse example, as a result of industry feedback associated with the Maximum Order Threshold in installation services for systems furniture, GSA learned that installation services often top 25 percent of the cost of the furniture.

Thus, GSA concluded: (1) There has to be a cap, (2) the cap should be above 25 percent, and (3) the cap has to be below 50 percent, to ensure the principle purpose of the order was to acquire a service or product off of the Federal Supply Schedule. While any number between 26 percent and 49 percent would fit, GSA also concluded that to be consistent the Federal Supply Schedules program, the cap has to be clear, has to be easy to explain to customer agencies, has to be easy for contractors to understand and follow, has to be easy for GSA to conduct needed training, and has to be easy for everyone to remember. There is only one number between ¼ and ½ which meets all these criteria: ⅓. Thus, GSA set the OLM cap at ⅓, or 33.33 percent.

3. Travel Costs

Comment: Two parties submitted comments relating to the application of certain OLM requirements and procedures to travel costs.[9] One commenter asked if the OLM ordering procedures would contain the same flexibility as Schedule clause C–FSS–370 Contractor Tasks/Special Requirements.[10] The other commenter stated applying the proposed OLM procedures to travel costs would be burdensome on ordering agencies.[11]

Response: The special ordering procedures at GSAR clause 552.238–82 have been revised to allow the same flexibility as Schedules clause C–FSS–370 Contractor Tasks/Special Requirements. For the authorized Schedules allowing for OLMs, the GSAR clause 552.238–82 Special Ordering Procedures for the Acquisition of Order-Level Materials will replace the travel portion (b) of the Schedules clause C–FSS–370 Contractor Tasks/Special Requirements. Specifically, the final rule clarifies travel OLMs will continue to be handled in accordance with FAR Part 31.205–46 and exempts travel OLMs from the requirements in clause 552.238–74 Industrial Funding Fee and Sales Reporting, the 33.33 percent threshold, and the price reasonableness determination in subparagraph (d)(7) of GSAR clause 552.238–82. However, if an order includes both travel and non-travel OLMs, the non-travel OLMs in the order must comply with all OLM requirements in GSAR clause 552.238–82.

4. Applicability of GSAR Clause 552.238–74 Industrial Funding Fee and Sales Reporting

Comment: One party provided comments relating to the applicability of GSAR clause 552.238–74 Industrial Funding Fee and Sales Reporting on OLMs.[12]

The basic version of the clause requires contractors to report Schedule sales within 30 days after the end of each quarter. Alternate I of the clause requires contractors to report transactional data within 30 days after the end of each month. Both versions of the clause require contractors to remit IFF payments within 30 days after the end of each quarter. The IFF, currently set at 0.75 percent, is charged to ordering activities for the use of the Schedules program but is remitted by the contractor; the amount of IFF due each quarter is based upon the amount of reported sales. The proposed rule treated all OLMs as reportable sales in regards to GSAR clause 552.238–74.

The commenter stated reporting OLMs is an information collection burden that should be borne by the Government. The commenter also submitted three questions:

- Is the IFF applicable to OLMs reported under the OLM SIN?
- How will GSA use lump sum sales reported through the 72A Reporting System to evaluate appropriate OLM usage?
- Do transactional data reporting requirements apply for OLMs under contracts that include Alternate I of clause 552.238.74?

Response: Task or delivery orders line items that include OLMs are subject to the reporting and IFF remittance requirements of GSAR clause 552.238–74, with the exception of travel costs. The information collection burden for both versions of that clause is already addressed by existing information collections that are approved by the Office of Management and Budget's Office of Information and Regulatory Affairs, in accordance with the Paperwork Reduction Act;[13] those estimates are updated every three years to account for changes in the program over time.

As to the questions regarding OLM and sales reporting, GSA offers the following responses:

- The IFF is applied to OLMs reported under the OLM SINs, except for travel.
- Including OLMs (other than travel) in these information collections provides GSA a control mechanism to ensure that the Federal Supply Schedules continue to ensure the lowest overall cost alternative.
- OLMs (other than travel) are subject to the transactional data reporting requirements of GSAR clause 552.238–74 Alternate I.

5. Parity With Other Government Contract Vehicles

Comment: One commenter stated the proposed rule fails to meet its objective of establishing parity with other Government contract vehicles.[14]

The proposed rule noted, ''Currently, [IDIQ] contracts provide the flexibility to easily acquire order-level materials; however the FSS program does not. This proposed rule aims to create parity between the FSS program and other commercial IDIQs . . .'' [15] However, the commenter stated the proposed rule failed to provide parity with other programs because other programs do not have requirements to send three quotes or report OLMs, but do allow contractors to recover indirect costs.

Response: As noted in the proposed rule and acknowledged by the commenter, other commercial-item IDIQ contracts allow for OLMs. Accordingly, this rule provides parity in that regard. However, this final rule requires OLMs (other than travel costs) to be reported in accordance with GSAR clause 552.238–74 to provide GSA insight into their use and to facilitate IFF collection.

6. Requirements of FAR Clause 52.212–4 Alternate I

Comment: One commenter stated the FAR does not require the procedures proposed by this rule and the existing FAR clause 52.212–4 Alternate I provides a mechanism to obtain OLMs that ensures the integrity of the Schedules program.[16]

Response: Several changes have been made to the GSAR text as a result of comments received in response to the proposed rule. The intent of these changes, and the rule in general, is to align OLM ordering procedures with existing authorities, including the FAR, to the maximum extent possible. However, GSA received feedback from its customer agencies that special OLM ordering procedures would be needed in

[9] *See e.g.,* CGP and ITAPS Letter and Jalad Letter.

[10] *See* CGP and ITAPS Letter.

[11] *See* Jalad Letter.

[12] *See* CGP Letter.

[13] Public Law 104–13, 109 Stat. 163.

[14] *See* CGP and ITAPS Letter.

[15] *See* GSAR Case 2016–G506; Docket 2016–0016; Sequence 1 [81 FR 62445 (Sep. 9, 2016)].

[16] *See* CGP and ITAPS Letter.

order to ensure appropriate use of the authorized Schedules that allow for OLMs. In addition to special ordering procedures, customer agency feedback contributed to the 33.33 percent threshold for OLMs. GSA received feedback from customer agencies that a threshold over 50 percent would be too high since over half of the order would be comprised of order-level materials and not be consistent with the intent of the OLM authority. OLMs are to be placed in direct support of a task or delivery order (and not the primary purpose), therefore the ⅓ threshold struck a balance by encouraging the use of OLMs while enforcing a control mechanism at the same time.

7. Indirect Costs

Comment: One commenter stated the GSAR rule should not preclude agencies from allowing indirect costs. Proposed GSAR 538.7103(a)(3) stated, ''Insert 'none' in FAR clause 52.212–4(i)(1)(ii)(D)(2).'' The commenter indicated there are costs associated with contractors procuring OLMs separate from the fully burdened labor rate awarded on the Schedule contract, and the proposed rule does not provide a mechanism for recovering those costs.

Response: The GSAR text at 552.238–82(d)(7) has been revised to be consistent with the current FAR fill-in found at 52.212–4 Alternate 1 (i)(1)(ii)(D)(2) to allow the flexibility for vendors to recover indirect costs.

8. Existing Ancillary Products/Services SINs on Schedules

Comment: One commenter inquired about the impact the proposed rule would have on SINs under existing Schedules for ancillary products/services and other direct costs (ODCs).[17]

Response: GSA is implementing non-regulatory guidance for its FSS acquisition workforce in conjunction with this regulatory final rule, which will be viewable to the public in the General Services Administration Acquisition Manual (GSAM) posted on *Acquisition.gov.*[18] The new non-regulatory GSAM guidance states items awarded under ancillary supplies or ODC SINs are not considered order-level materials.

9. Special Ordering Procedures—Order Preference

Comment: One commenter asked whether the OLM clause's requirement to follow the procedures at FAR 8.404(h) is intended to require ordering agencies to specify to Schedule contractors the type of request for quotations they must use in obtaining quotations for OLMs.[19]

Response: The intent of the special ordering procedures at 552.238–82(d)(6) clause is to provide guidance on the type of order preference for services and direction to the ordering activity on issuing time-and-materials or labor hour orders including OLMs.

10. Special Ordering Procedures—OLM SIN

Comment: One commenter inquired about the process for obtaining an OLM Special Item Number (SIN).

Response: The OLM SIN will be added to all existing contracts for Schedules authorized to allow for OLMs by a Government-initiated bilateral modification. New contracts under any Schedule authorized to allow for OLMs will include the OLM SIN once the Schedule solicitation is updated. However, the OLM SIN cannot be the only awarded SIN on a FSS contract or a FSS BPA.

11. Special Ordering Procedures—Ceiling Price

Comment: One commenter recommended GSA delete the proposed procedures at GSAR 552.238–82(d)(9), which required ordering activities to follow the procedures at FAR 8.405–6(d) in the event the ordering activity increases the ceiling price of an OLM above the micro-purchase threshold. The commenter indicated these procedures are a burdensome requirement that conflicts with the contracting officer's independent judgment to determine what constitutes a cardinal change.[20]

Response: The procedures in GSAR clause 552.238–82 have been revised to be consistent with the requirements at FAR 8.404(h)(3)(iv). The clause reiterates the procedures required when increasing the ceiling price for OLMs.

12. Open Market Items

Comment: One commenter requested GSA define open market items in the GSAR rule.[21]

Response: Open market items are procured in accordance with FAR 8.402(f) and are purchased outside the authority of the Schedules program using open market procedures (*e.g.,* FAR Parts 13, 14, and 15). The difference in authority is addressed in the OLM definition and the special ordering procedures of the final rule. Accordingly, GSA chose not to define open market items in the new GSAR provisions and GSAR clause.

13. Schedule Pricelists for OLMs

Comment: One commenter asked whether contractors will be required to build a fixed burden into their Schedule pricelists for OLMS.[22]

Response: The nature of the specific OLMs will not be known at the time of the FSS contract or FSS BPA award. Consequently, any potential indirect costs could not be specified in advance and included on the Schedule pricelist. However, the final rule allows indirect costs in accordance with the procedures at GSAR 538.7204, which is in alignment with FAR clause 52.212–4 Alternate I.

III. Expected Cost Savings of This Final Rule

Data was gathered from GSA's Federal Acquisition Service (FAS) to estimate total annualized cost savings that will be achieved from the number of Schedule contracts that will authorize OLM. A 7 percent discount rate was used for all calculations.

GSA reviewed active FY 2018 contracts for contractors that hold Schedule and non-Schedule contracts to understand the duplicate contract landscape. The total baseline population is 16,450 contracts that include Schedule and non-Schedule contracts. Of the total contract population, 14,674 were Schedule contracts and 1,776 were non-Schedule contracts. Small businesses were about 80 percent of this population with large businesses representing the remaining 20 percent of the total population. The data illustrated that 11 percent of the total contract population hold Schedule and non-Schedule contracts. Of the 11 percent, about 59 percent of those contracts are duplicates. From the 59 percent of duplicate contracts, it is estimated there will be a 50 percent contract reduction, thus resulting in contract proposal and contract administrations savings for industry. It is understood, that one contractor may hold more than one duplicate contract among their Schedule and non-Schedule contracts. The estimated 50 percent reduction in duplicate contracts represents 421 small business contracts and 105 large business contracts.

Government Cost Savings

Allowing OLMs on authorized Schedules will help reduce contract duplication and associated administrative costs. By reducing the

[17] *Ibid.*

[18] *https://www.acquisition.gov/?q=gsam_looseleaf.*

[19] *See* CGP and ITAPS Letter.

[20] *See* Jalad Letter.

[21] *See* CGP and ITAPS Letter.

[22] *See* Jones Letter.

amount of duplicate and ancillary contracts, cost savings will be achieved by a reduction in source selection procedures and contract administration. It was estimated that two source selection participants require an average of 24 hours to execute the source selection process per contract. Contract administration savings was calculated by estimating four hours per contract per year. By combining the savings achieved from the reduction of source selection procedures and contract administration, the estimated annualized cost savings for the Government is $109,434.

Public Cost Savings

The addition of the OLMs on authorized Schedules will result in proposal preparation and contract administration savings for both small and large businesses. It was estimated that a senior and a journeyman level representative require 24 hours to prepare a proposal to acquire a new contract. Contract administration savings was calculated by estimating four hours per contract per year. By combining the savings achieved from the reduction of proposal preparation for new contracts and contract administration, the estimated annualized cost savings for the public is $164,559.

The OLM authority adds GSAR clause 552.238–82, Special Ordering Procedures, which includes a requirement for the contractor proposing OLMs as part of a solution to obtain three quotes for each order above the simplified acquisition threshold to support the price reasonableness of the OLMs consistent with existing standard procedures at FAR 8.405–1(d). One of these quotes may be furnished by the contractor, and if the contractor has an approved purchasing system per FAR 44.3, they are exempt from the three quote requirement. It was estimated that 10 percent of the total Schedule population (1,467 contracts) would require one hour to document their records that three quotes were obtained to support price reasonableness. The estimated annualized cost for the public is $35,076. The total net savings for the public is $121,012.

The total annualized cost savings is estimated at $230,446.

IV. Executive Order 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

V. Executive Order 13771

This final rule is considered an E.O. 13771 deregulatory action. Details on the estimated cost savings of this proposed rule can be found in the rule's economic analysis. Expected annualized cost savings are $230,446 (7 percent discount rate, in perpetuity).

VI. Executive Order 13777

This final rule was identified by GSA's Regulatory Reform Task Force as a rule that improves efficiency by eliminating procedures with costs that exceed the benefits as described in section IV.

VII. Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* because the rule merely clarifies the authority to acquire OLMs when placing a task or delivery order against an authorized FSS contract or FSS BPA. The rule imposes no new reporting, recordkeeping, or other information collection requirements.

Although this rule does not have a significant impact on a substantial number of small entities, GSA nonetheless opted to prepare an Initial Regulatory Flexibility Analysis (IRFA) in conjunction with the proposed rule. As a result, GSA has also prepared a Final Regulatory Flexibility Analysis (FRFA), consistent with 5 U.S.C. 603, which is summarized as follows:

GSA does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*

GSA has prepared a Final Regulatory Flexibility Analysis (FRFA) consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* The FRFA is summarized as follows:

The rule clarifies the authority to acquire order-level materials when placing a task order or delivery order against an authorized FSS contract or FSS BPA. Task or delivery order line times that include OLMs are subject to the reporting and IFF remittance requirements of GSAR clause 552.238–74, with the exception of travel costs. The reporting and IFF remittance requirements of GSAR clause 552.238–74 is an existing requirement to those contractors that currently hold a GSA Schedule contract. There are over 15,000 (approximately 80 percent) small businesses that have GSA Schedule contracts, which already adhere to the required reporting and IFF remittance requirements of GSAR clause 552.238–74. The OLM authority will expand business opportunities for those small businesses that do not hold GSA Schedule contracts. Entities that do not hold GSA Schedule contracts, and are awarded task or delivery orders that include OLMs, are required to adhere to the reporting requirement at GSAR clause 552.238–74. There were no comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the rule. Interested parties may obtain a copy of the FRFA from the Regulatory Secretariat. The Regulatory Secretariat has submitted a copy of the FRFA to the Chief Counsel for Advocacy of the Small Business Administration.

VIII. Paperwork Reduction Act

The final rule does not contain any new information collection requirements that require the approval of the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. chapter 35). Order-level materials, excluding travel, are subject to the reporting requirements of GSAR clause 552.238–74 Industrial Funding Fee and Sales Reporting, which is already approved through the information collection tracked under OMB Control Number 3090–0121.

List of Subjects in 48 CFR Parts 515, 538, and 552

Government procurement.

Dated: January 19, 2018.

Jeffrey A. Koses,

Senior Procurement Executive, General Services Administration.

Therefore, GSA amends 48 CFR parts 515, 538, and 552 as set forth below:

■ 1. The authority citation for 48 CFR parts 515, 538, and 552 continues to read as follows:

Authority: 40 U.S.C. 121(c).

PART 515—CONTRACTING BY NEGOTIATION

■ 2. Amend section 515.408 by adding a sentence to the end of the introductory text of paragraph (c) to read as follows:

515.408 Solicitation provisions and contract clauses

* * * * *

(c) * * * Offerors are not required to complete the commercial sales practices disclosure for order-level materials (See subpart 538.72).

* * * * *

PART 538—FEDERAL SUPPLY SCHEDULE CONTRACTING

■ 3. Add subpart 538.72 to read as follows:

Subpart 538.72—Order-Level Materials

Sec.
538.7200 Definitions.
538.7201 Applicability.
538.7202 [Reserved]
538.7204 Contract clauses.

Subpart 538.72—Order-Level Materials

538.7200 Definitions.

As used in this subpart:

Order-level materials means supplies and/or services acquired in direct support of an individual task or delivery order placed against an authorized (see GSAR 538.7201(b) Federal Supply Schedule (FSS) contract or FSS Blanket Purchase Agreement (BPA)), when the supplies and/or services are not known at the time of Schedule contract or FSS BPA award. The prices of order-level materials are not established in the FSS contract or FSS BPA. However, order-level materials are purchased under the authority of the FSS program, pursuant to 41 U.S.C. 152(3), and are not open market items, which are discussed in FAR 8.402(f).

538.7201 Applicability.

(a) The GSA Senior Procurement Executive authorizes the use of order-level materials on Federal Supply Schedules.

(b) The list of Federal Supply Schedules authorized to allow for order-level materials is available at *https://www.gsa.gov/olm.*

538.7202 [Reserved]

538.7204 Contract clauses.

(a) Use FAR clause 52.212–4 Alternate I in all Federal Supply Schedules authorized for the acquisition of order-level materials (see 538.7201(b)). Use the following language for the clause fill-in:

(1) Insert ''Each order must list separately subcontracts for services excluded from the FSS Hourly Rates'' in paragraph (e)(1)(iii)(D).

(2) Insert ''Each order must list separately the elements of other direct costs for that order'' in paragraph (i)(1)(ii)(D)(*1*).

(3) Insert ''Each order must list separately the fixed amount for the indirect costs and payment schedule; if no indirect costs are approved, insert 'None' '' in (i)(1)(ii)(D)(*2*).

(b) Use 552.238–82, Special Ordering Procedures for the Acquisition of Order-Level Materials, in all Federal Supply Schedules authorized for the acquisition of order-level materials (see 538.7201).

PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 4. Add section 552.238–82 to read as follows:

552.238–82 Special Ordering Procedures for the Acquisition of Order-Level Materials

As prescribed in 538.7204(b), insert the following clause:

Special Ordering Procedures for the Acquisition of Order-Level Materials (JAN 2018)

(a) *Definitions.*

Order-level materials means supplies and/or services acquired in direct support of an individual task or delivery order placed against a Federal Supply Schedule (FSS) contract or FSS blanket purchase agreement (BPA), when the supplies and/or services are not known at the time of Schedule contract or FSS BPA award. The prices of order-level materials are not established in the FSS contract or FSS BPA. Order-level materials acquired following the procedures in paragraph (d) are done so under the authority of the FSS program, pursuant to 41 U.S.C. 152(3), and are not open market items, which are discussed in FAR 8.402(f).

(b) FAR 8.403(b) provides that GSA may establish special ordering procedures for a particular FSS.

(c) The procedures in FAR subpart 8.4 apply to this contract, with the exceptions listed in this clause. If a requirement in this clause is inconsistent with FAR subpart 8.4, this clause takes precedence pursuant to FAR 8.403(b).

(d) Procedures for including order-level materials when placing an individual task or delivery order against an FSS contract or FSS BPA.

(1) The procedures discussed in FAR 8.402(f) do not apply when placing task and delivery orders that include order-level materials.

(2) Order-level materials are included in the definition of the term ''materials'' in [FAR] clause 52.212–4 Alternate I, and therefore all provisions of FAR clause 52.212–4 Alternate I that apply to ''materials'' also apply to order-level materials.

(3) Order-level materials shall only be acquired in direct support of an individual task or delivery order and not as the primary basis or purpose of the order.

(4) The cumulative value of order-level materials in an individual task or delivery order awarded under a FSS contract or FSS BPA shall not exceed 33.33 percent of the total value of the individual task or delivery order.

(5) All order-level materials shall be placed under the Order-Level Materials SIN.

(6) Prior to the placement of an order that includes order-level materials, the Ordering Activity shall follow procedures in FAR 8.404(h).

(7) To support the price reasonableness of order-level materials,

(i) The contractor proposing order-level materials as part of a solution shall obtain a minimum of three quotes for each order-level material above the simplified acquisition threshold.

(A) One of these three quotes may include materials furnished by the contractor under FAR 52.212–4 Alt I (i)(1)(ii)(A).

(B) If the contractor cannot obtain three quotes, the contractor shall maintain its documentation of why three quotes could not be obtained to support their determination.

(C) A contractor with an approved purchasing system per FAR 44.3 shall instead follow its purchasing system requirement and is exempt from the requirements in 552.238–82(d)(7)(i)(A)–(B).

(ii) The Ordering Activity Contracting Officer must make a determination that prices for all order-level materials are fair and reasonable. The Ordering Activity Contracting Officer may base this determination on a comparison of the quotes received in response to the task or delivery order solicitation or other relevant pricing information available.

(iii) If indirect costs are approved per [FAR 52.212–4(i)(1)(ii)(D)(*2*) Alternate I), the Ordering Activity Contracting Officer must make a determination that all indirect costs approved for payment are fair and reasonable. Supporting data shall be submitted in a form acceptable to the Ordering Activity Contracting Officer.

(8) Prior to an increase in the ceiling price of order-level materials, the Ordering Activity Contracting Officer shall follow the procedures at FAR 8.404(h)(3)(iv).

(9) In accordance with GSAR clause 552.215–71 Examination of Records by GSA, GSA has the authority to examine the Contractor's records for compliance with the pricing provisions in FAR clause 52.212–4 Alternate I, to include examination of any books, documents, papers, and records involving transactions related to the contract for overbillings, billing errors, and compliance with the IFF and the Sales Reporting clauses of the contract.

(10) OLMs are exempt from the following clauses:

(i) 552.216–70 Economic Price Adjustment—FSS Multiple Award Schedule Contracts.

(ii) 552.238–71 Submission and Distribution of Authorized FSS Schedule Pricelists.

(iii) 552.238–75 Price Reductions.

(11) Exceptions for travel.

(i) Travel costs are governed by FAR 31.205–46 and therefore the requirements in paragraph (d)(7) do not apply to travel costs.

(ii) Travel costs do not count towards the 33.33% limitation described in paragraph (d)(4).

(iii) Travel costs are exempt from clause 552.238–74 Industrial Funding Fee and Sales Reporting.

(End of Clause)

[FR Doc. 2018–01232 Filed 1–23–18; 8:45 am]

BILLING CODE 6820–61–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 161020985–7181–02]

RIN 0648–XF924

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher/processors using pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the A season apportionment of the 2018 Pacific cod total allowable catch allocated to catcher/processors using pot gear in the BSAI.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), January 20, 2018, through 1200 hours, A.l.t., September 1, 2018.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907–586–7228.

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

The A season apportionment of the 2018 Pacific cod total allowable catch (TAC) allocated to catcher/processors using pot gear in the BSAI is 1,387 metric tons (mt) as established by the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826, February 27, 2017) and inseason adjustment (82 FR 60329, December 20, 2017).

In accordance with § 679.20(d)(1)(iii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A season apportionment of the 2018 Pacific cod TAC allocated as a directed fishing allowance to catcher/processors using pot gear in the BSAI will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by pot catcher/processors in the BSAI.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of directed fishing for Pacific cod by pot catcher/processors in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of January 18, 2018.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: January 18, 2018.

Emily H. Menashes,

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

[FR Doc. 2018–01223 Filed 1–19–18; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 161020985–7181–02]

RIN 0648–XF925

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 60 Feet Length Overall Using Pot Gear in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels greater than or equal to 60 feet (18.3 meters (m)) length overall (LOA) using pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the A season apportionment of the 2018 Pacific cod total allowable catch allocated to catcher vessels greater than or equal to 60 feet (18.3m) LOA using pot gear in the BSAI.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), January 19, 2018, through 1200 hours, A.l.t., September 1, 2018.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907–586–7228.

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

The A season apportionment of the 2018 Pacific cod total allowable catch (TAC) allocated to catcher vessels greater than or equal to 60 feet (18.3m) LOA using pot gear in the BSAI is 7,770 metric tons (mt) as established by the final 2017 and 2018 harvest specifications for groundfish in the BSAI (82 FR 11826, February 27, 2017) and inseason adjustment (82 FR 60329, December 20, 2017).

In accordance with § 679.20(d)(1)(iii), the Administrator, Alaska Region, NMFS (Regional Administrator), has

determined that the A season apportionment of the 2018 Pacific cod TAC allocated as a directed fishing allowance to catcher vessels greater than or equal to 60 feet (18.3m) LOA using pot gear in the BSAI will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels greater than or equal to 60 feet (18.3m) LOA using pot gear in the BSAI.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of directed fishing for Pacific cod by catcher vessels greater than or equal to 60 feet (18.3m) LOA using pot gear in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of January 17, 2018.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: January 19, 2018.

Emily H. Menashes,

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

[FR Doc. 2018–01286 Filed 1–19–18; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 160920866–7167–02]

RIN 0648–XF896

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Central Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2018 Pacific cod total allowable catch apportioned to trawl catcher vessels in the Central Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), January 20, 2018, through 1200 hours, A.l.t., September 1, 2018.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679. Regulations governing sideboard protections for GOA groundfish fisheries appear at subpart B of 50 CFR part 680.

The A season allowance of the 2018 Pacific cod total allowable catch (TAC) apportioned to trawl catcher vessels in the Central Regulatory Area of the GOA is 1,274 metric tons (mt), as established by the final 2017 and 2018 harvest specifications for groundfish of the GOA (82 FR 12032, February 27, 2017) and inseason adjustment (82 FR 60327, December 20, 2017).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator) has determined that the A season allowance of the 2018 Pacific cod TAC apportioned to trawl catcher vessels in the Central Regulatory Area of the GOA is necessary to account for the incidental catch in other anticipated fisheries. Therefore, the Regional Administrator is establishing a directed fishing allowance of 0 mt and is setting aside the remaining 1,274 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels using trawl gear in the Central Regulatory Area of the GOA. After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip. This closure does not apply to fishing by vessels participating in the cooperative fishery of the Rockfish Program for the Central GOA.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the directed fishing closure of Pacific cod by catcher vessels using trawl gear in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of January 18, 2018.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: January 19, 2018.

Emily H. Menashes,

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

[FR Doc. 2018–01268 Filed 1–19–18; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 83, No. 16
Wednesday, January 24, 2018

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2016–9392; Product Identifier 2016–NM–003–AD]

RIN 2120–AA64

Airworthiness Directives; Zodiac Aero Evacuation Systems

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM); reopening of comment period.

SUMMARY: We are revising an earlier proposal for Zodiac Aero Evacuation Systems (formerly known as Air Cruisers) fusible plugs installed on emergency evacuation equipment for various transport category airplanes. This action revises the notice of proposed rulemaking (NPRM) by extending the proposed compliance time, clarifying the applicability, and clarifying certain proposed requirements. We are proposing this airworthiness directive (AD) to address the unsafe condition on these products. Since these actions would impose an additional burden over those in the NPRM, we are reopening the comment period to allow the public the chance to comment on these changes.

DATES: The comment period for the NPRM published in the **Federal Register** on November 18, 2016 (81 FR 81709), is reopened.

We must receive comments on this SNPRM by March 12, 2018.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, 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.

For service information identified in this SNPRM, contact Air Cruisers, 1747 State Route 34, Wall Township, NJ 07727–3935; phone 732–681–3527; email *technicalpublications@zodiacaerospace.com.* You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW, Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9392.

Examining the AD Docket

You may examine the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2016–9392; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this SNPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7318; fax 516–794–5531.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2016–9392; Product Identifier 2016–NM–003–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this SNPRM. We will consider all comments received by the closing date and may amend this SNPRM based on those comments.

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

Discussion

We issued an NPRM to amend 14 CFR part 39 by adding an AD that would apply Zodiac Aero Evacuation Systems fusible plugs installed on emergency evacuation equipment for various transport category airplanes. The NPRM published in the **Federal Register** on November 18, 2016 (81 FR 81709) (''the NPRM''). The NPRM was prompted by reports indicating that affected fusible plugs activated (vented gas) below the rated temperature. The NPRM proposed to require an inspection of the fusible plugs to determine the part number and lot number, and replacement of all affected fusible plugs.

Comments

We gave the public the opportunity to participate in developing the NPRM. We considered the comments received.

Support for the NPRM

One commenter, FedEx, stated no objection to the NPRM.

Requests To Withdraw the NPRM

Airlines for America (A4A), formerly known as the Air Transport Association of America (ATA), on behalf of its members, requested the NPRM be withdrawn and reissued after the following errors and omissions have been corrected:

- Errors in the applicability;
- A ''needlessly aggressive'' compliance time when taken into account with operators' normal procedures; and
- An inadequate cost estimate based on the need to inspect several slides per airplane, and the lack of taking into account the feasibility and safety of inspecting ''on wing,'' as opposed to inspecting during a shop visit.

American Airlines (AA), Air Cruisers, A4A (on behalf of its members), and Delta Air Lines (DAL) commented on the merits of issuing the NPRM. Some noted that operators already have routine maintenance inspections and

pre-flight checks in place to evaluate the bottle pressure of emergency evacuation systems on airplanes; therefore, there is little to no risk of the occurrence of the unsafe condition identified in the NPRM.

A4A (on behalf of its members) added that, in light of pre-flight cabin inspections and the low potential of carrying a suspect plug, the risk to passenger safety is negligible. Air Cruisers stated it never delivered a shipset of evacuation slides with the suspect fusible plugs since widespread use of the fusible plugs was discontinued years before the suspect batch was produced.

We infer that these commenters request that we withdraw the NPRM. We do not agree to withdraw the proposal since the risk assessment determined the failure of the fusible plug to result in an unsafe condition; however, after careful consideration of the commenters' requests and rationale, data submitted by the manufacturer regarding parts availability, the commenters' recommended compliance time, and the degree of urgency to address the unsafe condition as determined by the risk assessment, we do agree to clarify the applicability and to extend the compliance time. We address applicability and the compliance time extension in subsequent comment responses. Regarding costs, the estimated costs are per slide and represent performing the actions during scheduled maintenance of the emergency evacuation equipment. Therefore, the cost estimates only account for the work required to replace the fusible plug and do not account for costs associated with getting access to the fusible plug and returning the emergency evacuation equipment to service.

Requests To Clarify the Affected Airplanes and Parts Specified in the Proposed AD

Several commenters requested that the NPRM be revised to clarify which airplanes and parts are affected. DAL specifically requested that paragraph (c) of the proposed AD (in the NPRM) be revised to specify all airplane models on which the affected fusible plugs are installed. However, DAL did not provide justification for its request.

AA requested that the applicability of the proposed AD (in the NPRM) be revised to include all possible inflation systems that have fusible plug part number (P/N) B13984–3 installed. AA noted that the Air Cruisers service information states that in addition to the inflation systems identified in the service information, other inflation systems not mentioned in the service information might have fusible plug P/N B13984–3 installed; therefore, any slide or bottle that has fusible plug P/N B13984–3 installed should be inspected. In addition, AA indicated that the proposed AD (in the NPRM) should include detailed compliance instructions for evacuation systems not identified in the Air Cruisers service information.

AA added that based on its initial research, additional affected components include the aft service door on Boeing Model MD–80 airplanes, and the over-wing escape slides on Airbus Model A319 and A320 airplanes, and Boeing Model 757 airplanes.

Cathay Pacific Airways (Cathay) noted that Boeing and Air Cruisers confirmed that the suspect fusible plugs were only installed in the reservoir and valve assemblies having a part number identified in Air Cruisers Service Information Letter (SIL) 25–246, Rev. No. 1, dated February 21, 2014 (''Air Cruisers SIL 25–246, Rev. No. 1''), and the applicable service bulletins identified in that service information.

Air Cruisers noted that the implied scope of the NPRM is too broad, and that an unsafe condition does not exist in emergency equipment other than that identified in the service information issued by Air Cruisers in August and December 2010.

Air Cruisers also stated that the inspection of the emergency evacuation equipment (including all inflation valves, reservoir and valve assemblies, and evacuation slides, slides/rafts, and life rafts) specified in paragraph (g) of the proposed AD (in the NPRM) is based on an assumption that fusible plugs are standard components used on all Air Cruisers inflation systems—and that the assumption is incorrect. Air Cruisers explained that many products do not have fusible plugs, and that fusible plugs were only required when certain early generation composite gas reservoirs were used in system design—and those were phased out in the 2003 to 2004 timeframe.

We agree to clarify which airplanes and parts are affected. Based upon confirmation of the affected parts and airplanes by Air Cruisers, we have revised paragraph (c) of the proposed AD (in the SNPRM) to specify that the proposed AD would apply to Air Cruisers fusible plugs installed on emergency evacuation equipment identified in the service information specified in paragraphs (c)(1) through (c)(16) of this proposed AD. Therefore, there is no need to include additional compliance instructions for evacuation emergency equipment not identified in the Air Cruisers service information. The service information is described under ''Related Service Information under 1 CFR part 51'' of this SNPRM.

Requests To Extend the Compliance Time

Air Cruisers, All Nippon Airways (ANA), Cathay, United Parcel Service (UPS), AA, Airbus, DAL, and A4A (on behalf of its members) requested that the compliance time proposed in paragraph (g) of the proposed AD (in the NPRM) be extended. The commenters stated that the proposed compliance time of 30 days is not adequate because there are several slides on each airplane and additional spare slide assemblies that also need to be inspected. The commenters also noted that the slide assembly has to be unpacked to gain access to the fusible plug for the inspection, and the slide unit would need to be discharged, inspected, repacked, and recertified—whether or not an affected fusible plug was identified.

Several of the commenters also mentioned that the repacking and recertification of the slide assemblies must be accomplished by a certified third party vendor. UPS noted that there are few repair facilities that have the capability of testing, repacking, and recertifying emergency evacuation slides, and that an estimated 16,920 inflatable assemblies owned by U.S. operators may need to be inspected. The commenters stated it would not be possible for the repair facilities to accomplish this task within the proposed 30-day compliance time.

A4A (on behalf of its members) added that the NPRM did not address the availability of the kits, and that it is unknown as to whether Zodiac can provide the required parts given a 30-day compliance time, and requested 48 months. UPS, Cathay, ANA, Airbus, AA, and DAL requested the compliance time be extended so they can accomplish the required actions during a standard overhaul period or next scheduled overhaul of the evacuation system. The extended compliance time requested by the commenters was between 36 to 48 months. The commenters noted there are routine inspections of the pressure of the inflated reservoir assemblies.

We agree that the compliance time should be revised. We had intended that the plug replacement occur during regularly scheduled maintenance on the evacuation systems for the majority of affected operators, when the airplanes would be located at a base where necessary special equipment and trained personnel would be readily available. After careful consideration of

the commenters' requests and rationale, data submitted by the manufacturer regarding parts availability, the commenters' recommended compliance time, and the degree of urgency to address the unsafe condition, we have determined that extending the compliance time to 42 months will provide an acceptable level of safety. We have revised paragraph (g) of this AD accordingly.

Request To Allow Other Methods of Compliance for the Inspection

Air Cruisers and ANA requested that operators be allowed to show compliance with the requirements of the proposed AD (in the NPRM) if the actions in the Accomplishment Instructions of the applicable service bulletins identified in Air Cruisers SIL 25–246, Rev. No. 1 have been completed. Air Cruisers stated that it issued the 16 service bulletins identified in the SIL to identify the known systems and inflation valves that might be fitted with the subject fusible plugs from the affected lot numbers. Air Cruisers elaborated that verification of the accomplishment of the actions included in the 16 service bulletins should be sufficient to show compliance with the requirements of the proposed AD. ANA did not provide justification for its request.

AA requested that operators be allowed to show compliance with the requirements of the proposed AD (in the NPRM) by a review of maintenance records, without having to provide the lot number of the fusible plug installed. AA noted that although paragraph (g) of the proposed AD (in the NPRM) included a review of maintenance records, that paragraph would require that the part number and lot number be conclusively determined from that review. However, AA stated that a records review is not possible because the lot number is not identified on the maintenance records.

We partially agree with the commenters' requests for the reasons provided by the commenters. We have revised paragraph (g) of the proposed AD (in this SNPRM) to allow a review of maintenance records if that review can conclusively determine that the affected fusible plug was replaced with a part not having P/N B13984–3, and not stamped with Lot PA–21 or PA–22.

Request To Allow Other Methods of Compliance for the Replacement

Cathay and Air Cruisers requested we allow using the component maintenance manual (CMM) as a method of compliance for the replacement specified in paragraph (g) of the proposed AD (in the NPRM). Cathay stated that the vendor service information identified in Air Cruisers SIL 25–246, Rev. No. 1, provides procedures for replacing the affected fusible plugs. The commenter added that the vendor service information has been incorporated into the applicable ''Reservoir and Valve Inflation Assembly'' CMMs.

Air Cruisers noted that the CMMs should be used instead of using the vendor service information. The commenter stated it plans to add information to the CMMs similar to that specified in the service information.

We agree with the commenter's request that the CMM or Air Cruisers SIL 25–246, Rev. No. 1 may also be used to replace the fusible plug. The proposed AD (in the NPRM) already provides allowance for the use of the CMM or Air Cruisers SIL 25–246, Rev. No. 1 to provide guidance for replacing the affected fusible plug as stated in ''Note 1 to paragraph (g) of this AD'' in the proposed AD (in the NPRM). We have not changed this proposed AD in this regard.

Request To Remove the Reporting Requirement

ANA, UPS, Air Cruisers, AA, DAL, and A4A (on behalf of its members) requested that the reporting requirement in paragraph (h) of the proposed AD (in the NPRM) be removed. The commenters stated that the Air Cruisers service bulletins identified in Air Cruisers SIL 25–246, Rev. No. 1, do not mention reporting findings, and the operators that have already started replacing the fusible plugs using the information in those Air Cruisers service bulletins did not report their findings to Air Cruisers. DAL noted that the information in the Air Cruisers service bulletins identified in Air Cruisers SIL 25–246, Rev. No. 1, was included in the applicable component maintenance manuals in 2011, which has allowed sufficient time for the escape slide/rafts to have gone through a regular overhaul at least once. Any fusible plugs from the defective lots would have been removed and scrapped, but would not have been reported because the Air Cruisers service bulletins did not mention reporting.

We agree with the commenters' request. We have removed the reporting requirement from this proposed AD.

Related Service Information Under 1 CFR Part 51

We reviewed the following Air Cruisers service information. The service information identifies the affected fusible plugs. In addition, it describes procedures for inspecting and replacing affected fusible plugs. These documents are distinct since they apply to different airplane models or configurations.

- Air Cruisers Service Bulletin 737 103–25–50, dated August 27, 2010.
- Air Cruisers Service Bulletin 757 105–25–80, dated August 27, 2010.
- Air Cruisers Service Bulletin 757 105–25–81, dated August 27, 2010.
- Air Cruisers Service Bulletin 767 106–25–10, Rev. No. 1, dated October 15, 2010.
- Air Cruisers Service Bulletin 777 107–25–29, Rev. No. 1, dated July 8, 2011.
- Air Cruisers Service Bulletin A300/A310 001–25–19, dated August 27, 2010.
- Air Cruisers Service Bulletin A300/A310 003–25–33, dated August 27, 2010.
- Air Cruisers Service Bulletin A310 002–25–08, dated August 27, 2010.
- Air Cruisers Service Bulletin A320 004–25–87, Rev. No. 2, dated January 7, 2011.
- Air Cruisers Service Bulletin A321 005–25–21, dated August 27, 2010.
- Air Cruisers Service Bulletin BAe146 201–25–23, dated December 10, 2010.
- Air Cruisers Service Bulletin F28 352–25–02, dated December 10, 2010.
- Air Cruisers Service Bulletin F100 351–25–07, dated December 10, 2010.
- Air Cruisers Service Bulletin Liferaft 35–25–79, dated August 27, 2010.
- Air Cruisers Service Bulletin MD11 305–25–35, dated August 27, 2010.
- Air Cruisers Service Bulletin MD80/90/717 304–25–45, dated August 27, 2010.
- Air Cruisers Service Information Letter 25–246, Rev. No. 1, dated February 21, 2014.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

We are proposing this SNPRM because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design. Certain changes described above expand the scope of the NPRM. As a result, we have determined that it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this SNPRM.

Proposed Requirements of This SNPRM

This SNPRM would require an inspection of the fusible plugs to determine the part number and lot number, and replacement of all affected fusible plugs.

Costs of Compliance

We estimate that this proposed AD affects 3,384 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Determining part and lot number	1 work-hour × $85 per hour = $85	$0	$85	$287,640

We estimate the following costs per slide to do any necessary replacement of the fusible plug that would be required based on the results of the proposed inspection. We have no way of determining the number of aircraft that might need these replacements:

ON-CONDITION COST

Action	Labor cost	Parts cost	Cost per product
Replacing	1 work-hour × $85 per hour = $85	Not available	$85

According to the manufacturer, some of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage for affected individuals. As a result, we have included all available costs in our cost estimate.

Authority for This Rulemaking

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

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

This proposed AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to transport category airplanes to the Director of the System Oversight Division.

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

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

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Zodiac Aero Evacuation Systems: Docket No. FAA–2016–9392; Product Identifier 2016–NM–003–AD.

(a) Comments Due Date

We must receive comments by March 12, 2018.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Zodiac Aero Evacuation Systems fusible plugs installed on emergency evacuation equipment identified in the service information specified in paragraphs (c)(1) through (c)(16) of this AD. These affected fusible plugs might be installed on the emergency evacuation equipment of the following manufacturers' airplanes: Airbus, The Boeing Company, BAE Systems (Operations) Limited, and Fokker Services B.V.

(1) Air Cruisers Service Bulletin 737 103–25–50, dated August 27, 2010.

(2) Air Cruisers Service Bulletin 757 105–25–80, dated August 27, 2010.

(3) Air Cruisers Service Bulletin 757 105–25–81, dated August 27, 2010.

(4) Air Cruisers Service Bulletin 767 106–25–10, Rev. No. 1, dated October 15, 2010.

(5) Air Cruisers Service Bulletin 777 107–25–29, Rev. No. 1, dated July 8, 2011.

(6) Air Cruisers Service Bulletin A300/A310 001–25–19, dated August 27, 2010.

(7) Air Cruisers Service Bulletin A300/A310 003–25–33, dated August 27, 2010.

(8) Air Cruisers Service Bulletin A310 002–25–08, dated August 27, 2010.

(9) Air Cruisers Service Bulletin A320 004–25–87, Rev. No. 2, dated January 7, 2011.

(10) Air Cruisers Service Bulletin A321 005–25–21, dated August 27, 2010.

(11) Air Cruisers Service Bulletin BAe146 201–25–23, dated December 10, 2010.

(12) Air Cruisers Service Bulletin F28 352–25–02, dated December 10, 2010.

(13) Air Cruisers Service Bulletin F100 351–25–07, dated December 10, 2010.

(14) Air Cruisers Service Bulletin Liferaft 35–25–79, dated August 27, 2010.

(15) Air Cruisers Service Bulletin MD11 305–25–35, dated August 27, 2010.

(16) Air Cruisers Service Bulletin MD80/90/717 304–25–45, dated August 27, 2010.

(d) Subject

Air Transport Association (ATA) of America Code 25, Equipment/furnishings.

(e) Unsafe Condition

This AD was prompted by reports indicating that affected fusible plugs activated (vented gas) below the rated temperature. We are issuing this AD to detect and replace fusible plugs that might activate below the rated temperature, which renders the evacuation system unusable.

(f) Compliance

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

(g) Fusible Plug Identification

Within 42 months after the effective date of this AD, do an inspection to determine if any fusible plug has part number (P/N) B13984–3, stamped with Lot PA–21 or PA–22. A review of the airplane maintenance records is acceptable to make this determination if it can be conclusively determined from that review that a part not having P/N B13984–3, stamped with Lot PA–21 or PA–22, has been installed.

(h) Replacement of Affected Fusible Plug

If, during the inspection or records review required by paragraph (g) of this AD, it is determined that any fusible plug has part number (P/N) B13984–3, stamped with Lot PA–21 or PA–22: Before further flight, replace that fusible plug with a new part that does not have P/N B13984–3, stamped with Lot PA–21 or PA–22.

Note 1 to paragraph (h) of this AD: Guidance can be found in the applicable component maintenance manual (CMM) for the replacement. In addition, Air Cruisers Service Information Letter 25–246, Rev. No. 1, dated February 21, 2014, provides information regarding affected fusible plugs and guidance on the replacement.

(i) Parts Installation Prohibition

As of the effective date of this AD, no person may install on any airplane any fusible plug having P/N B13984–3, stamped with Lot PA–21 or PA–22.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, New York ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone: 516–228–7300; fax: 516–794–5531.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

(1) For more information about this AD, contact Cesar Gomez, Aerospace Engineer, Airframe and Mechanical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7318; fax 516–794–5531.

(2) For service information identified in this AD, contact Air Cruisers, 1747 State Route 34, Wall Township, NJ 07727–3935; phone 732–681–3527; email *technicalpublications@zodiacaerospace.com.* You may view this service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW, Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on January 5, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–00951 Filed 1–23–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0967; Product Identifier 2017–NE–35–AD]

RIN 2120–AA64

Airworthiness Directives; GE Aviation Czech s.r.o. Turboprop Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for GE Aviation Czech s.r.o. M601D–11, M601E–11, M601E–11A, M601E–11AS, M601E–11S, M601F, H80, H80–100, H80–200, H75–100, H75–200, H85–100, and H85–200 turboprop engines. This proposed AD was prompted by a review by the manufacturer that identified the possibility of a power turbine (PT) rotor overspeed and the uncontained release of PT blades. This proposed AD would require installing a modified engine outlet system. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this NPRM by March 12, 2018.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

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

For service information identified in this proposed AD, contact GE Aviation Czech s.r.o., Beranových 65, 199 02 Praha 9—Letňany, Czech Republic; phone: +420 222 538 111; fax: +420 222 538 222. You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7759.

Examining the AD Docket

You may examine the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0967; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations (phone: 800–647–5527) is listed above. Comments will be available in the AD docket shortly after receipt.

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

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES**

section. Include ''Docket No. FAA–2017–0967; Product Identifier 2017–NE–35–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this NPRM. We will consider all comments received by the closing date and may amend this NPRM because of those comments.

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

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA AD 2017–0151, dated August 18, 2017 (referred to hereinafter as ''the MCAI''), to correct an unsafe condition for the specified products. The MCAI states:

A recent design review identified the possibility of failure of the power turbine (PT) or quill shaft splines.

This condition, if not corrected, could lead to a PT rotor overspeed, with consequent release of PT blade(s), possibly resulting in high energy debris and damage to, and/or reduced control of, the aeroplane.

To address this potential unsafe condition, GE Aviation Czech (GEAC) designed a modification (mod) of the engine outlet system and issued Alert Service Bulletins (ASB) ASB–M601E–72–00–00–0070, ASB–M601D–72–00–00–0053, ASB–M601F–72–00–00–0036, ASB–M601T–72–00–00–0029, ASB–M601Z–72–00–00–0039, ASB–H75–72–00–00–0011, ASB–H80–72–00–00–0025 and ASB–H85–72–00–00–0007 (single document, hereafter referred to as ''the ASB'' in this AD), providing instructions for modification of engines in service.

For the reason described above, this AD requires modification of the affected engines, and prohibits installation of pre-mod parts.

You may obtain further information by examining the MCAI in the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0967.

Related Service Information Under 1 CFR Part 51

We reviewed GE Aviation Czech Alert Service Bulletin (ASB) ASB–M601E–72–00–00–0070 [02], ASB–M601D–72–00–00–0053 [02], ASB–M601F–72–00–00–0036 [02], ASB–M601T–72–00–00–0029 [02], ASB–M601Z–72–00–00–0039 [02], ASB–H75–72–00–00–0011 [02], ASB–H80–72–00–00–0025 [02], and ASB–H85–72–00–00–0007 [02] (single document), dated June 12, 2017. The ASB describes procedures for removal and replacement of the engine outlet system hardware. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of the Czech Republic and is approved for operation in the United States. Pursuant to our bilateral agreement with the European Community, EASA has notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design. This proposed AD would require installing a modified engine outlet system.

Costs of Compliance

We estimate that this proposed AD affects 167 engines installed on airplanes of U.S. registry.

We estimate the following costs to comply with this proposed AD:

Estimated Costs

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Remove and replace exhaust system parts	64 work-hours x $85 per hour = $5,440	$63,000	$68,440	$11,429,480

Authority for This Rulemaking

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

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

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and associated appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

Regulatory Findings

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

For the reasons discussed above, I certify this proposed regulation:

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

GE Aviation Czech s.r.o. (Type Certificate previously held by WALTER Engines a.s., Walter a.s., and MOTORLET a.s.): Docket No. FAA–2017–0967; Product Identifier 2017–NE–35–AD.

(a) Comments Due Date

We must receive comments by March 12, 2018.

(b) Affected ADs

None.

(c) Applicability

This AD applies to GE Aviation Czech s.r.o. M601D–11, M601E–11, M601E–11A, M601E–11AS, M601E–11S, M601F, H75–100, H75–200, H80, H80–100, H80–200, H85–100, and H85–200 turboprop engines.

(d) Subject

Joint Aircraft System Component (JASC) Code 7810, Engine Collector/Tailpipe/Nozzle.

(e) Reason

This AD was prompted by a review by the manufacturer that identified the possibility of a power turbine (PT) overspeed and the uncontained release of PT blades. We are issuing this AD to prevent uncontained release of the PT blades. The unsafe condition, if not addressed, could result in failure of the PT blades, uncontained release of the blades, damage to the engine, and damage to the airplane.

(f) Compliance

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

(g) Required Actions

(1) After the effective date of this AD, replace the parts listed in Tables 2, 3, 4, and 5 to paragraph (g) of this AD with the parts identified in Planning Information, Paragraph 1.5, Sections I through IV, respectively, in GE Aviation Czech Alert Service Bulletin (ASB) ASB–M601E–72–00–00–0070 [02], ASB–M601D–72–00–00–0053 [02], ASB–M601F–72–00–00–0036 [02], ASB–M601T–72–00–00–0029 [02], ASB–M601Z–72–00–00–0039 [02], ASB–H75–72–00–00–0011 [02], ASB–H80–72–00–00–0025 [02], and ASB–H85–72–00–00–0007 [02] (single document), dated June 12, 2017, at the times specified below, whichever occurs first:

(i) During the next engine shop visit; or

(ii) within 6,600 engine equivalent cycles since new or since last overhaul; or

(iii) within the compliance times specified in Table 1 to paragraph (g) of this AD.

BILLING CODE 4910–13–P

Table 1 to Paragraph (g) – Compliance Times

Date of Engine Manufacture	Date of Release to Service after last Shop Visit	Compliance Time
December 31, 2008 or before	Never subjected to engine shop visit	5 years
January 1, 2009 or later		10 years
any	February 9, 2014 or before	5 years
any	February 10, 2014 or later	10 years

Table 2 to Paragraph (g) – Exhaust Systems M601-4.2, M601-4.5, M601-4.51, M601-4.52, M601-4.61, and M601-4.62

Engine models	Part Name	Part Number (P/N)
M601E-11, M601E-11A, M601E-11AS, M601E-11S, M601F, H75-100, H75-200, H80, H80-100, H80-200, H85-100, and H85-200	Containment Ring	M601-426.5
	Insulation Cover	M601-422.3, M601-422.2
	Supporting Cone	M601-457.7, M601-457.3
	Support	M601-4512.5

Table 3 to Paragraph (g) – Exhaust System M601-4.1, M601-4.6, and M601-4.7

Engine models	Part Name	P/N
M601D-11, M601E-11, M601E-11A, M601E-11AS, M601E-11S	Containment Ring	M601-426.5
	Insulation Cover	M601-422.3, M601-422.2
	Support	M601-4512.5
	Supporting Cone	M601-457.7, M601-457.3
	Outlet Duct	M601-416.6

Table 4 to Paragraph (g) – Countershaft Case Complete (Reduction Gearbox Subassembly) M601-62.2, M601-62.7, M601-60.3

Engine models	Part Name	P/N
All	Bolt	M601-6170.9
	Ring	M601-6014.9

Table 5 – Torquemeter (Reduction Gearbox Subassembly) M601-673.6, M601-667.7, M601-605.3

Engine models	Part Name	P/N
All	Torquemeter Holder	M601-643.9

BILLING CODE 4910–13–C

(h) Installation Prohibition

(1) Do not install a part with a P/N listed in Tables 2, 3, 4, or 5 to paragraph (g) of this AD on an engine after that engine has been modified as required by paragraph (g) of this AD.

(2) After the effective date of this AD, do not install a part with a P/N listed in Tables 2, 3, 4, or 5 to paragraph (g) of this AD on any engine manufactured on or after September 1, 2017.

(i) Definition

For the purpose of this AD, an engine shop visit is when the engine is overhauled or rebuilt, or the PT is disassembled.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, ECO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ECO Branch, send it to the attention of the person identified in paragraph (k). You may email your request to: *ANE-AD-AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

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

(2) Refer to MCAI European Aviation Safety Agency AD 2017–0151, dated August 18, 2017, for more information. You may examine the MCAI in the AD docket on the internet at *http://www.regulations.gov* by searching for and locating it in Docket No. FAA–2017–0967.

(3) For service information identified in this AD, contact GE Aviation Czech s.r.o., Beranových 65, 199 02 Praha 9—Letňany, Czech Republic; phone: +420 222 538 111; fax: +420 222 538 222. You may view this referenced service information at the FAA, Engine & Propeller Standards Branch, 1200 District Avenue, Burlington, MA. For information on the availability of this material at the FAA, call 781–238–7759.

Issued in Burlington, Massachusetts, on January 17, 2018.

Robert J. Ganley,

Manager, Engine and Propeller Standards Branch, Aircraft Certification Service.

[FR Doc. 2018–01124 Filed 1–23–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 171023999–8015–01]

RIN 0648–BH31

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2018 Tribal Fishery for Pacific Whiting

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule for the 2018 Pacific whiting fishery under the authority of the Pacific Coast Groundfish Fishery Management Plan (FMP), the Magnuson Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and the Pacific Whiting Act of 2006. This proposed rule would allocate 17.5 percent of the U.S. Total Allowable Catch (TAC) of Pacific whiting for 2018 to Pacific Coast Indian tribes that have a Treaty right to harvest groundfish.

DATES: Comments on this proposed rule must be received no later than February 23, 2018.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2017–0160, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal eRulemaking Portal. Go to *www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0160,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Barry A. Thom., Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115–0070, Attn: Frank Lockhart.

Instructions: 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 by NMFS. All comments received are 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.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

Additional background information and documents are available at the NMFS West Coast Region website at *http://www.westcoast.fisheries.noaa.gov/fisheries/management/whiting/pacific_whiting.html* and at the Pacific Fishery Management Council's website at *http://www.pcouncil.org/.* Comments from the public may be viewed on *Regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Frank Lockhart, phone: 206–526–6142, and email: *Frank.Lockhart@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The regulations at 50 CFR 660.50(d) outline the procedures for implementing the treaty rights that Pacific Coast treaty Indian tribes have to harvest groundfish in their usual and accustomed fishing areas in U.S. waters. Section 660.50(d) establishes the process by which the tribes with treaty fishing rights in the area covered by the FMP request allocations, set-asides, or regulations specific to the tribes, in writing, during the biennial harvest specifications and management measures process. The regulations state that the Secretary will develop tribal allocations and regulations in consultation with the affected tribe(s) and, insofar as possible, with tribal consensus. The procedures NMFS employs in implementing tribal treaty rights under the FMP were designed to provide a framework process by which NMFS can accommodate tribal treaty rights by setting aside appropriate amounts of fish in conjunction with the Pacific Fishery Management Council process for determining harvest specifications and management measures.

Since the FMP has been in place, NMFS has been allocating a portion of the U.S. TAC (called Optimum Yield (OY) or Annual Catch Limit (ACL) prior to 2012) of Pacific whiting to the tribal fishery, following the process established in 50 CFR 660.50(d). The tribal allocation is subtracted from the U.S. Pacific whiting TAC before allocation to the non-tribal sectors.

There are four tribes that can participate in the tribal Pacific whiting fishery: The Hoh Tribe, the Makah Tribe, the Quileute Tribe and the Quinault Indian Nation (collectively, the ''Treaty Tribes''). The Hoh Tribe has not expressed an interest in participating to date. The Quileute Tribe and Quinault Indian Nation have expressed interest in commencing participation in the Pacific whiting fishery. However, to date, only the Makah Tribe has prosecuted a tribal fishery for Pacific whiting. They have harvested Pacific whiting since 1996 using midwater trawl gear. Tribal allocations have been based on discussions with the Tribes regarding their intent for those fishing years. Table 1 below provides a history of U.S. TACs and annual tribal allocation in metric tons (mt).

TABLE 1—U.S. TOTAL ALLOWABLE CATCH AND ANNUAL TRIBAL ALLOCATION IN METRIC TONS (MT)

Year	U.S. TAC [1]	Tribal allocation
2007	242,591 mt	35,000 mt.
2008	269,545 mt	35,000 mt.
2009	135,939 mt	50,000 mt.
2010	193,935 mt	49,939 mt.
2011	290,903 mt	66,908 mt.
2012	186,037 mt	48,556 mt.
2013	269,745 mt	63,205 mt.
2014	316,206 mt	55,336 mt.
2015	325,072 mt	56,888 mt.
2016	367,553 mt	64,322 mt.
2017	441,433 mt	77,251 mt.

[1] Beginning in 2012, the United States started using the term Total Allowable Catch, or TAC, based on the Agreement between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting. Prior to 2012, the terms Optimal Yield (OY) and Annual Catch Limit (ACL) were used.

In 2009, NMFS, the states of Washington and Oregon, and the Treaty Tribes started a process to determine the long-term tribal allocation for Pacific whiting; however, no long-term allocation has been determined. In order to ensure Treaty Tribes continue to receive allocations, this rule proposes the 2018 tribal allocation of Pacific whiting. This allocation is not intended to set precedent for allocations in future years.

Tribal Allocation for 2018

In exchanges between NMFS and the Treaty Tribes during 2017, the Makah Tribe indicated their intent to participate in the tribal Pacific whiting fishery in 2018, and requested 17.5 percent of the U.S. TAC. The Quinault Indian Nation informed the Region that they will not participate in the 2018 fishery. Quileute Indian Tribe has not responded to inquiries about their whiting fishing intent for 2018, and has not pursued a whiting fishery to date. The Hoh Indian Tribe has in previous years indicated in conversation with Frank Lockhart, Groundfish & Coastal Pelagic Species Senior Policy Advisor at NMFS, that they have no plans to fish for whiting in the foreseeable future and will contact NMFS if that changes. NMFS will again contact the tribes during the proposed rule comment period to refine, if necessary, the 2017 allocation before a final decision is made. NMFS proposes a tribal allocation that accommodates the Makah request, specifically 17.5 percent of the U.S. TAC. NMFS believes that the current scientific information regarding the distribution and abundance of the coastal Pacific whiting stock suggests that the 17.5 percent is within the range of the tribal treaty right to Pacific whiting.

The Joint Management Committee, which was established pursuant to the Agreement between the United States and Canada on Pacific Hake/Whiting (the Agreement), is anticipated to recommend the coastwide and corresponding U.S./Canada TACs no later than March 25, 2018. The U.S. TAC is 73.88 percent of the coastwide TAC. Until this TAC is set, NMFS cannot propose a specific amount for the tribal allocation. The Pacific whiting fishery typically begins in May, and the final rule establishing the Pacific whiting specifications for 2018 is anticipated to be published by early May. Therefore, in order to provide for public input on the tribal allocation, NMFS is issuing this proposed rule without the final 2018 TAC. However, to provide a basis for public input, NMFS is describing a range of potential tribal allocations in this proposed rule, applying the proposed approach to determining the tribal allocation to a range of potential TACs derived from past harvest levels.

In order to project a range of potential tribal allocations for 2018, NMFS is applying its proposed approach to determining the tribal allocation to the range of U.S. TACs over the last 10 years, 2008 through 2017 (plus or minus 25 percent to capture variability in stock abundance). The range of U.S. TACs in that time period was 135,939 mt (2009) to 441,433 mt (2017). Applying the 25 percent variability results in a range of potential TACs of 101,954 mt to 551,791 mt for 2018. Therefore, using the proposed allocation rate of 17.5 percent, the potential range of the tribal allocation for 2018 would between 17,842 and 96,563 mt.

This proposed rule would be implemented under authority of section 305(d) of the Magnuson-Stevens Act, which gives the Secretary responsibility to ''carry out any fishery management plan or amendment approved or prepared by him, in accordance with the provisions of this Act.'' With this proposed rule, NMFS, acting on behalf of the Secretary, would ensure that the FMP is implemented in a manner consistent with treaty rights of four Treaty Tribes to fish in their ''usual and accustomed grounds and stations'' in common with non-tribal citizens. *United States* v. *Washington,* 384 F. Supp. 313 (W.D. 1974).

Classification

NMFS has preliminarily determined that the management measures for the 2018 Pacific whiting tribal fishery are consistent with the national standards of the Magnuson-Stevens Act and other applicable laws. In making the final determination, NMFS will take into account the data, views, and comments received during the comment period.

The Office of Management and Budget has determined that this proposed rule is not significant for purposes of Executive Order 12866. This proposed rule is not expected to be an Executive Order 13771 regulatory action because this proposed rule is not significant under Executive Order 12866.

As required by section 603 of the Regulatory Flexibility Act (RFA), an Initial Regulatory Flexibility Analysis (IRFA) was prepared. The IRFA describes the economic impact this proposed rule, if adopted, would have on small entities. A summary of the analysis follows. A copy of this analysis is available from NMFS.

Under the RFA, the term ''small entities'' includes small businesses, small organizations, and small governmental jurisdictions. A small organization is any nonprofit enterprise that is independently owned and operated and is not dominant in its field. Small governmental jurisdictions such as governments of cities, counties, towns, townships, villages, school districts, or special districts are considered small jurisdictions if their populations are less than 50,000. The Small Business Administration has established size criteria for entities involved in the fishing industry that qualify as small businesses. A business involved in fish harvesting is a small business if it is independently owned and operated and not dominant in its field of operation (including its affiliates) and if it has combined annual receipts, not in excess of $11 million for all its affiliated operations worldwide (see 80 FR 81194, December 29, 2015). A wholesale business servicing the fishing industry is a small business if it employs 100 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide. A seafood processor is a small business if it is independently owned and operated, not dominant in its field of operation, and employs 750 or fewer persons on a full time, part time, temporary, or other basis, at all its affiliated operations worldwide. For purposes of rulemaking, NMFS is also applying the seafood processor standard to catcher processors because Pacific whiting Catcher-Processors (C/Ps) earn the majority of the revenue from processed seafood product.

This proposed rule would affect how Pacific whiting is allocated to the following sectors/programs: Tribal,

Shorebased Individual Fishing Quota (IFQ) Program Trawl Fishery, Mothership (MS) Coop Program—Whiting At-sea Trawl Fishery, and C/P Coop Program—Whiting At-sea Trawl Fishery. The amount of Pacific whiting allocated to these sectors is based on the U.S. TAC.

Currently, the Shorebased IFQ Program is composed of 180 Quota Share permits/accounts, 154 vessel accounts, and 47 first receivers, only a portion of which participate in the Pacific whiting fishery, listed below. These regulations also directly affect participants in the MS Coop Program, a general term to describe the limited access program that applies to eligible harvesters and processors in the MS sector of the Pacific whiting at-sea trawl fishery. This program currently consists of six MS processor permits, and a catcher vessel fleet currently composed of a single coop, with 34 Mothership/Catcher Vessel (MS/CV) endorsed permits (with three permits each having two catch history assignments). These regulations also directly affect the C/P Coop Program, composed of 10 C/P endorsed permits owned by three companies that have formed a single coop. These co-ops are considered large entities from several perspectives; they have participants that are large entities, and have in total more than 750 employees worldwide including affiliates. Although there are three non-tribal sectors, many companies participate in two sectors and some participate in all three sectors. As part of the permit application processes for the non-tribal fisheries, based on a review of the Small Business Administration size criteria, permit applicants are asked if they considered themselves a ''small'' business, and they are asked to provide detailed ownership information. After accounting for cross participation, multiple QS account holders, and affiliation through ownership, NMFS estimates that there are 103 non-tribal entities directly affected by these proposed regulations, 89 of which are considered ''small'' businesses. We also expect one tribal entity to fish in 2018. Tribes are not considered small entities for the purposes of RFA.

This rule will allocate fish between tribal and non-tribal harvesters (a mixture of small and large businesses). Tribal fisheries consist of a mixture of fishing activities that are similar to the activities that non-tribal fisheries undertake. Tribal harvests are delivered to both shoreside plants and motherships for processing. These processing facilities also process fish harvested by non-tribal fisheries. The effect of the tribal allocation on non-tribal fisheries will depend on the level of tribal harvests relative to their allocation and the reapportionment process. If the tribes do not harvest their entire allocation, there are opportunities during the year to reapportion unharvested tribal amounts to the non-tribal fleets. For example, in 2017 NMFS reapportioned 41,000 mt of the original 77,251 mt tribal allocation. This reapportionment was based on conversations with the tribes and the best information available at the time, which indicated that this amount would not limit tribal harvest opportunities for the remainder of the year. In 2017, the tribal Pacific whiting catch was approximately 6,000 mt in a fishery that spanned early August to December and delivered to a shoreside processing plant. This reapportioning process allows unharvested tribal allocations of Pacific whiting to be fished by the non-tribal fleets, benefitting both large and small entities. The revised Pacific whiting allocations for 2017 following the reapportionment were: Tribal 36,251 mt, C/P Coop 137,252 mt; MS Coop 96,884 mt; and Shorebased IFQ Program 169,547 mt.

The prices for Pacific whiting are largely determined by the world market because most of the Pacific whiting harvested in the U.S. is exported. The U.S. Pacific whiting TAC is highly variable, as have subsequent harvests and ex-vessel revenues. For the years 2011 to 2016, the total Pacific whiting fishery (tribal and non-tribal) averaged harvests of approximately 292,000 mt annually. As of October 23, 2017, the U.S. fishery had an unprecedentedly high catch of almost 320,000 mt from the all-time high TAC of 441,433 mt.

In 2015, the MS whiting fleet had $6.8 million in revenue, generated $19.1 million in income, and supported 461 jobs on the West Coast. The C/P fleet generated $7.1 million in revenue, driving $88.8 million in income and supporting 1,670 jobs. However, in 2015, bycatch constraints, anomalous ocean conditions, and a Russian import ban contributed to atypically low harvests and revenues and a historic low attainment of a high TAC. With similarly high (and increasing) TACs, attainment remained at average levels in 2014, 2016, and 2017. Thus, economic results from the 2015 season, the last year for which detailed economic data are available, are not a reasonable forecast of the 2018 season.

Until 2016 economic data are available, this makes the 2014 season the last representative year for which detailed economic information is available. In 2014, the MS fleet had $46.4 million in wholesale revenue, and generated $42 million in income and supported 926 jobs on the west coast from Pacific whiting (2014 Economic Data Collection (EDC) Mothership Report). The C/P fleet, which had $99.2 million in wholesale revenue in 2014, generated $142 million in income and supported 1,895 jobs on the west coast from Pacific whiting (2014 Economic Data Collection (EDC) C/P Report). In 2014, eight shoreside Pacific whiting companies processed 61,000 mt of Pacific whiting, for a wholesale revenue of $71 million. The number of companies processing shoreside did not change in 2015.

Impacts to Makah catcher vessels who elect to participate in the tribal fishery are measured with an estimate of ex-vessel revenue. In lieu of more complete information on tribal deliveries, total ex-vessel revenue is estimated with the 2016 average IFQ ex-vessel price of Pacific whiting, which was $165 per mt. At that price, the proposed 2018 Tribal allocation (potentially 17,842–96,563 mt) would have an ex-vessel value between $2.9 million and $15.9 million.

NMFS considered two alternatives for this action: The ''No-Action'' and the ''Proposed Action.'' NMFS did not consider a broader range of alternatives to the proposed allocation because the tribal allocation is based primarily on the requests of the tribes, and these requests reflect the level of participation in the fishery that will allow them to exercise their treaty right to fish for Pacific whiting. Consideration of a percentage lower than the tribal request of 17.5 percent is not appropriate in this instance. As a matter of policy, NMFS has historically supported the harvest levels requested by the tribes. Based on the information available to NMFS, the tribal request is within their tribal treaty rights. A higher percentage would arguably also be within the scope of the treaty right. However, a higher percentage would unnecessarily limit the non-tribal fishery.

Under the Proposed Action alternative, NMFS proposes to set the tribal allocation percentage at 17.5 percent, as requested by the tribes. This would yield a tribal allocation of between 17,842 and 96,563 mt for 2018.

Under the no-action alternative, NMFS would not make an allocation to the tribal sector. This alternative was considered, but the regulatory framework provides for a tribal allocation on an annual basis only. Therefore, the no-action alternative would result in no allocation of Pacific whiting to the tribal sector in 2018, which would be inconsistent with NMFS' responsibility to manage the

fishery consistent with the tribes' treaty rights. Given that there is a tribal request for allocation in 2018, this alternative received no further consideration.

NMFS believes this proposed rule would not adversely affect small entities. The reapportioning process allows unharvested tribal allocations of Pacific whiting, fished by small entities, to be fished by the non-tribal fleets, benefitting both large and small entities. NMFS has prepared an IRFA and is requesting comments on this conclusion. See **ADDRESSES**.

There are no reporting, recordkeeping or other compliance requirements in the proposed rule.

No Federal rules have been identified that duplicate, overlap, or conflict with this action.

Pursuant to Executive Order 13175, this proposed rule was developed after meaningful consultation and collaboration with tribal officials from the area covered by the FMP. Consistent with the Magnuson-Stevens Act at 16 U.S.C. 1852(b)(5), one of the voting members of the Pacific Council is a representative of an Indian tribe with federally recognized fishing rights from the area of the Council's jurisdiction. In addition, NMFS has coordinated specifically with the tribes interested in the Pacific whiting fishery regarding the issues addressed by this rule.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, Indian fisheries.

Dated: January 18, 2018.

Samuel D. Rauch, III,

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

For the reasons set out in the preamble, 50 CFR part 660 is proposed to be amended as follows:

PART 660—FISHERIES OFF WEST COAST STATES

■ 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.* and 16 U.S.C. 773 *et seq.,* and 16 U.S.C. 7001 *et seq.*

■ 2. In § 660.50, revise paragraph (f)(4) to read as follows:

§ 660.50 Pacific Coast treaty Indian fisheries.

* * * * *

(f) * * *

(4) *Pacific whiting.* The tribal allocation for 2018 will be 17.5 percent of the U.S. TAC.

* * * * *

[FR Doc. 2018–01182 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register
Vol. 83, No. 16
Wednesday, January 24, 2018

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

Food and Nutrition Service

Agency Information Collection Activities; Comment Request—Supplemental Nutrition Assistance Program Waivers Under Section 6(o) of the Food and Nutrition Act

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on this proposed information collection. This is a revision of a currently approved collection. The purpose of Section 6(o) of the Food and Nutrition Act is to establish a time limit of the receipt of benefits under the Supplemental Nutrition Assistance Program (SNAP) for certain able-bodied adults who are not working. The provision authorizes the Secretary of Agriculture, upon a State agency's request, to waive the provision for any group of individuals if the Secretary determines ''that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.'' As required by the statute, in order to receive a waiver the State agency must submit sufficient supporting information so that the United States Department of Agriculture (USDA) can make the required determination as to the area's unemployment rate or insufficiency of available jobs. This collection of information is, therefore, necessary in order to obtain waivers of the SNAP time limit.

DATES: Written comments must be received on or before March 26, 2018.

ADDRESSES: Comments may be sent to: Sasha Gersten-Paal, Branch Chief, Certification Policy Branch, Program Development Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 812, Alexandria, VA 22302. Comments may also be submitted via fax to the attention of Sasha Gersten-Paal at 703–305–2507 or via email to *Sasha.Gersten-Paal@fns.usda.gov.* Comments will also be accepted through the Federal eRulemaking Portal. Go to *http://www.regulations.gov,* and follow the online instructions for submitting comments electronically.

All responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this information collection should be directed to Sasha Gersten-Paal at 703–305–2705.

SUPPLEMENTARY INFORMATION: 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 of the proposed collection of information, including the validity of the methodology and assumptions that were used; (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 those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Title: Supplemental Nutrition Assistance Program Waivers of Section 6(o) of the Food and Nutrition Act.

Form Number: None.

OMB Number: 0584–0479.

Expiration Date: 3/31/2018.

Type of Request: Revision of a currently approved collection.

Abstract: Section 824 of the Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 (PRWORA), Public Law 104–193, 110 of Stat. 2323 amended Section 6(o) of the Food Stamp act of 1997 (7 U.S.C. 2015(o)) to establish a time limit for the receipt of food stamp benefits for certain able-bodied adults without dependents (ABAWDs) who are not working at least 20 hours per week. This time limit applies only to adults between 18 and 50 years of age that do not have children or adult dependents in their SNAP household. ABAWD recipient eligibility is limited to three months within a 36 month period, unless the individual is working, or participating in a designated employment and training activity, for 20 hours per week. (Note. Pursuant to the Food, Conservation, and Energy Act of 2008 (Pub. L. 110–234, 112 Stat. 923, enacted May 22, 2008), the Food Stamp Act was renamed the Food and Nutrition Act of 2008 and the Food Stamp Program was renamed the Supplemental Nutrition Assistance Program [SNAP].)

The provision authorizes that upon the request of a State agency, the Secretary of Agriculture may waive this provision for any group of individuals if the Secretary determines ''that the area in which the individuals reside has an unemployment rate of over 10 percent or does not have a sufficient number of jobs to provide employment for the individuals.'' As required in the statute, in order to receive a waiver, the State agency must submit sufficient supporting information so that the Secretary can make the required determination as to the area's unemployment rate or insufficiency of available jobs. This collection of information is necessary in order to obtain waivers of the SNAP ABAWD time limit.

Based on the experience of the Food and Nutrition Service (FNS) during calendar year 2016, FNS projects that 36 out of 53 State agencies will submit requests for a waiver of the time limit for ABAWD recipients based on a high unemployment rate or an insufficient number of jobs. A typical State waiver request includes several geographic areas and each geographic area may include multiple cities or counties. FNS projects that of the 36 requests each year, 34 will be based on labor market data and 2 will be based on a Labor Surplus Area (LSA) designation by the Department of Labor (DOL). FNS estimates a response time of 35 hours for each waiver request based on labor market data, which require detailed analysis of labor markets within the State. FNS estimates a burden of 4 hours per respondent for waivers based on an LSA designation, as the data required to

support these waivers is readily available from the DOL website and requires minimal preparation by State agencies. FNS projects a total of 1,198 hours.

Affected Public: State Agencies.

Estimated Number of Respondents: 36.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Responses: 36.

Estimated Time per Response: Varies between 4 to 35 Hours.

Estimated Total Annual Burden on Respondents: 1,136.

OMB No. 0584–0479	Requirement	Estimated number of respondents	Response annually per respondent	Total annual responses	Hours per response	Annual burden hours
Affected Public: State Agencies						
Reporting Burden	Submission of waiver request based on labor market data.	34	1	34	35	1,190
	Submission of waiver request based on Labor Surplus Area designation.	2	1	2	4	8
Reporting Totals		36				1,198
Total Reporting Burden						1,198

Dated: January 8, 2018.

Brandon Lipps,

Administrator, Food and Nutrition Service.

[FR Doc. 2018–01279 Filed 1–23–18; 8:45 am]

BILLING CODE 3410–30–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Georgia 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 Georgia Advisory Committee will hold a meeting on Tuesday, February 13, 2018, for continuing discussion of public hearing preparation and implementation on civil rights issues related to the Olmstead Act.

DATES: The meeting will be held on Tuesday February 13, 2018 at 11:00 a.m. EST.

ADDRESSES: The meeting will be by teleconference. Toll-free call-in number: 888–395–3241, conference ID: 1850034.

FOR FURTHER INFORMATION CONTACT: Jeff Hinton, DFO, at *jhinton@usccr.gov* or 404–562–7700.

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: 888–395–3241, conference ID: 1850034. 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 February 9, 2018. 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, North Carolina Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Southern Regional Office at the above email or street address.

Agenda

Welcome and Introductions
Jeff Hinton, Regional Director; Jerry Gonzalez, Chair Georgia SAC
Regional Update—Jeff Hinton, Regional Director, SRO, USCCR
Continuation: Preparation and implementation process of the public hearing—Jerry Gonzalez, Chair Georgia SAC State Advisory Committee (SAC) members
Public comments
Adjournment

Dated: January 18, 2018.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2018–01204 Filed 1–23–18; 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 the firms contributed importantly to the total or partial separation of the firms' 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 OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE

[01/08/2018 through 01/15/2018]

Firm name	Firm address	Date accepted for investigation	Product(s)
Casco Bay Molding, Ltd	32 Smada Drive, Sanford, ME 04073	01/11/2018	The firm manufactures products made of thermoplastic and liquid silicone using injection molds.
Arcadian Services, LLC	3109 Northington Court, Florence, AL 35630.	01/11/2018	The firm manufactures car and truck wash chemicals.

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 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 of 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. 2018–01239 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–WH–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–822–806, A–821–824, A–520–808]

Carbon and Alloy Steel Wire Rod From Belarus, the Russian Federation, and the United Arab Emirates: Antidumping Duty Orders

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (the ITC), Commerce is issuing antidumping duty (AD) orders on carbon and alloy steel wire rod (wire rod) from Belarus, the Russian Federation (Russia), and the United Arab Emirates (the UAE).

DATES: Applicable January 24, 2018.

FOR FURTHER INFORMATION CONTACT: Rebecca Janz at (202) 482–2972 (Belarus), Kaitlin Wojnar at (202) 482–3857 (Russia), or Carrie Bethea at (202) 482–1491 (the UAE), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(c), on November 28, 2017, Commerce published affirmative final determinations in the less-than-fair-value (LTFV) investigations of wire rod from Belarus, Russia, and the UAE.[1] On January 11, 2018, the ITC notified Commerce of its affirmative determination, pursuant to section 735(d) of the Act, that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of the LTFV imports of wire rod from Belarus, Russia, and the UAE, and its determination that critical circumstances do not exist with respect to imports of wire rod from Russia subject to Commerce's affirmative critical circumstances determination.[2]

Scope of the Orders

The product covered by these orders is wire rod. For a complete description of the scope of these orders, *see* the Appendix to this notice.

Antidumping Duty Orders

In accordance with sections 735(b)(1)(A)(i) and 735(d) of the Act, the ITC notified Commerce of its final determination in these investigations, in which it found that an industry in the United States is materially injured by reasons of imports of wire rod from Belarus, Russia, and the UAE.[3] The ITC also notified Commerce of its determination that critical circumstances do not exist with respect to imports of wire rod from Russia subject to Commerce's critical circumstances finding.[4] Therefore, in accordance with section 735(c)(2) of the Act, Commerce is issuing these AD orders. Because the ITC determined that imports of wire rod from Belarus, Russia, and the UAE are materially injuring a U.S. industry, unliquidated entries of such merchandise from Belarus, Russia, and the UAE are subject to the assessment of antidumping duties.

As a result of the ITC's final determination, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price, or constructed export price, of the merchandise, for all relevant entries of wire rod from Belarus, Russia, and the UAE. Antidumping duties will be assessed on unliquidated entries of wire rod from Belarus, Russia, and the UAE entered, or withdrawn from warehouse, for consumption on or after September 12, 2017, the date of publication of the preliminary determinations,[5] but will not include entries occurring after the expiration of the provisional measures

[1] *See Certain Carbon and Alloy Steel Wire Rod from Belarus, the Russian Federation, and the United Arab Emirates: Affirmative Final Determinations of Sales at Less Than Fair Value and Partial Affirmative Finding of Critical Circumstances,* 82 FR 56214 (November 28, 2017).

[2] *See* Letter from the ITC to the Hon. Gary Taverman, dated January 11, 2018.

[3] *Id.*

[4] *Id.*

[5] *See Carbon and Alloy Steel Wire Rod from Belarus: Preliminary Affirmative Determination of Sales at Less Than Fair Value,* 82 FR 42796 (September 12, 2017) (*Belarus Preliminary Determination*); *Certain Carbon and Alloy Steel Wire Rod from the Russian Federation and the United Arab Emirates: Affirmative Preliminary Determinations of Sales at Less Than Fair Value, and Affirmative Preliminary Determination of Critical Circumstances for Imports of Certain Carbon and Alloy Steel Wire Rod from the Russian Federation,* 82 FR 42794 (September 12, 2017) (collectively, *Preliminary Determinations*).

period and before publication of the ITC's final injury determination in the **Federal Register**, as further described below.

Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct CBP to continue to suspend liquidation of all relevant entries of wire rod from Belarus, Russia, and the UAE. These instructions suspending liquidation will remain in effect until further notice.

Commerce will also instruct CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective the date of publication of the ITC's final affirmative injury determination, CBP will require, at the same time as importers would normally deposit estimated duties on the subject merchandise, a cash deposit equal to the cash deposit rates listed below.[6] The relevant all-others rates apply to producers or exporters not specifically listed, as appropriate.

Provisional Measures

Section 733(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that Commerce extend the four-month period to no more than six months. In reference to these proceedings, no such request was received from exporters of wire rod from Belarus, Russia, or the UAE. Commerce's preliminary determinations were published on September 12, 2017.[7] As such, the four-month period ended on January 9, 2018. Pursuant to section 737(b) of the Act, the collection of cash deposits at the rates listed below will begin on the date of publication of the ITC's final injury determination.

Therefore, in accordance with section 733(d) of the Act, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of wire rod from Belarus, Russia, and the UAE entered, or withdrawn from warehouse, for consumption after January 9, 2018, the date on which provisional measures expired, through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Critical Circumstances

With regard to the ITC's negative critical circumstances determination regarding imports of wire rod from Russia, Commerce will instruct CBP to lift suspension and refund any cash deposits made to secure payment of estimated antidumping duties on subject merchandise entered, or withdrawn from warehouse, for consumption on or after June 14, 2017, (*i.e.,* 90 days prior to the date of publication of the preliminary determinations), but before September 12, 2017, (*i.e.,* the date of publication of the preliminary determinations).

Estimated Weighted-Average Dumping Margins

The estimated weighted-average AD margins and cash deposit rates are as follows:

Country	Exporter or producer	Estimated margin (%)
Belarus	Belarus-Wide Entity[8]	280.02
Russia	Abinsk Electric Steel Works Ltd	756.93
	JSC NLMK-Ural	756.93
	All-Others	436.80
UAE	Emirates Steel Industries PJSC	84.10
	All-Others	84.10

Notification to Interested Parties

This notice constitutes the AD orders with respect to wire rod from Belarus, Russia, and the UAE, pursuant to section 736(a) of the Act. Interested parties can find a list of AD orders currently effect at *http://enforcement.trade.gov/stats/iastats1.html.* These orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: January 18, 2018.

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

Scope of the Orders

The merchandise covered by these investigations are certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, less than 19.00 mm in actual solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high-nickel steel; (d) ball bearing steel; or (e) concrete reinforcing bars and rods. Also excluded are free cutting steel (also known as free machining steel) products (*i.e.,* products that contain by weight one or more of the following elements: 0.1 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorous, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium). All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under investigation are currently classifiable under subheadings 7213.91.3011, 213.91.3015, 7213.91.3020, 7213.91.3093; 7213.91.4500, 7213.91.6000, 7213.99.0030, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, 7227.90.6030, and 7227.90.6035 of the HTSUS. Products entered under subheadings 7213.99.0090 and 7227.90.6090 of the HTSUS also may be included in this scope if they meet the physical description of subject merchandise above. Although the HTSUS subheadings are

[6] *See* section 736(a)(3) of the Act.

[7] *See Preliminary Determinations.*

[8] The Belarus-wide entity includes Byelorussian Steel Works, who was the sole mandatory respondent in the investigation of wire rod from Belarus and did not demonstrate that it was entitled to a separate rate. Accordingly, we consider the company to be part of the Belarus-wide entity. *See Belarus Preliminary Determination,* 82 FR at 42797, n.10.

provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

[FR Doc. 2018–01254 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–057]

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

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing the countervailing duty order on certain tool chests and cabinets (tool chests) from the People's Republic of China (China).

DATES: Applicable January 24, 2018.

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

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the Act), on November 29, 2017, Commerce published its affirmative final determination that countervailable subsidies are being provided to producers and exporters of tool chests from China.[1]

On January 16, 2018, the ITC notified Commerce of its affirmative determination that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act, by reason of subsidized imports of subject merchandise from China.[2]

Scope of the Order

The scope of this order covers tool chests from China. For a complete description of the scope of the order, *see* Appendix to this notice.

Countervailing Duty Order

On January 16, 2018, in accordance with sections 705(b)(1)(A)(i) and 705(d) of the Act, the ITC notified Commerce of its final determination in this investigation, in which it found that an industry in the United States is materially injured by reason of imports of tool chests from China.[3] Therefore, in accordance with section 705(c)(2) of the Act, Commerce is issuing this countervailing duty order. Because the ITC determined that imports of tool chests from China are materially injuring a U.S. industry, unliquidated entries of such merchandise from China, entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, countervailing duties for all relevant entries of tool chests from China. Countervailing duties will be assessed on unliquidated entries of tool chests from China entered, or withdrawn from warehouse, for consumption on or after September 15, 2017, the date of publication of the *Preliminary Determination*[4] but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC's final injury determination as further described below.

Suspension of Liquidation

In accordance with section 706 of the Act, Commerce will instruct CBP to reinstitute the suspension of liquidation of tool chests from China. We will also instruct CBP to require, pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rates for the subject merchandise. These instructions suspending liquidation will remain in effect until further notice. The all-others rate applies to all producers and exporters of subject merchandise not listed in the following table.

Company	Subsidy rate (percent)
Jiangsu Tongrun Equipment Technology Co., Ltd[5]	15.09
Zhongshan Geelong Manufacturing Co., Ltd	14.03
Allround Hardware Co., Ltd	95.96
Beijing Kang Jie Kong International Cargo Agent Co., Ltd	95.96
Changshu Zhongcheng Tool Box Co., Ltd	14.39
Changzhou City Hongfei Metalwork Corporation	95.96
Changzhou Machan Steel Furniture Co., Ltd	14.39
China National Electronics Import and Export Ningbo Co	95.96
Foshan Lishida Metal Products Co., Ltd	95.96
Gem-Year Industrial Co., Ltd	95.96
Guangdong Hisense Home Appliances Co., Ltd	14.39
Guerjie Enterprise Co., Ltd	95.96
Haiyan Dingfeng Fasteners Ltd	95.96
Hangzhou Xiaoshan Import and Export Trading Co., Ltd	95.96
Hyxion Metal Industry	14.39
Jiaxing Pinyou Import & Export Co., Ltd	95.96
Jin Rong Hua Le Metal Manufactures Co., Ltd	14.39
Jinhua JG Tools Manufacturing Co	14.39
Jinhua Yahu Tools Co., Ltd	14.39
Keesung Manufacturing Co., Ltd	14.39
Kingstar Tools Co., Ltd	95.96
Liyang Flying Industry Co., Ltd	95.96
Meridian International Co., Ltd	14.39
Ningbo Better Design Industry Co., Ltd	95.96
Ningbo Hualei Tool Co., Ltd	95.96
Ningbo Jiufeng Electronic Tools	95.96
Ningbo Safewell International Holding Corp	14.39
Ningbo Xiunan International Co., Ltd	95.96
Pinghu Chenda Storage Office Equipment Co., Ltd	14.39
Pooke Technology Co., Ltd	14.39
Shanghai All-Fast International Trade Co., Ltd	14.39
Shanghai All-Hop Industry Co., Ltd	14.39
Shanghai Delta International Trading	95.96
Shanghai Fairlong International Trading Co., Ltd	95.96
Shanghai ITPC Hardware Co., Ltd	14.39
Shanghai Legsteel Metal Products Co., Ltd	95.96

[1] *See Certain Tool Chests and Cabinets from the People's Republic of China: Final Affirmative Countervailing Duty Determination,* 82 FR 56582 (November 29, 2017) (*Final Determination*) and accompanying Issues and Decision Memorandum.

[2] *See* ITC Letter concerning imports of tool chests and cabinets from China, dated January 16, 2018 (ITC Letter).

[3] *See* ITC Letter.

[4] *See Certain Tool Chests and Cabinets from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination,* 82 FR 43331 (September 15, 2017) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum.

[5] As indicated in the *Final Determination,* Jiangsu Tongrun Equipment Technology Co., Ltd.'s cross-owned affiliates include the following entities: 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.

Company	Subsidy rate (percent)
Shanghai Tung Hsing Technology Inc	95.96
Shining Golden Yida Welding & Cutting Machinery Manufacture Ltd	95.96
Suzhou Aomeijia Metallic Products Co., Ltd	95.96
Suzhou Goldenline Machinery Co., Ltd	95.96
Suzhou Xindadi Hardware Co., Ltd	14.39
Taixing Hutchin Mfg. Co., Ltd	14.39
Tong Ming Enterprise (Jiaxing) Co., Ltd	95.96
Trantex Product (Zhong Shan) Co., Ltd	14.39
Wuyi Yunlin Steel Products Co., Ltd	95.96
Yangzhou Huayu Pipe Fitting Co., Ltd	95.96
Yangzhou Triple Harvest Power Tools Limited	14.39
Zhangjiagang Houfeng Machinery Co., Ltd	95.96
Zhejiang KC Mechanical & Electrical	95.96
Zhejiang Zhenglian Corp	95.96
Zhuhai Shichang Metals Ltd	95.96
All-Others	14.39

Provisional Measures

Section 703(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months. In the underlying investigation, Commerce published the *Preliminary Determination* on September 15, 2017. As such, the four-month period beginning on the date of the publication of the *Preliminary Determination* ended on January 12, 2018. Furthermore, section 707(b) of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination.

Therefore, in accordance with section 703(d) of the Act and our practice, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, unliquidated entries of tool chests from China entered, or withdrawn from warehouse, for consumption, after January 12, 2018, the date the provisional measures expired, until and through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Notifications to Interested Parties

This notice constitutes the countervailing duty order with respect to tool chests from China pursuant to section 706(a) of the Act. Interested parties can find a list of countervailing duty orders currently in effect at *http://enforcement.trade.gov/stats/iastats1.html.*

This order is issued and published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

Dated: January 19, 2018.

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

Scope of the Order

The scope of this order 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 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 order 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 order 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

Inches	Maximum pounds
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
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 order 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) an open top for storage, 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 order 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 order 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 order 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 order is dispositive.

[FR Doc. 2018–01351 Filed 1–23–18; 8:45 a.m.]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Proposed Information Collection; Comment Request; Generic Request for Customer Service-Related Data Collections.

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

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before March 26, 2018.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at *PRAcomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Darla Yonder, Management Analyst, NIST, 100 Bureau Drive, MS 1710, Gaithersburg, MD 20899, 301–975–4064, or via email to *Darla.yonder@nist.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

In accordance with Executive Order 12862, the National Institute of Standards and Technology (NIST), a non-regulatory agency of the Department of Commerce, proposes to conduct a number of individual information collections that are both quantitative and qualitative. The information collections will be designed to determine the type and quality of the products, services, and information our key customers want and expect, as well as their satisfaction with and awareness of existing products, services, and information. In addition, NIST proposes other customer service satisfaction data collections that include, but may not be limited to focus groups, reply cards that accompany product distributions, and Web-based surveys and dialog boxes that offer customers the opportunity to express their level of satisfaction with NIST products, services, and information and for ongoing dialogue with NIST. NIST will limit its inquiries to data collections that solicit voluntary options and will not collect information that is required or regulated. No assurances of confidentiality will be given. However, it will be completely optional for survey participants to provide their name or affiliation information if they wish to provide comments for which they elect to receive a response.

II. Method of Collection

NIST will collect this information by electronic means, as well as by mail, fax, telephone, and person-to-person interactions.

III. Data

OMB Control Number: 0693–0031.

Form Number(s): None.

Type of Review: Revision of a current information collection.

Affected Public: Business or other for-profit organizations, individuals, not-for-profit institution.

Estimated Number of Respondents: 120,000.

Less than 2 minutes for a response card, 2 hours for focus group participation. The average estimated response time for the completion of a collection instrument is expected to be less than 30 minutes per response(s).

Estimated Total Annual Burden Hours: 15,000.

Estimated Total Annual Cost to Public: None.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection;

they also will become a matter of public record.

Sheleen Dumas,

Departmental PRA Lead, Office of the Chief Information Officer.

[FR Doc. 2018–01236 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Solicitation for Applications for Advisory Councils Established Pursuant to the National Marine Sanctuaries Act and Executive Orders

AGENCY: Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of Solicitation.

SUMMARY: Notice is hereby given that ONMS will solicit applications to fill seats on its 13 national marine sanctuary advisory councils and the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council (advisory councils), under the National Marine Sanctuaries Act and the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Executive Order, respectively. Vacant seats, including positions (*i.e.,* primary and alternate), for each of the advisory councils will be advertised differently at each site in accordance with the information provided in this notice. This notice contains web page links and contact information for each site, as well as additional resources on advisory council vacancies and the application process.

DATES: Please visit individual site web pages, or reach out to a site as identified in this notice's **SUPPLEMENTARY INFORMATION** section on Contact Information for Each Site, regarding the timing and advertisement of vacant seats, including positions (*i.e.,* primary or alternate), for each of the advisory councils.

Applications will only be accepted in response to current, open vacancies and in accordance with the deadlines and instructions included on each site's website.

ADDRESSES: Vacancies and applications are specific to each site's advisory council. As such, questions about a specific council or vacancy, including applications, should be directed to a site. Contact Information for Each Site is contained in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: For further information on a particular advisory council or available seats, please contact the site as identified in this notice's **SUPPLEMENTARY INFORMATION** section on Contact Information for Each Site, below. For general inquiries related to this notice or ONMS advisory councils established pursuant to the National Marine Sanctuaries Act or Executive Order 13178, contact Kate Spidalieri, National Advisory Council Specialist (*Kate.Spidalieri@noaa.gov;* 240–533–0679).

SUPPLEMENTARY INFORMATION: Section 315 of the National Marine Sanctuaries Act (NMSA) (16 U.S.C. 1445A) allows the Secretary of Commerce to establish advisory councils to advise and make recommendations regarding the designation and management of national marine sanctuaries. Executive Order 13178 similarly established a Coral Reef Ecosystem Reserve Council pursuant to the NMSA for the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. In this Supplementary Information section, NOAA provides details regarding the Office of National Marine Sanctuaries, the role of advisory councils, and contact information for each site.

Office of National Marine Sanctuaries (ONMS)

ONMS serves as the trustee for a network of underwater parks encompassing more than 600,000 square miles of marine and Great Lakes waters from Washington state to the Florida Keys, and from Lake Huron to American Samoa. The network includes a system of 13 national marine sanctuaries and Papahānaumokuākea and Rose Atoll marine national monuments. National marine sanctuaries protect our nation's most vital coastal and marine natural and cultural resources, and through active research, management, and public engagement, sustain healthy environments that are the foundation for thriving communities and stable economies.

One of the many ways ONMS ensures public participation in the designation and management of national marine sanctuaries is through the formation of advisory councils. Advisory councils are community-based advisory groups established to provide advice and recommendations to ONMS on issues including management, science, service, and stewardship; and to serve as liaisons between their constituents in the community and the site. Additional information on ONMS and its advisory councils can be found at *http://sanctuaries.noaa.gov.*

Advisory Council Membership

Under Section 315 of the NMSA, advisory council members may be appointed from among: (1.) Persons employed by federal or state agencies with expertise in management of natural resources; (2.) members of relevant regional fishery management councils; and (3.) representatives of local user groups, conservation and other public interest organizations, scientific organizations, educational organizations, or others interested in the protection and multiple use management of sanctuary resources. For the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council, Executive Order 13178 Section 5(f) specifically identifies member and representative categories.

The charter for each advisory council defines the number and type of seats and positions on the council; however, as a general matter, available seats could include: Conservation, education, research, fishing, whale watching, diving and other recreational activities, boating and shipping, tourism, harbors and ports, maritime business, agriculture, maritime heritage, and citizen-at-large.

For each of the 14 advisory councils, applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; views regarding the protection and management of marine or Great Lakes resources; and possibly the length of residence in the area affected by the site. Applicants chosen as members or alternates should expect to serve two or three-year terms, pursuant to the charter of the specific national marine sanctuary advisory council or Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council.

More information on advisory council membership and processes, and materials related to the purpose, policies, and operational requirements for advisory councils can be found in the charter for a particular advisory council (*http://sanctuaries.noaa.gov/management/ac/council_charters.html*) and the *National Marine Sanctuary Advisory Council Implementation Handbook* (*http://sanctuaries.noaa.gov/management/ac/acref.html*).

Contact Information for Each Site

- Channel Islands National Marine Sanctuary Advisory Council: Channel Islands National Marine Sanctuary,

University of California, Santa Barbara, Ocean Science Education Building 514, MC 6155, Santa Barbara, CA 93106; 805–893–6437; *http://channelislands.noaa.gov/sac/council_news.html.*

• Cordell Bank National Marine Sanctuary Advisory Council: Cordell Bank National Marine Sanctuary, P.O. Box 159, Olema, CA 94950; 415–464–5260; *http://cordellbank.noaa.gov/council/applicants.html.*

• Florida Keys National Marine Sanctuary Advisory Council: Florida Keys National Marine Sanctuary, 33 East Quay Road, Key West, FL 33040; 305–809–4700; *http://floridakeys.noaa.gov/sac/apps.html.*

• Flower Garden Banks National Marine Sanctuary Advisory Council: Flower Garden Banks National Marine Sanctuary, 4700 Avenue U, Building 216, Galveston, TX 77551; 409–621–5151; *http://flowergarden.noaa.gov/advisorycouncil/recruitment.html.*

• Gray's Reef National Marine Sanctuary Advisory Council: Gray's Reef National Marine Sanctuary, 10 Ocean Science Circle, Savannah, GA 31411; 912–598–2345; *http://graysreef.noaa.gov/management/sac/council_news.html.*

• Greater Farallones National Marine Sanctuary Advisory Council: Greater Farallones National Marine Sanctuary, 991 Marine Drive, The Presidio, San Francisco, CA 94129; 415–561–6622; *http://farallones.noaa.gov/manage/sac_recruitment.html.*

• Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council: Hawaiian Islands Humpback Whale National Marine Sanctuary, NOAA Inouye Regional Center, NOS/ONMS/HIHWNMS, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818; 808–879–2818; *http://hawaiihumpbackwhale.noaa.gov/council/council_app_accepting.html.*

• *Monitor* National Marine Sanctuary Advisory Council: *Monitor* National Marine Sanctuary, 100 Museum Drive, Newport News, VA 23606; 757–599–3122; *http://monitor.noaa.gov/advisory/news.html.*

• Monterey Bay National Marine Sanctuary Advisory Council: Monterey Bay National Marine Sanctuary, 99 Pacific Street, Building 455A, Monterey, CA 93940; 831–647–4201; *http://montereybay.noaa.gov/sac/recruit.html.*

• National Marine Sanctuary of American Samoa Advisory Council: National Marine Sanctuary of American Samoa, Tauese P.F. Sunia Ocean Center, P.O. Box 4318, Pago Pago, AS 96799; 684–633–6500; *http://americansamoa.noaa.gov/council/recruitment.*

• Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council: NOAA Inouye Regional Center, NOS/ONMS/PMNM, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818; 808–725–5800; *http://www.papahanaumokuakea.gov/new-about/council/apply/.*

• Olympic Coast National Marine Sanctuary Advisory Council: Olympic Coast National Marine Sanctuary, 115 East Railroad Avenue, Suite 301, Port Angeles, WA 98362; 360–457–6622; *http://olympiccoast.noaa.gov/involved/sac/recruitment.html.*

• Stellwagen Bank National Marine Sanctuary Advisory Council: Stellwagen Bank National Marine Sanctuary, 175 Edward Foster Road, Scituate, MA 02066; 781–545–8026; *http://stellwagen.noaa.gov/management/sac/recruitment.html.*

• Thunder Bay National Marine Sanctuary Advisory Council: Thunder Bay National Marine Sanctuary, 500 West Fletcher Street, Alpena, MI 49707; 989–356–8805; *http://thunderbay.noaa.gov/management/advisory_council_recruitment.html.*

Authority: 16 U.S.C. 1431 *et seq.*

(Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: July 21, 2017.

John Armor,

Director, Office of National Marine Sanctuaries, National Ocean Service, National Oceanic and Atmospheric Administration.

Editorial Note: The Office of the Federal Register received this document on January 19, 2018.

[FR Doc. 2018–01271 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF962

Pacific Fishery Management Council; Public Meeting (Webinar)

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

ACTION: Notice of public meeting (webinar).

SUMMARY: The Pacific Fishery Management Council (Pacific Council) is sponsoring a series of four webinars presenting information relevant to the Fishery Ecosystem Plan Initiative on Climate and Communities. The webinars are open to the public.

DATES: Two webinars have been previously scheduled for Thursday, January 25, 2018 and Thursday, February 1, 2018. Two additional webinars are now scheduled; all webinars will begin at 1:30 p.m. on the dates shown below and last for approximately two hours. The third webinar, ''Distributional changes of west coast species and impacts of climate change on species and species groups'' will be held Thursday, February 22, 2018. The fourth one, ''State and federally managed fishery participation under different climate scenarios'' will be held Tuesday, February 27, 2018.

ADDRESSES: The meeting will be held via webinar. A public listening station is available at the Pacific Council office (address below). To attend the webinar (1) join the meeting by visiting this link *https://www.gotomeeting.com/* (Click ''Join a Meeting'' in top right corner of page), (2) enter the Webinar ID: 298–193–411, and (3) enter your name and email address (required). After logging in to the webinar, you must use your telephone for the audio portion of the meeting by dialing this TOLL number (1) dial this TOLL number 1–415–655–0052, (2) enter the attendee phone audio access code 564–202–797, and (3) then enter your audio phone pin (shown after joining the webinar). **Note:** Technical Information and system requirements: PC-based attendees are required to use Windows® 7, Vista, or XP; Mac®-based attendees are required to use Mac OS® X 10.5 or newer; Mobile attendees are required to use iPhone®, iPad®, Android™ phone or Android tablet (See the *https://www.gotomeeting.com/webinar/ipad-iphone-android-webinar-apps*). You may send an email to Mr. Kris Kleinschmidt at *Kris.Kleinschmidt@noaa.gov* or contact him at (503) 820–2280, extension 411 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.

FOR FURTHER INFORMATION CONTACT: Dr. Kit Dahl, Pacific Council; telephone: (503) 820–2422.

SUPPLEMENTARY INFORMATION: At its September 2018 meeting, the Pacific Council decided to embark on the Climate and Communities Initiative pursuant to its Fishery Ecosystem Plan. The purpose of this initiative is to help the Pacific Council, its advisory bodies, and the public to better understand the effects of near-term climate shift and long-term climate change on our fish, fisheries, and fishing communities and identify ways in which the Council

could incorporate such understanding into its decision-making. As a first step, the Council's Ad Hoc Ecosystem Workgroup is working with scientists at NMFS Northwest and Southwest Fisheries Science Centers to present a series of webinars to educate the Pacific Council, advisory bodies, and the interested public about current research and forecasts related to the effects of climate variability/change on the California Current Ecosystem.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (503) 820–2411 at least 10 business days prior to the meeting date.

Dated: January 19, 2018.

Jeffrey N. Lonergan,

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

[FR Doc. 2018–01289 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Evaluation of State Coastal Management Program

AGENCY: Office for Coastal Management (OCM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice.

SUMMARY: The National Oceanic and Atmospheric Administration (NOAA), Office for Coastal Management is reopening the public comment period for the performance evaluation of the U.S. Virgin Islands Coastal Management Program that covers the time period of December 2007 to August 2017. The public comment period is being reopened until March 16, 2018 as Hurricane Irma impacted the U.S. Virgin Islands two days before the previous comment period closed and Hurricane Maria subsequently impacted the U.S. Virgin Islands.

DATES: *U.S. Virgin Islands Coastal Management Program Evaluation:* Written comments must be received on or before March 16, 2018.

ADDRESSES: You may submit comments on the U.S. Virgin Islands Coastal Management Program by submitting written comments. Please direct written comments to Susie Holst, Evaluator, NOAA Office for Coastal Management, 35 Colovos Road, University of New Hampshire, Gregg Hall, Room 142, Durham, New Hampshire 03824, or email comments *Susie.Holst@noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Susie Holst, Evaluator, NOAA Office for Coastal Management, 35 Colovos Road, University of New Hampshire, Gregg Hall, Room 142, Durham, New Hampshire 03824, (603) 862–1205 or *Susie.Holst@noaa.gov.* Copies of the previous evaluation findings may be viewed and downloaded on the internet at *http://coast.noaa.gov/czm/evaluations.* A copy of the evaluation notification letter and most recent progress report may be obtained upon request by contacting the person identified under **FOR FURTHER INFORMATION CONTACT**.

SUPPLEMENTARY INFORMATION: Section 312 of the Coastal Zone Management Act (CZMA) requires NOAA to conduct periodic evaluations of federally approved state and territorial coastal programs. The process includes one or more public meetings, consideration of written public comments and consultations with interested Federal, state, and local agencies and members of the public. During the evaluation, NOAA will consider the extent to which the state has met the national objectives, adhered to the management program approved by the Secretary of Commerce, and adhered to the terms of financial assistance under the CZMA. When the evaluation is completed, NOAA's Office for Coastal Management will place a notice in the **Federal Register** announcing the availability of the Final Evaluation Findings.

Dated: January 11, 2018.

Keelin Kuipers,

Acting Deputy Director, Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

[FR Doc. 2018–01267 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF953

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting (webinar).

SUMMARY: The Pacific Fishery Management Council's (Pacific Council) Coastal Pelagic Species Management Team (CPSMT) and Coastal Pelagic Species Advisory Subpanel (CPSAS) will hold a joint meeting via webinar that is open to the public.

DATES: The webinar will be held Wednesday, February 21, 2018, from 1 p.m. to 4 p.m., or until business has been completed.

ADDRESSES: The meeting will be held via webinar. A public listening station is available at the Pacific Council office (address below). To attend the webinar, use this link: *https://www.gotomeeting.com* (click ''Join a Webinar'' in top right corner of page). (1) Enter the Webinar ID: 446–993–445. (2) Enter your name and email address (required). You must use your telephone for the audio portion of the meeting by dialing this TOLL number 1–872–240–3212. (3) Enter the Attendee phone audio access code 446–993–445. (4) Enter your audio phone pin (shown after joining the webinar). **Note:** We have disabled Mic/Speakers as an option and require all participants to use a telephone or cell phone to participate. Technical Information and System Requirements: PC-based attendees are required to use Windows® 7, Vista, or XP; Mac®-based attendees are required to use Mac OS® X 10.5 or newer; Mobile attendees are required to use iPhone®, iPad®, Android™ phone or Android tablet (see *https://www.gotomeeting.com/webinar/ipad-iphone-android-webinar-apps*). You may send an email to Mr. Kris Kleinschmidt at *Kris.Kleinschmidt@noaa.gov* or contact him at (503) 820–2280, extension 411 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220–1384.

FOR FURTHER INFORMATION CONTACT: Kerry Griffin, Pacific Council; telephone: (503) 820–2409.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is for the CPSMT and the CPSAS to consider items relevant to the March and April Pacific Council meetings. These topics may include ecosystem-based management matters, the upcoming acoustic-trawl survey methodology review, terms of reference for stock assessment and methodology reviews, and administrative matters.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

The public listening station is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt at *kris.kleinschmidt@noaa.gov* or phone: (503) 820–2411 at least 10 days prior to the meeting date.

Dated: January 19, 2018.

Jeffrey N. Lonergan,

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

[FR Doc. 2018–01288 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF921

Fisheries of the Gulf of Mexico; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 52 assessment webinar I for Gulf of Mexico red snapper.

SUMMARY: The SEDAR 52 assessment process of Gulf of Mexico red snapper will consist of an in-person workshop and a series of assessment webinars. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 52 assessment webinar I will be held on Thursday, February 8, 2018, from 2 p.m. to 4 p.m. Eastern Time.

ADDRESSES: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Julie A. Neer at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator; (843) 571–4366; email: *Julie.neer@safmc.net*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data Workshop, (2) a series of assessment webinars, and (3) A Review Workshop. The product of the Data Workshop is a report that compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The assessment webinars produce a report that describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The product of the Review Workshop is an Assessment Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, non-government organizations (NGO's); International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion during the assessment webinar I are as follows:

1. Using datasets and initial assessment analysis recommended from the in-person workshop, panelists will employ assessment models to evaluate stock status, estimate population benchmarks and management criteria, and project future conditions.

2. Participants will recommend the most appropriate methods and configurations for determining stock status and estimating population parameters.

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 this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: January 19, 2018.

Jeffrey N. Lonergan,

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

[FR Doc. 2018–01287 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF963

Mid-Atlantic Fishery Management Council (MAFMC); Public Workshops

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

ACTION: Notice of public workshops.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold two training workshops for the purpose of providing instruction to for-hire operators on electronic reporting of vessel trip reports (VTRs).

DATES: The workshops will be held on February 10, 2018, 9 a.m. to 5 p.m., and February 24, 2018, 9 a.m. to 5 p.m.

ADDRESSES: The workshop dates and locations are as follows:

- February 10th at the DoubleTree by Hilton Boston North Shore, 50 Ferncroft Rd., Danvers, MA; phone: (978) 777–2500.
- February 24th at the Clarion Hotel & Convention Center, 815 Route 37 West, Toms River, NJ; phone: (732) 341–6101.

These workshops have a limited number of spaces. Participants are strongly encouraged to register early so that workshop personnel can work with each individual prior to the workshop to establish needed accounts for reporting systems. To ensure attendance, please register at *http://www.mafmc.org/forms/evtr-workshop-registration* or email the workshop coordinator at *aloftus@andrewloftus.com.*

Council address: Mid-Atlantic Fishery Management Council, 800 N. State St., Suite 201, Dover, DE 19901; telephone: (302) 674–2331.

FOR FURTHER INFORMATION CONTACT: Andrew Loftus, eVTR Outreach Workshop Coordinator; telephone: (410) 295–5997; email: *aloftus@andrewloftus.com* or Christopher M. Moore, Ph.D. Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 526–5255. The Council's website, *www.mafmc.org* also has details on the proposed agenda and briefing materials.

SUPPLEMENTARY INFORMATION: NOAA Fisheries has issued a final rule requiring the use of electronic vessel trip reports (VTRs) by vessel owners/operators holding Federal charter or party permits for species managed by a Mid-Atlantic Fishery Management Council FMP while on trips carrying passengers for hire. Electronic VTRs must be submitted through a NOAA-approved software application within 48 hours following the completion of a fishing trip. Vessels with Federal charter or party permits for any of the following species will be bound by this rule:

- Atlantic mackerel
- Squid
- Butterfish
- Summer Flounder
- Scup
- Black sea bass
- Bluefish
- Tilefish

This action takes effect March 12, 2018, and changes only the required method of transmitting VTRs and the submission date; the required data elements and all other existing reporting requirements will not change. These workshops will provide information and training on select systems in preparation for this action.

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526–5251, at least 5 days prior to the meeting date.

Dated: January 19, 2018.

Jeffrey N. Lonergan,

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

[FR Doc. 2018–01290 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Fishermen's Contingency Fund.

OMB Control Number: 0648–0082.

Form Number(s): 88–164 and 88–166.

Type of Request: Regular (extension of a currently approved information collection).

Number of Respondents: 20.

Average Hours per Response: 15 minutes for a report and 7 hours, 45 minutes for an application.

Burden Hours: 160.

Needs and Uses: This request is for extension of a currently approved information collection. United States (U.S.) commercial fishermen may file claims for compensation for losses of, or damage to, fishing gear or vessels, plus 50 percent of resulting economic losses, attributable to oil and gas activities on the U.S. Outer Continental Shelf. To obtain compensation, applicants must comply with requirements set forth in 50 CFR part 296.

The requirements include a ''report'' within 15 days of the date the vessel first returns to port after the casualty incident to gain a presumption of eligible causation, and an ''application'' within 90 days of when the applicant first became aware of the loss and/or damage.

The report is NOAA Form 88–166 and it requests identifying information such as: Respondent's name; address; social security number; and casualty location. The information in the report is usually completed by NOAA during a telephone call with the respondent.

The application is NOAA Form 88–164 and it requires the respondent to provide information on the property and economic losses and/or damages including type of damage; purchase date and price of lost/damaged gear; and income from recent fishing trips. It also includes an affidavit by which the applicant attests to the truthfulness of the claim.

Affected Public: Business or other for-profit organizations; individuals or households.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain benefits.

This information collection request may be viewed at *reginfo.gov.* Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: January 19, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2018–01263 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF966

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting (webinar).

SUMMARY: The Pacific Fishery Management Council's (Pacific Council) Ad Hoc Ecosystem Workgroup (EWG) will hold a webinar, which is open to the public.

DATES: The webinar will be held Monday, February 26, 2018. It will start at 1:30 p.m. and continue until 3:30 p.m.

ADDRESSES: The meeting will be held via webinar. A public listening station is available at the Pacific Council office (address below). To attend the webinar (1) join the meeting by visiting this link *http://www.gotomeeting.com/online/webinar/join-webinar,* (2) enter the Webinar ID: 745–857–467, and (3) enter your name and email address (required).

After logging in to the webinar, you must use your telephone for the audio portion of the meeting by (1) dialing this TOLL number +1 (415) 655–0060, (2) entering the attendee phone audio access code 272–129–533, and (3) then entering your audio phone pin (shown after joining the webinar). **Note:** Technical Information and system requirements: PC-based attendees are required to use Windows® 7, Vista, or XP; Mac®-based attendees are required to use Mac OS® X 10.5 or newer; Mobile attendees are required to use iPhone®, iPad®, Android™ phone or Android tablet (See the *https://www.gotomeeting.com/webinar/ipad-iphone-android-webinar-apps*). You may send an email to Mr. Kris Kleinschmidt at *Kris.Kleinschmidt@noaa.gov* or contact him at 503–820–2280, extension 411 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.

FOR FURTHER INFORMATION CONTACT: Dr. Kit Dahl, Pacific Council; telephone: (503) 820–2422.

SUPPLEMENTARY INFORMATION: At its September 2017 meeting, the Pacific Council decided to embark on the Climate and Communities Initiative pursuant to its Fishery Ecosystem Plan. The purpose of this initiative is to help the Pacific Council, its advisory bodies, and the public to better understand the effects of near-term climate shift and long-term climate change on our fish, fisheries, and fishing communities and identify ways in which the Council could incorporate such understanding into its decision-making. The EWG will be submitting a report to the Pacific Council at its March 2018 meeting with its recommendations on the development of this initiative. This webinar is an opportunity for members of other Pacific Council advisory bodies and the public to be briefed on the EWG's recommendations in preparation for the March Pacific Council meeting.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt (503) 820–2411 at least 10 business days prior to the meeting date.

Dated: January 19, 2018.

Jeffrey N. Lonergan,

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

[FR Doc. 2018–01291 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF969

Western Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold a meeting of its Hawaii Archipelago Fishery Ecosystem Plan (FEP) Advisory Panel (AP) to discuss and make recommendations on fishery management issues in the Western Pacific Region.

DATES: The Hawaii Archipelago FEP AP will meet on Thursday, February 15, 2018, from 9 a.m. and 11 a.m. All times listed are local island times. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The Hawaii Archipelago FEP AP will meet at the Council Office, 1164 Bishop St, Suite 1400, Honolulu, HI 96813 and by teleconference. The teleconference will be conducted by telephone. The teleconference numbers are: U.S. toll-free: 1–888–482–3560 or International Access: +1 647 723–3959, and Access Code: 5228220.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; telephone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: Public comment periods will be provided in the agenda. The order in which agenda items are addressed may change. The meetings will run as late as necessary to complete scheduled business.

Schedule and Agenda for the Hawaii Archipelago FEP AP Meeting

Thursday, February 15, 2018, 9 a.m.–11 a.m.

1. Welcome and Introductions
2. Report on Previous Council Action Items
3. Council Issues
   - A. Precious Corals Essential Fish Habitat Refinement Options
   - B. Options for an Aquaculture Management Program
   - C. Hawaii Longline Shallow-set Fishery Hard Cap Options
4. Hawaii FEP Community Activities
5. Hawaii FEP AP Issues
   - A. Report of the Subpanels
     - i. Island Fisheries Subpanel
     - ii. Pelagic Fisheries Subpanel
     - iii. Ecosystems and Habitat Subpanel
     - iv. Indigenous Fishing Rights Subpanel
   - B. Other Issues
6. Public Comment
7. Discussion and Recommendations
8. Other Business

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: January 19, 2018.

Jeffrey N. Lonergan,

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

[FR Doc. 2018–01292 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Ocean and Atmospheric Administration

Proposed Information Collection; Comment Request; Shipboard Observation Form for Floating Marine Debris

AGENCY: National Ocean and Atmospheric Administration, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before March 26, 2018.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at *pracomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Sherry Lippiatt, NOAA Marine Debris Program, (510)-410–2602, *Sherry.Lippiatt@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a currently approved information collection.

This data collection project will be coordinated by the NOAA Marine Debris Program, and involve recreational and commercial vessels (respondents), shipboard observers (respondents), NGOs (respondents) as well as numerous experts on marine debris observations at sea. The Shipboard Observation Form for Floating Marine Debris was created based on methods used in studies of floating marine debris by established researchers, previous shipboard observational studies conducted at sea by NOAA, and the experience and input of recreational sailors. The goal of this form is to be able to calculate the density of marine debris within an area of a known size. Additionally, this form will help collect data on potential marine debris resulting from future severe marine debris generating events in order to better model movement of the debris as well as prepare (as needed) for debris arrival. This form may additionally be used to collect data on floating marine debris in any water body.

II. Method of Collection

Respondents have a choice of either electronic or paper forms. Methods of submittal include email of electronic forms, and mail and facsimile transmission of paper forms.

III. Data

OMB Control Number: 0648–0644.

Form Number(s): None.

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

Affected Public: Individuals or households; not-for profit institutions; business or other for-profit organizations.

Estimated Number of Respondents: 5.

Estimated Time per Response: 30 minutes.

Estimated Total Annual Burden Hours: 3 hours.

Estimated Total Annual Cost to Public: $0 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: January 19, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2018–01315 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–JE–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Cooperative Charting Programs.

OMB Control Number: 0648–0022.

Form Number(s): None.

Type of Request: Regular (revision and extension of a currently approved information collection).

Number of Respondents: 110.

Average Hours per Response: 2 hours, 30 minutes.

Burden Hours: 440.

Needs and Uses: The U.S. Power Squadrons and the U.S. Coast Guard Auxiliary members report observations of changes that require additions, corrections or revisions to NauticalCharts. The information provided is used by NOAA, National Ocean Service, Office ofCoast Survey to maintain and prepare chart additions that are used Nationwide bycommercial and recreational navigators.

Affected Public: Individuals or households.

Frequency: On occasion.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at *reginfo.gov*. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Dated: January 19, 2018.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2018–01313 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–JE–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF869

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Rocky Intertidal Monitoring Surveys Along the Oregon and California Coasts

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

ACTION: Notice; proposed incidental harassment authorization; request for comments.

SUMMARY: NMFS has received a request from Partnership for Interdisciplinary Study of Coastal Oceans (PISCO) at the University of California Santa Cruz (UCSC) for authorization to take marine mammals incidental to rocky intertidal monitoring surveys at locations in Oregon and California. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA

authorizations and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than February 23, 2018.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910 and electronic comments should be sent to *ITP.Pauline@noaa.gov.*

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at *www.nmfs.noaa.gov/pr/permits/incidental/research.htm* without change. All personal identifying information (*e.g.,* name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Rob Pauline, Office of Protected Resources, NMFS, (301) 427–8401. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: *www.nmfs.noaa.gov/pr/permits/incidental/research.htm.* In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined ''negligible impact'' in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term ''take'' means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA defines ''harassment'' as: Any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.,* the issuance of an incidental harassment authorization) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (CE B4) (incidental harassment authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has preliminarily determined that the issuance of the proposed IHA qualifies to be categorically excluded from further NEPA review. We will review all comments submitted in response to this notice prior to concluding our NEPA process or making a final decision on the IHA request.

Summary of Request

On September 26, 2017, NMFS received a request from PISCO for an IHA to take marine mammals incidental to rocky intertidal monitoring surveys along the Oregon and California coasts. PISCO's request is for take of California sea lions (*Zalophus californianus*), harbor seals (*Phoca vitulina richardii*), and northern elephant seals (*Mirounga angustirostris*). Take is anticipated to result from the specified activity by Level B harassment only. Neither PISCO nor NMFS expect mortality to result from this activity and, therefore, an IHA is appropriate.

This proposed IHA would cover one year of a larger project for which PISCO obtained prior IHAs. This multiyear annual survey involves surveying rocky intertidal zones in a number of locations in Oregon and California. NMFS has previously issued five IHAs for this ongoing survey project (77 FR 72327, December 5, 2012; 78 FR 79403, December 30, 2013; 79 FR 73048, December 9, 2014; 81 FR 7319, February 2, 2016; 82 FR 12568, March 6, 2017). PISCO complied with all the requirements (*e.g.,* mitigation, monitoring, and reporting) of the previous IHAs and information regarding the most recent monitoring results may be found in the Proposed Monitoring and Reporting section.

Description of Proposed Activity

Overview

PISCO proposes to continue rocky intertidal monitoring work that has been ongoing for 20 years. PISCO focuses on understanding the nearshore ecosystems of the U.S. west coast through a number of interdisciplinary collaborations. The program integrates long-term monitoring of ecological and oceanographic processes at dozens of sites with experimental work in the lab and field. Research is conducted throughout the year along the California and Oregon coasts and will continue indefinitely. Researchers accessing and conducting research activities on the sites may occasionally cause behavioral disturbance (or Level B harassment) of three pinniped species. PISCO expects that the disturbance to pinnipeds from the research activities will be minimal and will be limited to Level B harassment.

Dates and Duration

PISCO's research is conducted throughout the year. Most sites are sampled one to two times per year over a 1-day period (4–6 hours per site) during a negative low tide series. Due to the large number of research sites,

scheduling constraints, the necessity for negative low tides and favorable weather/ocean conditions, exact survey dates are variable and difficult to predict. Some sampling may occur in all months of the calendar year.

Specific Geographic Region

Sampling sites occur along the California and Oregon coasts. Community Structure Monitoring sites range from Ecola State Park near Cannon Beach, Oregon to Government Point located northwest of Santa Barbara, California. Biodiversity Survey sites extend from Ecola State Park south to Cabrillo National Monument in San Diego County, California. Exact locations of sampling sites can be found in Tables 1 and 2 of PISCO's application.

Detailed Description of Specific Activity

Community Structure Monitoring involves the use of permanent photoplot quadrats, which target specific algal and invertebrate assemblages (*e.g.* mussels, rockweeds, barnacles). Each photoplot is photographed and scored for percent cover. The Community Structure Monitoring approach is based largely on surveys that quantify the percent cover and distribution of algae and invertebrates that constitute these communities. This approach allows researchers to quantify both the patterns of abundance of targeted species, as well as characterize changes in the communities in which they reside. Such information provides managers with insight into the causes and consequences of changes in species abundance. There are a total of 48 Community Structure sites, each of which will be visited in 2018 under the proposed IHA and surveyed over a 1-day period during a low tide series one to two times a year.

Biodiversity Surveys are part of a long-term monitoring project and are conducted every 3–5 years across 142 established sites. Nineteen Biodiversity Survey sites will be visited in 2018. These Biodiversity Surveys involve point contact identification along permanent transects, mobile invertebrate quadrat counts, sea star band counts, and tidal height topographic measurements. Five of the Biodiversity Survey sites are also Community Structure sites, leaving 14 sites that are only Biodiversity Survey sites. As such, a total of 62 unique sites would be visited under the proposed IHA.

The intertidal zones where PISCO conducts intertidal monitoring are also areas where pinnipeds can be found hauled out on the shore at or adjacent to some research sites. Pinnipeds have been recorded at 17 out of the 62 survey sites. Accessing portions of the intertidal habitat at these locations may cause incidental Level B (behavioral) harassment of pinnipeds through some unavoidable approaches if pinnipeds are hauled out directly in the study plots or while biologists walk from one location to another. No motorized equipment is involved in conducting these surveys.

Proposed mitigation, monitoring, and reporting measures are described in detail later in this document (please see ''Proposed Mitigation'' and ''Proposed Monitoring and Reporting'').

Description of Marine Mammals in the Area of Specified Activities

Sections 3 and 4 of the application summarize available information regarding status and trends, distribution and habitat preferences, and behavior and life history, of the potentially affected species. Additional information regarding population trends and threats may be found in NMFS's Stock Assessment Reports (SAR; *www.nmfs.noaa.gov/pr/sars/*) and more general information about these species (*e.g.,* physical and behavioral descriptions) may be found on NMFS's website (*www.nmfs.noaa.gov/pr/species/mammals/*).

Table 1 lists all species with expected potential for occurrence at survey sites in California and Oregon and summarizes information related to the population or stock, including regulatory status under the MMPA and ESA and potential biological removal (PBR), where known. For taxonomy, we follow Committee on Taxonomy (2016). PBR is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (as described in NMFS's SARs). While no mortality is anticipated or authorized here, PBR and annual serious injury and mortality from anthropogenic sources are included here as gross indicators of the status of the species and other threats.

Marine mammal abundance estimates presented in this document represent the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS's stock abundance estimates for most species represent the total estimate of individuals within the geographic area, if known, that comprises that stock. For some species, this geographic area may extend beyond U.S. waters. Managed stocks in this region are assessed in NMFS's U.S. 2016 Pacific Marine Mammal SARs (Carretta *et al.,* 2016). Information on Steller sea lions came from the Alaska Marine Mammal SARs (Muto *et al.,* 2016) All values presented in Table 1 are the most recent available at the time of publication and are available in the 2016 SARs (Carretta *et al.,* 2016; Muto *et al.,* 2016) (available online at: *www.nmfs.noaa.gov/pr/sars/draft.htm*).

TABLE 1—MARINE MAMMALS POTENTIALLY PRESENT IN THE VICINITY OF THE STUDY AREAS

Common name	Scientific name	Stock	ESA/MMPA status; strategic (Y/N) [1]	Stock abundance (CV, N_{min}, most recent abundance survey) [2]	PBR	Annual M/SI [3]
Order Carnivora—Superfamily Pinnipedia						
Family Otariidae (eared seals and sea lions)						
California sea lion	*Zalophus californianus*	U.S.	-; N	296,750 (n/a; 153,337; 2011).	9,200	389
Steller sea lion	*Eumetopias jubatus*	Eastern U.S.	-; N	41,638 (n/a; 41,638; 2015).	2,498	108

TABLE 1—MARINE MAMMALS POTENTIALLY PRESENT IN THE VICINITY OF THE STUDY AREAS—Continued

Common name	Scientific name	Stock	ESA/MMPA status; strategic (Y/N) [1]	Stock abundance (CV, N_{min}, most recent abundance survey) [2]	PBR	Annual M/SI [3]
Family Phocidae (earless seals)						
Harbor seal	*Phoca vitulina richardii*	California/Oregon/Washington.	-; N	30,968 (0.157; 27,348; 2012 [CA])/. 24,732 (n/a; n/a [OR/WA] [4].	1,641	43
Northern elephant seal	*Mirounga angustirostris*	California	-; N	179,000 (n/a; 81,368; 2010).	4,882	8.8

[1] Endangered Species Act (ESA) status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

[2] NMFS marine mammal stock assessment reports online at: *www.nmfs.noaa.gov/pr/sars/.* CV is coefficient of variation; Nmin is the minimum estimate of stock abundance. In some cases, CV is not applicable [explain if this is the case].

[3] These values, found in NMFS's SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (*e.g.,* commercial fisheries, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value or range. A CV associated with estimated mortality due to commercial fisheries is presented in some cases.

[4] The most recent abundance estimate is >8 years old, there is no current estimate of abundance available for this stock.

Note—*Italicized species are not expected to be taken or proposed for authorization.*

All species that could potentially occur in the proposed survey areas are included in Table 1. As described below, all four species temporally and spatially co-occur with the activity to the degree that take is reasonably likely to occur, and we have proposed authorizing it. However, the temporal and/or spatial occurrence of Steller sea lions is such that take is not expected to occur, and they are not discussed further beyond the explanation provided here. Past monitoring reports have not typically reported Steller sea lion observations. The last reported observation of Steller sea lions occurred in 2009 when five Steller sea lions were seen at the Cape Arago, OR site.

Northern Elephant Seal

Northern elephant seals range widely throughout the eastern Pacific for most of the year to forage. They return to haul-out locations along the west coast of the continental United States including the Channel Islands, the central California coast, and islands off Baja California to breed and molt. Breeding occurs from December through early spring, with males returning to haul-out locations earlier than females to establish dominance hierarchies. Molting occurs from late April to August, with juveniles and adult females returning earlier than adult males (Reeves *et al.,* 2002). Due to very little movement between colonies in Mexico and those in California, the California population is considered to be a separate stock (Carretta *et al.,* 2010).

This species was hunted by indigenous peoples for several thousand years and by commercial sealers in the 1800s. By the late 1800s, the species was thought to be extinct, although several were seen on Guadalupe Island in the 1880s and a few dozen to several hundred survived off of Mexico (Stewart *et al.,* 1994). The population began increasing in the early 1900s and progressively colonized southern and central California through the 1980s (Reeves *et al.,* 2002).

According to the 2015 Pacific Marine Mammal Stock Assessment, the minimum population size of the California stock is 81,368 individuals and the estimated population size is 179,000 (Carretta *et al.,* 2016, Lowry *et al.,* 2014). This species has grown at 3.8 percent annually since 1988 (Lowry *et al.,* 2014). Northern elephant seals are not listed under the Endangered Species Act (ESA) and are not a strategic species nor considered depleted under the MMPA.

California Sea Lions

California sea lions are distributed along the west coast of North America from British Columbia to Baja California and throughout the Gulf of California. Breeding occurs on offshore islands along the west coast of Baja California and the Gulf of California as well as on the California Channel Islands. There are three recognized California sea lion stocks (U.S. stock, Western Baja stock, and the Gulf of California stock) with the U.S. stock ranging from the U.S./Mexico border into Canada. Although there is some movement between stocks, U.S. rookeries are considered to be isolated from rookeries off of Baja California (Barlow *et al.,* 1995).

California sea lions were hunted for several thousand years by indigenous peoples and early hunters. In the early 1900s, sea lions were killed in an effort to reduce competition with commercial fisheries. They were also hunted commercially from the 1920–1940s. Following the passage of the Marine Mammal Protection Act (MMPA) in 1972, as well as limits on killing and harassment in Mexico, the population has rapidly increased (Reeves *et al.,* 2002). Declines in pup production did occur during the 1983–84, 1992–93, 1997–98, and 2003 El Niño events, but production returned to pre-El Niño levels within 2–5 years (Carretta *et al.,* 2016). In 2013, NOAA declared an Unusual Mortality Event (UME) due to the elevated number of sea lion pup strandings in southern California. The cause of this event is thought to be nutritional stress related to declines in prey availability. This UME has continued through 2016 (NMFS 2016). According to the 2015 Pacific Marine Mammal Stock Assessment, California sea lions have a minimum population size of 153,337 individuals and the population is estimated to number 296,750 (Carretta *et al.,* 2016). This species is not listed under the ESA and is not a strategic species nor considered depleted under the MMPA.

Pacific Harbor Seal

Pacific harbor seals are not listed as threatened or endangered under the ESA, nor are they categorized as depleted under the MMPA. The most recent census of the California stock of harbor seals occurred in 2012 during which 20,109 hauled-out harbor seals were counted. A 1999 census of the Oregon/Washington harbor seal stock found 16,165 individuals, of which 5,735 were in Oregon (Carretta *et al.,*

2016). The population is estimated to number 30,968 individuals in California and 24,732 individuals in Oregon/Washington (Carretta *et al.,* 2016). At several sites, harbor seals are often observed and have the potential to be disturbed by researchers accessing or sampling the site. The largest number of harbor seals occurs at Hopkins in Monterey, CA where often 20–30 adults and occasionally 10–15 pups are hauled-out on a small beach adjacent to the site.

The animals inhabit near-shore coastal and estuarine areas from Baja California, Mexico, to the Pribilof Islands in Alaska. Pacific harbor seals are divided into two subspecies: *P. v. stejnegeri* in the western North Pacific, near Japan, and *P. v. richardii* in the northeast Pacific Ocean. The latter subspecies, recognized as three separate stocks, inhabits the west coast of the continental United States, including the outer coastal waters of Oregon and Washington states, Washington state inland waters and Alaska coastal and inland waters.

In California, over 500 harbor seal haulout sites are widely distributed along the mainland and offshore islands, and include rocky shores, beaches and intertidal sandbars (Lowry *et al.,* 2005). Harbor seals mate at sea, and females give birth during the spring and summer, although, the pupping season varies with latitude. Pups are nursed for an average of 24 days and are ready to swim minutes after being born. Harbor seal pupping takes place at many locations, and rookery size varies from a few pups to many hundreds of pups. Pupping generally occurs between March and June, and molting occurs between May and July.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

This section includes a summary and discussion of the ways that components of the specified activity may impact marine mammals and their habitat. The ''Estimated Take by Incidental Harassment'' section later in this document includes a quantitative analysis of the number of individuals that are expected to be taken by this activity. The ''Negligible Impact Analysis and Determination'' section considers the content of this section, the ''Estimated Take by Incidental Harassment'' section, and the ''Proposed Mitigation'' section, to draw conclusions regarding the likely impacts of these activities on the reproductive success or survivorship of individuals and how those impacts on individuals are likely to impact marine mammal species or stocks.

The appearance of researchers may have the potential to cause Level B behavioral harassment of any pinnipeds hauled out at sampling sites. Although marine mammals are never deliberately approached by survey personnel, approach may be unavoidable if pinnipeds are hauled out in the immediate vicinity of the permanent study plots. Disturbance may result in reactions ranging from an animal simply becoming alert to the presence of researchers (*e.g.,* turning the head, assuming a more upright posture) to flushing from the haul-out site into the water. NMFS does not consider the lesser reactions to constitute behavioral harassment, or Level B harassment takes, but rather assumes that pinnipeds that flee some distance or change the speed or direction of their movement in response to the presence of researchers are behaviorally harassed, and thus subject to Level B taking. Animals that respond to the presence of researchers by becoming alert, but do not move or change the nature of locomotion as described, are not considered to have been subject to behavioral harassment.

Numerous studies have shown that human activity can flush harbor seals off haulout sites (Allen *et al.,* 1985; Calambokidis *et al.,* 1991; Suryan and Harvey, 1999). The Hawaiian monk seal (*Neomonachus schauinslandi*) has been shown to avoid beaches that have been disturbed often by humans (Kenyon 1972). Moreover, in one case human disturbance appeared to cause Steller sea lions to desert a breeding area at Northeast Point on St. Paul Island, Alaska (Kenyon 1962).

There are three ways in which disturbance, as described previously, could result in more than Level B harassment of marine mammals. All three are most likely to be consequences of stampeding, a potentially dangerous occurrence in which large numbers of animals succumb to mass panic and rush away from a stimulus. The three situations are (1) falling when entering the water at high-relief locations; (2) extended separation of mothers and pups; and (3) crushing of elephant seal pups by large males during a stampede. Note, however, that PISCO researchers have only recorded one instance of stampeding which occurred in 2013.

Because hauled-out animals may move towards the water when disturbed, there is the risk of injury if animals stampede towards shorelines with precipitous relief (*e.g.,* cliffs). Shoreline habitats near the survey areas tend to consist of steeply sloping rocks with unimpeded and non-obstructive access to the water. Disturbed, hauled-out animals in these situations are likely to move toward the water slowly without risk of unexpectedly falling off cliffs or encountering barriers or hazards or that would otherwise prevent them from leaving the area. Therefore, research activity poses no risk that disturbed animals may fall and be injured or killed as a result of disturbance at high-relief locations.

Few pups are anticipated to be encountered during the proposed monitoring surveys. A small number of harbor seal, northern elephant seal and California sea lion pups, however, have been observed during past years. Though elephant seal pups are occasionally present when researchers visit survey sites, risk of pup mortalities is very low because elephant seals are far less reactive to researcher presence than the other two species. Harbor seals are very precocious with only a short period of time in which separation of a mother from a pup could occur. Pups are also typically found on sand beaches, while study sites are located in the rocky intertidal zone, meaning that there is typically a buffer between researchers and pups. Finally, the caution used by researchers in approaching sites generally precludes the possibility of behavior, such as stampeding, that could result in extended separation of mothers and dependent pups or trampling of pups.

The only habitat modification associated with the proposed activity is the placement of permanent bolts and other temporary sampling equipment in the intertidal zone. Once a particular study has ended, the respective sampling equipment is removed. No trash or field gear is left at a site. Sampling activities are also not expected to result in any long-term modifications of haulout use or abandonment of haulouts since these sites are only visited 1–2 times per year, which minimizes repeated disturbances. During periods of low tide (*e.g.,* when tides are 0.6 m (2 ft) or less and low enough for pinnipeds to haul-out), we would expect the pinnipeds to return to the haulout site within 60 minutes of the disturbance (Allen *et al.,* 1985). The effects to pinnipeds appear at the most to displace the animals temporarily from their haul out sites, and we do not expect that the pinnipeds would permanently abandon a haul-out site during the conduct of rocky intertidal surveys. Additionally, impacts to prey species from survey activities are not anticipated. Thus, the proposed activity is not expected to have any habitat-related effects that could cause significant or long-term consequences for individual marine mammals or their populations.

Estimated Take

This section provides an estimate of the number of incidental takes proposed for authorization through this IHA, which will inform both NMFS' consideration of whether the number of takes is ''small'' and the negligible impact determination.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines ''harassment'' as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes would be by Level B harassment only, in the form of disruption of behavioral patterns for individual marine mammals resulting from exposure to researchers. Based on the nature of the activity, Level A harassment is neither anticipated nor proposed to be authorized.

As described previously, no mortality is anticipated or proposed to be authorized for this activity. Below we describe how the take is estimated.

Marine Mammal Occurrence

In this section we provide the information about the presence, density, or group dynamics of marine mammals that will inform the take calculations. Take estimates are based on historical marine mammal observations at each site from previous PISCO survey activities. Marine mammal observations are done as part of PISCO site observations, which include notes on physical and biological conditions at the site. The maximum number of marine mammals, by species, seen at any given time throughout the sampling day is recorded at the conclusion of sampling. A marine mammal is counted if it is seen on access ways to the site, at the site, or immediately up-coast or down-coast of the site. Marine mammals in the water immediately offshore are also recorded. Any other relevant information, including the location of a marine mammal relevant to the site, any unusual behavior, and the presence of pups is also noted.

Take Calculation and Estimation

The observations described above formed the basis from which researchers with extensive knowledge and experience at each site estimated the actual number of marine mammals that may be subject to take. Take estimates for each species for which take would be authorized were based on the following equation:

Take estimate per survey site = (number of expected animals per site * number of survey days per survey site).

For take estimates, PISCO looked at sites that have consistently had a marine mammal presence and used the maximum number of marine mammals previously observed at these sites that could be subject to take (*e.g.* pinnipeds on the site, nearby, or along access ways and not including any pinnipeds in the water or on offshore rocks). At many sites, the number of marine mammals is quite variable and PISCO may observe fewer than the number used for take estimates. There are also limited occasions where PISCO observes pinnipeds at sites where they had not previously seen any.

Individual species' totals for each survey site were summed to arrive at a total estimated take number. Numbers are rounded up to the nearest value of 5 (*e.g.,* a maximum of 7 observed animals would be rounded up to 10). Section 6 in PISCO's application outlines the number of visits per year for each sampling site and the potential number of pinnipeds anticipated to be encountered at each site. Tables 2, 3, 4 in PISCO's application outlines the number of potential takes per site.

Harbor seals are expected to occur at 15 locations with expected taken numbers ranging from 5 to 25 animals per visit (Table 2 in PISCO's application). These locations will be subject to 21 site visits under the proposed IHA. It is anticipated that there will be 190 takes of adult harbor seals and 13 takes of weaned pups. Therefore, NMFS proposes to authorize the take of up to 203 harbor seals.

California sea lions are expected to be present at five sites with eight scheduled visits as shown in Table 3 in the application. Eighty-five adult and five pups are expected to be taken. Therefore, NMFS proposes to authorize the take of 90 California sea lions.

Northern elephant seals are only expected to occur at one site this year, Piedras Blancs, which will experience two separate visits (See Table 4 in application). Up to 10 adult and 40 weaned pup takes are anticipated. Therefore, NMFS proposes to authorize the take of up to 50 northern elephant seals.

NMFS proposes to authorize the take, by Level B harassment only, of 203 harbor seals, 90 California sea lions, and 50 northern elephant seals. These numbers are considered to be maximum take estimates; therefore, actual take may be less if animals decide to haul out at a different location for the day or animals are out foraging at the time of the survey activities.

Proposed Mitigation

In order to issue an IHA under Section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to such activity, and other means of effecting the least practicable impact on such species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stock for taking for certain subsistence uses (latter not applicable for this action). NMFS regulations require applicants for incidental take authorizations to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting such activity or other means of effecting the least practicable adverse impact upon the affected species or stocks and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as subsistence uses where applicable, we carefully consider two primary factors:

(1) The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or stocks, and their habitat. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of accomplishing the mitigating result if implemented as planned) the likelihood of effective implementation (probability implemented as planned); and

(2) the practicability of the measures for applicant implementation, which may consider such things as cost, impact on operations, and, in the case of a military readiness activity, personnel safety, practicality of implementation, and impact on the effectiveness of the military readiness activity.

PISCO will implement several mitigation measures to reduce potential take by Level B (behavioral disturbance) harassment. Measures are listed below.

- Researchers will observe a site from a distance, using binoculars if necessary, to detect any marine

mammals prior to approach to determine if mitigation is required *(i.e.,* site surveys will not be conducted if Steller sea lions are present; if other pinnipeds are present, researchers will approach with caution, walking slowly, quietly, and close to the ground to avoid surprising any hauled-out individuals and to reduce flushing/stampeding of individuals).

• Researchers will avoid pinnipeds along access ways to sites by locating and taking a different access way. Researchers will keep a safe distance from and not approach any marine mammal while conducting research, unless it is absolutely necessary to flush a marine mammal in order to continue conducting research (*i.e.* if a site cannot be accessed or sampled due to the presence of pinnipeds).

• Researchers will avoid making loud noises (*i.e.,* using hushed voices) and keep bodies low to the ground in the visual presence of pinnipeds.

• Researches will monitor the offshore area for predators (such as killer whales and white sharks) and avoid flushing of pinnipeds when predators are observed in nearshore waters. Note that PISCO has never observed an offshore predator while researchers were present at any of the survey sites.

• Intentional flushing will not occur if dependent pups are present to avoid mother/pup separation and trampling of pups. Staff shall reschedule work at sites where pups are present, unless other means of accomplishing the work can be done without causing disturbance to mothers and dependent pups.

• To avoid take of Steller sea lions, any site where they are present will not be approached and will be sampled at a later date. Note that observation of sea lions at survey sites is extremely rare.

• Researchers will promptly vacate sites at the conclusion of sampling.

The primary method of mitigating the risk of disturbance to pinnipeds, which will be in use at all times, is the selection of judicious routes of approach to study sites, avoiding close contact with pinnipeds hauled out on shore, and the use of extreme caution upon approach. Each visit to a given study site will last for approximately 4–6 hours, after which the site is vacated and can be re-occupied by any marine mammals that may have been disturbed by the presence of researchers. Also, by arriving before low tide, worker presence will tend to encourage pinnipeds to move to other areas for the day before they haul out and settle onto rocks at low tide.

Based on our evaluation of the applicant's proposed measures, NMFS has preliminarily determined that the proposed mitigation measures provide the means effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance.

Proposed Monitoring and Reporting

In order to issue an IHA for an activity, Section 101(a)(5)(D) of the MMPA states that NMFS must set forth, requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104 (a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present in the proposed action area. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

• Occurrence of marine mammal species or stocks in the area in which take is anticipated (*e.g.,* presence, abundance, distribution, density);

• Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) Action or environment (*e.g.,* source characterization, propagation, ambient noise); (2) affected species (*e.g.,* life history, dive patterns); (3) co-occurrence of marine mammal species with the action; or (4) biological or behavioral context of exposure (*e.g.,* age, calving or feeding areas);

• Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;

• How anticipated responses to stressors impact either: (1) Long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;

• Effects on marine mammal habitat (*e.g.,* marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and

• Mitigation and monitoring effectiveness.

PISCO will contribute to the knowledge of pinnipeds in California and Oregon by noting observations of: (1) Unusual behaviors, numbers, or distributions of pinnipeds, such that any potential follow-up research can be conducted by the appropriate personnel; (2) tag-bearing carcasses of pinnipeds, allowing transmittal of the information to appropriate agencies and personnel; and (3) rare or unusual species of marine mammals for agency follow-up.

Proposed monitoring requirements in relation to PISCO's rocky intertidal monitoring will include observations made by the applicant. Information recorded will include species counts (with numbers of pups/juveniles when possible) of animals present before approaching, numbers of observed disturbances, and descriptions of the disturbance behaviors during the monitoring surveys, including location, date, and time of the event. For consistency, any reactions by pinnipeds to researchers will be recorded according to a three-point scale shown in Table 2. Note that only observations of disturbance Levels 2 and 3 should be recorded as takes.

TABLE 2—LEVELS OF PINNIPED BEHAVIORAL DISTURBANCE

Level	Type of response	Definition
1	Alert	Seal head orientation or brief movement in response to disturbance, which may include turning head towards the disturbance, craning head and neck while holding the body rigid in a u-shaped position, changing from a lying to a sitting position, or brief movement of less than twice the animal's body length.
2	Movement	Movements away from the source of disturbance, ranging from short withdrawals at least twice the animal's body length to longer retreats over the beach, or if already moving a change of direction of greater than 90 degrees.

TABLE 2—LEVELS OF PINNIPED BEHAVIORAL DISTURBANCE—Continued

Level	Type of response	Definition
3	Flush	All retreats (flushes) to the water.

In addition, observations regarding the number and species of any marine mammals observed, either in the water or hauled-out, at or adjacent to a site, are recorded as part of field observations during research activities. Information regarding physical and biological conditions pertaining to a site, as well as the date and time that research was conducted are also noted. This information will be incorporated into a monitoring report for NMFS.

If at any time the specified activity clearly causes the take of a marine mammal in a manner prohibited by this IHA, such as an injury (Level A harassment), serious injury, or mortality, PISCO shall immediately cease the specified activities and report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS. The report must include the following information:

(1) Time and date of the incident;

(2) Description of the incident;

(3) Environmental conditions (*e.g.,* wind speed and direction, Beaufort sea state, cloud cover, and visibility);

(4) Description of all marine mammal observations in the 24 hours preceding the incident;

(5) Species identification or description of the animal(s) involved;

(6) Fate of the animal(s); and

(7) Photographs or video footage of the animal(s).

Activities shall not resume until NMFS is able to review the circumstances of the prohibited take. NMFS will work with PISCO to determine what measures are necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. PISCO may not resume the activities until notified by NMFS.

In the event that an injured or dead marine mammal is discovered and it is determined that the cause of the injury or death is unknown and the death is relatively recent (*e.g.,* in less than a moderate state of decomposition), PISCO shall immediately report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS. The report must include the same information identified in the paragraph above IHA. Activities may continue while NMFS reviews the circumstances of the incident. NMFS will work with PISCO to determine whether additional mitigation measures or modifications to the activities are appropriate.

In the event that an injured or dead marine mammal is discovered and it is determined that the injury or death is not associated with or related to the activities authorized in the IHA (*e.g.,* previously wounded animal, carcass with moderate to advanced decomposition, or scavenger damage), PISCO shall report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS, within 24 hours of the discovery. PISCO shall provide photographs, video footage or other documentation of the stranded animal sighting to NMFS. Activities may continue while NMFS reviews the circumstances of the incident.

A draft final report must be submitted to NMFS Office of Protected Resources within 60 days after the conclusion of the 2018 field season or 60 days prior to the start of the next field season if a new IHA will be requested. The report will include a summary of the information gathered pursuant to the monitoring requirements set forth in the IHA. A final report must be submitted to the Director of the NMFS Office of Protected Resources and to the NMFS West Coast Regional Administrator within 30 days after receiving comments from NMFS on the draft final report. If no comments are received from NMFS, the draft final report will be considered the final report.

Monitoring Results From Previously Authorized Activities

PISCO complied with the mitigation and monitoring that were required under the IHA issued in February 2016. In compliance with the IHA, PISCO submitted a report detailing the activities and marine mammal monitoring they conducted. The IHA required PISCO to conduct counts of pinnipeds present at study sites prior to approaching the sites and to record species counts and any observed reactions to the presence of the researchers.

From December 3, 2016, through February 2, 2017 researchers conducted rocky intertidal sampling at numerous sites in California and Oregon (see Table 12 in PISCO's 2016 monitoring report). Tables 7, 8, and 9 in PISCO's monitoring report outline marine mammal observations and reactions. During this period there were 96 takes of harbor seals, 1 take of California sea lions, and 22 takes of northern elephant seals. NMFS had authorized the take of 203 harbor seals, 720 California sea lions, and 40 Northern Elephant seals under that IHA. PISCO also submitted a preliminary monitoring report associated with the existing IHA for the period covering February 21, 2017 through November 30, 2017. PISCO recorded 63 takes of harbor seals and 3 takes of California sea lions. There were no takes of northern elephant seals. NMFS had authorized the take of 233 harbor seals, 90 California sea lions, and 60 northern elephant seals under the existing IHA.

Based on the results from the monitoring report, we conclude that these results support our original findings that the mitigation measures set forth in the 2016 and 2017 IHAs effected the least practicable impact on the species or stocks. There were no stampede events during these years and most disturbances were Level 1 and 2 from the disturbance scale (Table 2) meaning the animal did not fully flush but observed or moved slightly in response to researchers. Those that did fully flush to the water did so slowly. Most of these animals tended to observe researchers from the water and then re-haulout farther up-coast or down-coast of the site within approximately 30 minutes of the disturbance.

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.,* population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be ''taken'' through harassment, NMFS considers other factors, such as the likely nature of any responses (*e.g.,* intensity, duration), the context of any responses (*e.g.,* critical reproductive time or

location, migration), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS's implementing regulations (54 FR 40338; September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the environmental baseline (*e.g.,* as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

No injuries or mortalities are anticipated to occur as a result of PISCO's rocky intertidal monitoring surveys and none are proposed to be authorized. The risk of marine mammal injury, serious injury, or mortality associated with rocky intertidal monitoring increases somewhat if disturbances occur during breeding season. These situations present increased potential for mothers and dependent pups to become separated and, if separated pairs do not quickly reunite, the risk of mortality to pups (*e.g.,* through starvation) may increase. Separately, adult male elephant seals may trample elephant seal pups if disturbed, which could potentially result in the injury, serious injury, or mortality of the pups. Few pups are anticipated to be encountered during the proposed surveys. As shown in previous monitoring reports, however, limited numbers of harbor seal, northern elephant seal, and California sea lion pups have been observed at several sites during past years. Harbor seals are very precocious with only a short period of time in which separation of a mother from a pup could occur. Although elephant seal pups are occasionally present when researchers visit survey sites, risk of pup mortalities is very low because elephant seals are far less reactive to researcher presence compared to the other two species. Further, elephant seal pups are typically found on sand beaches, while study sites are located in the rocky intertidal zone, meaning that there is typically a buffer between researchers and pups. The caution used by researchers in approaching sites generally precludes the possibility of behavior, such as stampeding, that could result in extended separation of mothers and dependent pups or trampling of pups. Finally, no research would occur where separation of mother and her nursing pup or crushing of pups can become a concern.

Typically, even those reactions constituting Level B harassment would result at most in temporary, short-term behavioral disturbance. In any given study season, researchers will visit select sites one to two times per year for 4–6 hours per visit. Therefore, disturbance of pinnipeds resulting from the presence of researchers lasts only for short periods. These short periods of disturbance lasting less than a day are separated by months or years. Community structure sites are visited at most twice per year and the visits occur in different seasons. Biodiversity surveys take place at a given location once every 3–5 years.

Of the marine mammal species anticipated to occur in the proposed activity areas, none are listed under the ESA. Taking into account the planned mitigation measures, effects to marine mammals are generally expected to be restricted to short-term changes in behavior or temporary abandonment of haulout sites, pinnipeds are not expected to permanently abandon any area that is surveyed by researchers, as is evidenced by continued presence of pinnipeds at the sites during annual monitoring counts. No adverse effects to prey species are anticipated and habitat impacts are limited and highly localized, consisting of the placement of permanent bolts in the intertidal zone. Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the proposed mitigation and monitoring measures, NMFS finds that the total marine mammal take from PISCO's rocky intertidal monitoring program will not adversely affect annual rates of recruitment or survival and, therefore, will have a negligible impact on the affected species or stocks.

In summary and as described above, the following factors primarily support our preliminary determination that the impacts resulting from this activity are not expected to adversely affect the species or stock through effects on annual rates of recruitment or survival:

- No pinniped mortality is anticipated or authorized;
- Only a small number of pups are expected to be disturbed;
- Effects of the survey activities would be limited to short-term, localized behavioral changes;
- Nominal impacts to pinniped habitat; and
- Effectiveness of proposed mitigation measures.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the proposed monitoring and mitigation measures, NMFS preliminarily finds that the total marine mammal take from the proposed activity will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted above, only small numbers of incidental take may be authorized under Section 101(a)(5)(D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

TABLE 3—POPULATION ABUNDANCE ESTIMATES, TOTAL PROPOSED LEVEL B TAKE, AND PERCENTAGE OF POPULATION THAT MAY BE TAKEN FOR THE POTENTIALLY AFFECTED SPECIES DURING THE PROPOSED ROCKY INTERTIDAL MONITORING PROGRAM

Species	Abundance *	Total proposed level B take	Percentage of stock or population
Harbor seal	30,968 [1] 24,732 [2]	203	<0.65 – 0.82
California sea lion	296,750	90	<0.01

TABLE 3—POPULATION ABUNDANCE ESTIMATES, TOTAL PROPOSED LEVEL B TAKE, AND PERCENTAGE OF POPULATION THAT MAY BE TAKEN FOR THE POTENTIALLY AFFECTED SPECIES DURING THE PROPOSED ROCKY INTERTIDAL MONITORING PROGRAM—Continued

Species	Abundance *	Total proposed level B take	Percentage of stock or population
Northern elephant seal	179,000	50	<0.01

* Abundance estimates are taken from the 2016 U.S. Pacific Marine Mammal Stock Assessments (Carretta *et al.,* 2016).
[1] California stock abundance estimate.
[2] Oregon/Washington stock abundance estimate from 1999-Most recent surveys.

Table 3 presents the abundance of each species or stock, the proposed take estimates, and the percentage of the affected populations or stocks that may be taken by Level B harassment. The numbers of animals authorized to be taken would be considered small relative to the relevant stocks or populations (0.65 – 0.82 percent for harbor seals, and <0.01 percent for California sea lions and northern elephant seals).

Based on the analysis contained herein of the proposed activity (including the proposed mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS preliminarily finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has preliminarily determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally, in this case with the ESA Interagency Cooperation Division whenever we propose to authorize take for endangered or threatened species.

No incidental take of ESA-listed species is proposed for authorization or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to PISCO for conducting the described research activities related to rocky intertidal monitoring surveys along the Oregon and Washington coasts provided the previously described mitigation, monitoring, and reporting requirements are incorporated. This section contains a draft of the IHA itself. The wording contained in this section is proposed for inclusion in the IHA (if issued).

1. This IHA is valid from February 21, 2018 through February 20, 2019.

2. This IHA is valid only for specified activities associated with rocky intertidal monitoring surveys at specific sites along the California and Oregon coasts.

3. General Conditions

a. A copy of this IHA must be in the possession of personnel operating under the authority of this authorization.

b. The incidental taking of marine mammals, by Level B harassment only, is limited to the following species along the Oregon and California coasts:

i. 203 harbor seal (*Phoca vitulina richardii*);

ii. 90 California sea lion (*Zalophus californianus*);

iii. 50 northern elephant seal (*Mirounga angustirostris*); and

c. The taking by injury (Level A harassment), serious injury, or death of any of the species listed in condition 3(b) of the IHA or any taking of any other species of marine mammal is prohibited and may result in the modification, suspension, or revocation of this IHA.

4. *Mitigation Measures:* The holder of this IHA is required to implement the following mitigation measures:

a. Researchers shall observe a site from a distance, using binoculars if necessary, to detect any marine mammals prior to approach to determine if mitigation is required.

b. Researchers shall approach a site with caution (slowly and quietly), keep bodies low to the ground and avoid pinnipeds along access ways to sites, by locating and taking a different access way if possible.

c. Researchers shall keep a safe distance from and not approach any marine mammal while conducting research, unless it is absolutely necessary to flush a marine mammal in order to continue conducting research (*i.e.* if a site cannot be accessed or sampled due to the presence of pinnipeds).

d. Researchers shall monitor the offshore area for predators (such as killer whales and white sharks) and avoid flushing of pinnipeds when predators are observed in nearshore waters.

e. Intentional flushing shall be avoided if pups are present. Staff shall reschedule work at sites where pups are present, unless other means of accomplishing the work can be done without causing disturbance to mothers and dependent pups.

f. Any site where Steller sea lions are present shall not be approached and shall be sampled at a later date.

g. Personnel shall vacate the study area as soon as sampling of the site is completed.

5. *Monitoring:* The holder of this IHA is required to conduct monitoring of marine mammals present at study sites prior to approaching the sites.

a. Information to be recorded shall include the following:

i. Species counts (with numbers of pups/juveniles);

ii. Descriptions of the disturbance behaviors during the monitoring surveys, including location, date, and time of the event;

iii. Information regarding physical and biological conditions pertaining to a site; and

iv. Numbers of disturbances, by species and age, according to a three-point scale of intensity as described in Table 2. Observations of disturbance Levels 2 and 3 are recorded as takes.

6. *Reporting:* The holder of this IHA is required to:

a. Report observations of unusual behaviors, numbers, or distributions of

pinnipeds, or of tag-bearing carcasses, to NMFS Southwest Fisheries Science Center (SWFSC).

b. Submit a draft monitoring report to NMFS Office of Protected Resources within 60 days after the conclusion of the 2018 field season or 60 days prior to the start of the next field season if a new IHA shall be requested. A final report shall be prepared and submitted within 30 days following resolution of any comments on the draft report from NMFS. This report must contain the informational elements described above, at minimum.

c. Reporting injured or dead marine mammals:

i. In the event that the specified activity clearly causes the take of a marine mammal in a manner prohibited by this IHA, such as an injury (Level A harassment), serious injury, or mortality, PISCO shall immediately cease the specified activities and report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS. The report must include the following information:

(1) Time and date of the incident;

(2) Description of the incident;

(3) Environmental conditions (*e.g.,* wind speed and direction, Beaufort sea state, cloud cover, and visibility);

(4) Description of all marine mammal observations in the 24 hours preceding the incident;

(5) Species identification or description of the animal(s) involved;

(6) Fate of the animal(s); and

(7) Photographs or video footage of the animal(s).

Activities shall not resume until NMFS is able to review the circumstances of the prohibited take. NMFS shall work with PISCO to determine what measures are necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. PISCO may not resume the activities until notified by NMFS.

ii. In the event that an injured or dead marine mammal is discovered and it is determined that the cause of the injury or death is unknown and the death is relatively recent (*e.g.,* in less than a moderate state of decomposition), PISCO shall immediately report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS. The report must include the same information identified in 6(c)(i) of this IHA. Activities may continue while NMFS reviews the circumstances of the incident. NMFS shall work with PISCO to determine whether additional mitigation measures or modifications to the activities are appropriate.

iii. In the event that an injured or dead marine mammal is discovered and it is determined that the injury or death is not associated with or related to the activities authorized in the IHA (*e.g.,* previously wounded animal, carcass with moderate to advanced decomposition, or scavenger damage), PISCO shall report the incident to the Office of Protected Resources, NMFS, and the West Coast Regional Stranding Coordinator, NMFS, within 24 hours of the discovery. PISCO shall provide photographs, video footage or other documentation of the stranded animal sighting to NMFS. Activities may continue while NMFS reviews the circumstances of the incident.

7. This IHA may be modified, suspended or withdrawn if the holder fails to abide by the conditions prescribed herein or if NMFS determines the authorized taking is having more than a negligible impact on the species or stock of affected marine mammals.

Request for Public Comments

We request comment on our analyses, the draft authorization, and any other aspect of this Notice of Proposed IHA for the proposed rocky intertidal monitoring program. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

On a case-by-case basis, NMFS may issue a one-year renewal IHA without additional notice when (1) another year of identical or nearly identical activities as described in the Specified Activities section is planned, or (2) the activities would not be completed by the time the IHA expires and renewal would allow completion of the activities beyond that described in the Dates and Duration section, provided all of the following conditions are met:

- A request for renewal is received no later than 60 days prior to expiration of the current IHA.
- The request for renewal must include the following:

(1) An explanation that the activities to be conducted beyond the initial dates either are identical to the previously analyzed activities or include changes so minor (*e.g.,* reduction in pile size) that the changes do not affect the previous analyses, take estimates, or mitigation and monitoring requirements.

(2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

- Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures remain the same and appropriate, and the original findings remain valid.

Dated: January 17, 2018.

Donna S. Wieting,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2018–01214 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF611

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Waterfront Improvement Projects at Portsmouth Naval Shipyard

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

ACTION: Notice; issuance of an incidental harassment authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to U.S. Department of the Navy (Navy) to incidentally harass, by Level A and Level B harassment, marine mammals during construction activities associated with waterfront improvement projects at the Portsmouth Naval Shipyard (the Shipyard) in Kittery, Maine.

DATES: This Authorization is effective from January 8, 2018, through January 7, 2019.

FOR FURTHER INFORMATION CONTACT: Rob Pauline, Office of Protected Resources, NMFS, (301) 427–8401. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: *www.nmfs.noaa.gov/pr/permits/incidental/construction.htm.* In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct

the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

NMFS has defined ''negligible impact'' in 50 CFR 216.103 as impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

The MMPA states that the term ''take'' means to harass, hunt, capture, kill or attempt to harass, hunt, capture, or kill any marine mammal.

Except with respect to certain activities not pertinent here, the MMPA defines ''harassment'' as: Any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Summary of Request

On July 14, 2017, NMFS received a request from the Navy for an IHA to take marine mammals incidental to impact pile driving, vibratory pile driving, vibratory pile extraction, and drilling associated with an ongoing waterfront improvement project at the Shipyard. The application was considered adequate and complete on August 25, 2017. The Navy's request is for take of harbor porpoise (*Phocoena phocoena*), gray seal (*Halichoerus grypus*), harbor seal (*Phoca vitulina*), harp seal (*Pagophilus groenlandicus*) and hooded seal (*Cystophora cristata*), by Level A and Level B harassment (authorization of Level A harassment is not proposed for the harp seal or hooded seal). Neither the Navy nor NMFS expects serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

This IHA will cover the second year of a five-year project for which the Navy had previously obtained an IHA. The Navy intends to request take authorization for subsequent years of the project. NMFS previously issued the first IHA to the Navy for this project effective from January 8, 2018 through January 7, 2019. The larger 5-year project involves restoring and modernizing infrastructure at the Shipyard. The Navy complied with all the requirements (*e.g.,* mitigation, monitoring, and reporting) of the previous IHA and information regarding their monitoring results may be found in the Monitoring and Reporting section.

Description of Specified Activity

Overview

The purpose of the proposed action is to modernize and maximize dry dock capabilities for performing current and future missions efficiently and with maximum flexibility. The need for the proposed action is to correct deficiencies associated with the pier structure at Berths 11, 12, and 13 and the Dry Dock 3 caisson and concrete seats to ensure that the Shipyard can continue to support its primary mission to service, maintain, and overhaul submarines. The proposed action covers the second year of activities (January 3, 2018 through January 2, 2019) associated with the waterfront improvement projects at the Shipyard in Kittery, Maine. The project includes impact and vibratory pile driving, vibratory pile removal, and drilling. Construction activities may occur at any time during the calendar year. A detailed description of the planned waterfront improvement project was provided in the **Federal Register** notice for the proposed IHA (82 FR 56791; November 30, 2017). Since that time, no changes have been made to the planned waterfront improvement activities. Therefore, a detailed description is not provided here. Please refer to that **Federal Register** notice for the description of the specific activity.

Table 1 shows a summary of the anticipated work effort (*e.g.,* days) and numbers planned for installation/extraction of each pile type while Table 2 shows estimated hours for each type of pile driving and drilling activity.

TABLE 1—YEAR 2 (2018) PLANNED CONSTRUCTION ACTIVITY

Activity/method	Timing	Number of days	Pile type	Number of piles installed	Number of piles extracted	Overlap days	Production estimates
Extract Timber Piles/Vibratory Hammer.	January–December 2018.	3	15″ Timber Piles	.....	18	.....	Estimated 6 piles per day.
Install Casing & Drill Sockets/Auger Drilling.	January–December 2018.	56	36″ W-Section Steel.	35	.....	.....	Estimated less than one pile completed per day. This includes setting the casing and rock socket drilling.
Install Sheet Pile (SKZ–20) SOE Piles/Vibro.	January–December 2018.	12	25″ Sheet Piles Steel.	144	.....	9/during rock sockets.	Estimated 12 sheets per day.
Remove Sheet Pile(SKZ–20) SOE Piles/Vibro.	January–December 2018.	6	25″ Sheet Piles Steel.	.....	144	4/during rock sockets.	Estimated 24 sheets per day.
Install Road Plate/H-Pile Support of Excav. Vibro.	January–December 2018.	3	14″ H-Pile Steel	12	.....	2/during rock sockets.	Estimated 4 ea. road plates per day.
Remove Road Plate/H-Pile Support of Excav. Vibro.	January–December 2018.	2	14″ H-Pile Steel	.....	12	1/during rock sockets.	Estimated 8 ea. Road plates per day.
Install Sheet Pile(AZ50) Sheet wall Bulkhead at DD1- Vibro.	January–December 2018.	6	25″ Sheet Piles Steel.	74	.....	.....	Estimated 13 sheets per day.

TABLE 1—YEAR 2 (2018) PLANNED CONSTRUCTION ACTIVITY—Continued

Activity/ method	Timing	Number of days	Pile type	Number of piles installed	Number of piles extracted	Overlap days	Production estimates
Install H-Pile (AZ50) Bulkhead Return @ West End of 11C-Vibro.	January–December 2018.	2	14″ H-Pile Steel	4			Estimated 2 piles per day.
Install Sheet Pile (AZ50) Bulkhead Return @ West End of 11C-Vibro.	January–December 2018.	9	25″ Sheet Piles Steel.	2			Estimated 2 piles per day.
Install Support/Sister Pile/Vibro & Impact Hammer.	January–December 2018.		14″ H-Pile Steel	22			Estimated 2.6 piles per day. The vibro would be used to stick the pile and the impact would drive the pile to refusal.*
Totals		Expected total work days (including up to16 days of concurrent activities) = 84–100 days		293	174	16	

*Depending on when these piles are driven in the tide cycle there is potential to install all 22 of the support piles in the dry which would further reduce the number of vibratory and impact hammer days. This pile quantity includes all the Support Pile in Berth 11C as well as 8 Support Pile remaining from Berth 11A.

TABLE 2—YEAR 2 (2018) HOURS ESTIMATED FOR EACH PILE DRIVING ACTIVITY

Driving type	Pile type	Number of piles	Days	Hours
Impact	14″ H-Pile (Sister Pile)	22 piles	9	1.5.
Vibratory	25″ sheet pile, 15″ timber pile, 14″ H-pile	236 piles/sheet	27 install 8 remove	216 install 64 remove.
Drilling	36″ Installation/Rock Sockets	35 casings	56	448.

Comment and Responses

A notice of NMFS's proposal to issue an IHA to the Navy was published in the **Federal Register** on November 30, 2017 (82 FR 56791). That notice described, in detail, the Navy's activity, the marine mammal species that may be affected by the activity, and the anticipated effects on marine mammals. During the 30-day public comment period, NMFS received comments from the Marine Mammal Commission (Commission).

Comment 1: The Commission listed four issues that need to be resolved prior to issuance of the final IHA including:

- Increasing the estimated Level A harassment takes for harbor porpoises from one to two to account for group size;
- increasing the estimated Level B harassment takes for harp seals from one to five to account for the potential that harp seals could be present on multiple days during the five months when they are most likely to occur in the project area;
- authorizing Level B harassment takes of five hooded seals to account for the potential that hooded seals could be present on multiple days during the five months when they are most likely to occur in the project area; and
- clarifying or specifying various mitigation and monitoring measure requirements.

Response: NMFS has agreed to make the changes described above. These changes are included in the issued IHA.

Comment 2: The Commission recommended that NMFS share the rounding criteria with the Commission such that the matter of when rounding should occur in the take calculation can be resolved in the near future.

Response: NMFS will share the rounding criteria with the Commission in the near future and looks forward to working with them to resolve this issue.

Comment 3: The Commission stated that monitoring during all pile-driving and removal activities is necessary for NMFS and the Navy to be confident that mitigation measures are implemented as intended, the numbers of marine mammals taken are within the limits authorized, and the least practicable impact occurs. The Commission recommended that NMFS require the Navy to implement full-time monitoring of the full extents of various Level A and B harassment zones using two protected species observers (PSOs) during all pile-driving (including drilling rock sockets) and removal activities.

Response: NMFS has authorized the employment of a single PSO on one-third of driving days to monitor the shutdown and Level A zones Two PSOs will be employed on two-thirds of driving days to monitor shutdown, Level A and Level B zones. NMFS is confident that a single qualified PSO can effectively monitor shutdown and Level A zones during all pile driving and removal activities. A single observer will have a complete, unobstructed view of the entirety of shutdown and Level A zones and will be able to document takes and call for shutdown or delay as appropriate. Adding a second PSO on two-thirds of driving days for Level B zone monitoring provides the capability to ensure successful implementation of mitigation measures and document that authorized take limits are not exceeded. Note that under previously issued IHAs, NMFS has not required 100 percent monitoring of Level B zones. In these instances, NMFS found that mitigation measures were effectively employed and marine mammal takes were under authorized limits.

Comment 4: The Commission reviewed the marine mammal and hydroacoustic monitoring plan and provided extensive comments to NMFS during the public comment period. The Commission's submitted comment letter features an Addendum listing all of the issues that were raised. The Commission recommends that NMFS ensure that all issues summarized in the Addendum are addressed and incorporated either into the final marine

mammal and hydroacoustic monitoring plan or the incidental harassment authorization itself.

Response: NMFS will address and incorporate resolutions to issues identified in the Addendum into the final marine mammal and hydroacoustic monitoring plan.

Comment 5: The Commission expressed concern about the lack of adequate time to provide public comments as well as the abbreviated timeframes during which NMFS is able to address public comments. The Commission recommended that NMFS ensure that it publishes and finalizes proposed incidental harassment authorizations sufficiently before the planned start date of the proposed activities to ensure full consideration is given to all comments received.

Response: NMFS will work to provide adequate time for public comment and response. NMFS will also seek to process IHA applications in a more expeditious manner.

Description of Marine Mammals in the Area of Specified Activities

Five marine mammal species, including one cetacean and four pinnipeds, may inhabit or transit the waters near the Shipyard in the lower Piscataqua River during the specified activity. These include the harbor porpoise, gray seal, harbor seal, hooded seal, and harp seal. None of the marine mammals that may be found in the Piscataqua River are listed under the Endangered Species Act (ESA). Table 3 lists the marine mammal species that could occur near the Shipyard and their estimated densities within the project area. As there are no specific density data for any of the species in the Piscataqua River, density data from the nearshore zone outside the mouth the Piscataqua River in the Atlantic Ocean have been used instead. Therefore, it can be assumed that the density estimates presented here for each species are conservative and higher than densities that would typically be expected in an industrialized, estuarine environment such as the lower Piscataqua River in the vicinity of the Shipyard.

Detailed descriptions of the of the species likely to be affected by the Navy's project, including brief introductions to the species and relevant stocks as well as available information regarding population trends and threats, and information regarding local occurrence, were provided in the **Federal Register** notice for the proposed IHA (November 30, 2017;82 FR 56791); since that time, we are not aware of any changes in the status of these species and stocks; therefore, detailed descriptions are not provided here. Please refer to that **Federal Register** notice for these descriptions. Please also refer to NMFS' website (*www.nmfs.noaa.gov/pr/species/mammals/*) for generalized species accounts.

TABLE 3—MARINE MAMMAL SPECIES POTENTIALLY PRESENT IN THE PISCATAQUA RIVER NEAR THE SHIPYARD

Common name	Scientific name	Stock	ESA/MMPA status; Strategic (Y/N) [1]	Stock abundance (CV, N_{min}, most recent abundance survey) [2]	PBR	Annual M/SI [3]
Superfamily Odontoceti (toothed whales, dolphins, and porpoises)						
Family Phocoenidae (porpoises)						
Harbor Porpoise	*Phocoena phocoena*	Gulf of Maine/Bay of Fundy stock.	-;N	79,883 (0.32; 61,415; 2011)	706	437
Order Carnivora—Superfamily Pinnipedia						
Family Phocidae (earless seals)						
Gray Seal	*Halichoerus grypus*	Western North Atlantic stock	-;N	unknown 505,000 (best estimate 2014 Canadian population DFO 2014).	unknown	4,959
Harbor Seal	*Phoca vitulina*	Western North Atlantic stock	-;N	75,834 (0.15; 66,884; 2012)	2,006	389
Hooded Seal [4]	*Cystophora cristata*	Western North Atlantic stock	-;N	592,100(-;512,000, 2005)	unknown	5,199
Harp Seal	*Pagophilus groenlandicus*	Western North Atlantic stock	-;N	7,100,000 (2012)	unknown	306,082

[1] Endangered Species Act (ESA) status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

[2] NMFS marine mammal stock assessment reports online at: *www.nmfs.noaa.gov/pr/sars/*. CV is coefficient of variation; Nmin is the minimum estimate of stock abundance. In some cases, CV is not applicable.

[3] These values, found in NMFS's SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (*e.g.,* commercial fisheries, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value or range. A CV associated with estimated mortality due to commercial fisheries is presented in some cases.

[4] Abundance estimates for these stocks are greater than eight years old and are, therefore, not considered current. PBR is considered undetermined for these stocks, as there is no current minimum abundance estimate for use in calculation. We nevertheless present the most recent abundance estimates and PBR values, as these represent the best available information for use in this document.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

The effects of underwater noise from the Navy's construction activities for the waterfront improvement project have the potential to result in Level B harassment (behavioral disturbance) for marine mammal species authorized for take. Level A (injury) harassment in the form of permanent threshold shift (PTS) may also occur in limited numbers of animals. The project would not result in permanent impacts to habitats used directly by marine mammals, such as haulout sites, but may have potential short-term impacts to food sources such as forage fish and minor impacts to the immediate substrate during installation and removal of piles. The potential effects to marine mammals and their associated habitat are discussed in detail in the **Federal Register** notice for the proposed IHA (November 30, 2017; 82 FR 56791), therefore that information is not repeated here; please refer to that **Federal Register** notice for that information.

Estimated Take

This section provides an estimate of the number of incidental takes that NMFS has authorized through this IHA, which informed NMFS' consideration of

both ''small numbers'' and the negligible impact determination.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines ''harassment'' as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes would be by Level A and Level B harassment, as impact and vibratory pile driving as well as drilling have the potential to result in auditory injury and disruption of behavioral patterns for individual marine mammals. The required mitigation and monitoring measures are expected to minimize the severity of such taking to the extent practicable.

As described previously, no mortality is anticipated or authorized for this activity. Below we describe how the take is estimated.

Described in the most basic way, we estimate take by considering: (1) Acoustic thresholds above which NMFS believes the best available science indicates marine mammals will be behaviorally harassed or incur some degree of permanent hearing impairment; (2) the area or volume of water that will be ensonified above these levels in a day; (3) the density or occurrence of marine mammals within these ensonified areas; and, (4) and the number of days of activities. Below, we describe these components in more detail and present the authorized take estimate.

Acoustic Thresholds

NMFS recommends acoustic thresholds that identify the received level of underwater sound above which exposed marine mammals would be reasonably expected to be behaviorally harassed (equated to Level B harassment) or to incur PTS of some degree (equated to Level A harassment).

Level B Harassment for non-explosive sources—Though significantly driven by received level, the onset of behavioral disturbance from anthropogenic noise exposure is also informed to varying degrees by other factors related to the source (*e.g.,* frequency, predictability, duty cycle), the environment (*e.g.,* bathymetry), and the receiving animals (hearing, motivation, experience, demography, behavioral context) and can be difficult to predict (Southall *et al.,* 2007, Ellison *et al.,* 2011). Based on what the available science indicates and the practical need to use a threshold based on a factor that is both predictable and measurable for most activities, NMFS uses a generalized acoustic threshold based on received level to estimate the onset of behavioral harassment. NMFS predicts that marine mammals are likely to be behaviorally harassed in a manner we consider Level B harassment when exposed to underwater anthropogenic noise above received levels of 120 dB re 1 μPa (rms) for continuous non-impulsive (*e.g.* vibratory pile-driving, drilling) and above 160 dB re 1 μPa (rms) for non-explosive impulsive (*e.g.,* impact pile driving, seismic airguns) or intermittent (*e.g.,* scientific sonar) sources.

The Navy's planned activity includes the use of continuous (vibratory pile driving, drilling) and impulsive (impact pile driving) sources and, therefore, the 120 and 160 dB re 1 μPa (rms) are applicable.

Level A harassment for non-explosive sources—NMFS' Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Technical Guidance, 2016) identifies dual criteria to assess auditory injury (Level A harassment) to five different marine mammal groups (based on hearing sensitivity) as a result of exposure to noise from two different types of sources (impulsive or non-impulsive). As noted above, the Navy's planned activity includes both impulsive and non-impulsive sources.

These thresholds are provided in Table 4. The references, analysis, and methodology used in the development of the thresholds are described in NMFS 2016 Technical Guidance, which may be accessed at: *http://www.nmfs.noaa.gov/pr/acoustics/guidelines.htm.*

BILLING CODE 3510–22–P

Table 4. Thresholds identifying the onset of Permanent Threshold Shift

	PTS Onset Acoustic Thresholds* (Received Level)	
Hearing Group	Impulsive	Non-impulsive
Low-Frequency (LF) Cetaceans	*Cell 1* $L_{pk,flat}$: 219 dB $L_{E,LF,24h}$: 183 dB	*Cell 2* $L_{E,LF,24h}$: 199 dB
Mid-Frequency (MF) Cetaceans	*Cell 3* $L_{pk,flat}$: 230 dB $L_{E,MF,24h}$: 185 dB	*Cell 4* $L_{E,MF,24h}$: 198 dB
High-Frequency (HF) Cetaceans	*Cell 5* $L_{pk,flat}$: 202 dB $L_{E,HF,24h}$: 155 dB	*Cell 6* $L_{E,HF,24h}$: 173 dB
Phocid Pinnipeds (PW) (Underwater)	*Cell 7* $L_{pk,flat}$: 218 dB $L_{E,PW,24h}$: 185 dB	*Cell 8* $L_{E,PW,24h}$: 201 dB
Otariid Pinnipeds (OW) (Underwater)	*Cell 9* $L_{pk,flat}$: 232 dB $L_{E,OW,24h}$: 203 dB	*Cell 10* $L_{E,OW,24h}$: 219 dB

* Dual metric acoustic thresholds for impulsive sounds: Use whichever results in the largest isopleth for calculating PTS onset. If a non-impulsive sound has the potential of exceeding the peak sound pressure level thresholds associated with impulsive sounds, these thresholds should also be considered.

Note: Peak sound pressure (L_{pk}) has a reference value of 1 μPa, and cumulative sound exposure level (L_E) has a reference value of 1μPa^{2}s. In this Table, thresholds are abbreviated to reflect American National Standards Institute standards (ANSI 2013). However, peak sound pressure is defined by ANSI as incorporating frequency weighting, which is not the intent for this Technical Guidance. Hence, the subscript "flat" is being included to indicate peak sound pressure should be flat weighted or unweighted within the generalized hearing range. The subscript associated with cumulative sound exposure level thresholds indicates the designated marine mammal auditory weighting function (LF, MF, and HF cetaceans, and PW and OW pinnipeds) and that the recommended accumulation period is 24 hours. The cumulative sound exposure level thresholds could be exceeded in a multitude of ways (i.e., varying exposure levels and durations, duty cycle). When possible, it is valuable for action proponents to indicate the conditions under which these acoustic thresholds will be exceeded.

BILLING CODE 3510–22–C

Ensonified Area

Here, we describe operational and environmental parameters of the activity that will feed into identifying the area ensonified above the acoustic thresholds.

Pile driving generates underwater noise that can potentially result in disturbance to marine mammals in the project area. Transmission loss (TL) is the decrease in acoustic intensity as an acoustic pressure wave propagates out from a source. TL parameters vary with frequency, temperature, sea conditions, current, source and receiver depth, water depth, water chemistry, and bottom composition and topography. The general formula for underwater TL is:

TL = B * log10(R1/R2),

Where:

R1 = the distance of the modeled SPL from the driven pile, and

R2 = the distance from the driven pile of the initial measurement.

This formula neglects loss due to scattering and absorption, which is assumed to be zero here. The degree to which underwater sound propagates away from a sound source is dependent on a variety of factors, most notably the water bathymetry and presence or absence of reflective or absorptive conditions including in-water structures and sediments. Spherical spreading occurs in a perfectly unobstructed (free-field) environment not limited by depth or water surface, resulting in a 6 dB reduction in sound level for each doubling of distance from the source (20 * log[range]). Cylindrical spreading occurs in an environment in which sound propagation is bounded by the water surface and sea bottom, resulting in a reduction of 3 dB in sound level for each doubling of distance from the source (10 * log[range]). Although cylindrical spreading loss was applied to driving of 14-inch H-piles in the previous IHA, in an effort to maintain consistency NMFS utilized practical spreading loss (4.5 dB reduction in sound level for each doubling of distance) for all driving and drilling activities for this IHA. A practical spreading value of 15 is often used

under conditions, such as at the Shipyard dock, where water increases with depth as the receiver moves away from the shoreline, resulting in an expected propagation environment that would lie between spherical and cylindrical spreading loss conditions.

Underwater Sound—The intensity of pile driving sounds is greatly influenced by factors such as the type of piles, hammers, and the physical environment in which the activity takes place. A number of studies have measured sound produced during underwater pile driving projects. These data are largely for impact driving of steel pipe piles and concrete piles as well as vibratory driving of steel pipe piles.

Source Levels

Source levels were collected for the four types of piles that would be installed and two pile-driving methods planned for the project:

1. 14-inch steel H-type piles—Used as sister piles and for SOE system installation; installed/extracted via vibratory hammer and seated as needed with impact hammer.

2. 15-inch timber piles—Used for re-installation of dolphins at Berths 11, 12, and 13 and extracted via vibratory hammer.

3. 25-inch steel sheet piles—Used for the bulkhead at Berth 11 and for SOE installed/extracted via vibratory hammer.

Reference source levels for the project were determined using data for piles of similar sizes, the same pile-driving method as that planned for the project, and at similar water depths. While the pile sizes and water depths chosen as proxies do not exactly match those for the project, they are the closest matches available, and it is assumed that the source levels shown in Tables 5, 6, and 7 are the most representative for each pile type and associated pile-driving method.

The intensity of pile driving or sounds is greatly influenced by factors such as the type of piles, hammers, and the physical environment in which the activity takes place. Reference source levels for the planned project were determined using data for piles of similar sizes, the same pile driving method as that planned for the project, and at similar water depths. While the pile sizes and water depths chosen as proxies do not exactly match those for the project, they are the closest matches available, and it is assumed that the source levels shown in Tables 5, 6, and 7 and are the most representative for each pile type and associated pile driving method.

The Navy analyzed source level values associated with a number of projects involving impact driving of steel H-piles to approximate environmental conditions and driving parameters at the Shipyard (Caltrans 2015). Data from pertinent projects were used to obtain average SEL and rms values for H pile impact installation. To be sure all values were relevant to the site, the Navy eliminated all piles in waters greater than 5 m, as well as all readings measured at ranges greater than 10 m. The Navy used all H piles for which the diameter was not specified as well as the 14 to 15-inch H piles, converted the dB measurements to a linear scale before averaging, and re-converted the average measurements to the appropriate dB units. Piles driven at this project site will be driven in 0–11 feet of water (0–3.4 m). During low tide, piles will essentially be driven in the dry. This varies drastically from other Navy projects on the east coast, such as at the Naval Submarine Base New London, where 14-inch H piles will be driven in water depths of 25 feet (7.62 m). Results are shown in Table 5.

TABLE 5—SOURCE LEVELS FOR IN-WATER IMPACT HAMMER 14-INCH STEEL H-TYPE (SISTER) PILES

Pile size and type	Water depth (m)	Distance measured (m)	Peak	RMS (dB)	SEL (dB)
15-inch steel H pile	2–3	10	187	164	154
15-inch steel H pile	2–3	10	180	165	155
15-inch steel H pile	2–3	10	194	177	170
Unspecified steel H pile	0.5–2	10	172	160	147
14-inch steel H pile	1–5	10	205	184	174
14-inch steel H pile	1–5	10	206	182	172
14-inch steel H pile	1–5	10	206	184	174
14-inch steel H pile	1–5	10	210	190	180
14-inch steel H pile	1–5	10	212	192	182
14-inch steel H pile	1–5	10	210	189	179
14-inch steel H pile	1–5	10	212	190	180
14-inch steel H pile	1–5	10	205	190	180
14-inch steel H pile	1–5	10	207	187	177
Unspecified steel H pile	0–0.9	10	.....	151	142
Unspecified steel H pile	0–0.9	10	.....	154	144
Unspecified steel H pile	0–0.9	10	.....	170	159
Unspecified steel H pile	0–0.9	10	.....	147	136
Unspecified steel H pile	0–0.9	10	.....	147	136
Unspecified steel H pile	0–0.9	10	.....	150	143
Unspecified steel H pile	0–0.9	10	.....	153	142
Unspecified steel H pile	0–0.9	10	.....	151	142
Unspecified steel H pile	0–0.9	10	.....	156	146
Unspecified steel H pile	0–0.9	10	.....	172	162
Unspecified steel H pile	0–0.9	10	.....	161	150
Unspecified steel H pile	0–0.9	10	.....	155	145
Unspecified steel H pile	0–0.9	10	.....	163	152
Unspecified steel H pile	0–0.9	10	.....	178	145
Unspecified steel H pile	0–0.9	10	.....	165	154
Averages	.....	200.4	181.4	171.3	.....

Source: Caltrans 2015

While the average rms value is 181.4, the Navy rounded up to 182 dB rms to be conservative. Navy rounded up to 182 from 181.4 to be conservative since not all proxy projects listed had RMS values in the source documents. However, SEL values were available for each proxy project so these calculations are expected to be more accurate, eliminating the need to conservatively round up the 171.3 dB SEL resulting in a value of 171 dB SEL using standard rounding.

Table 6 shows the source levels that were utilized to calculate isopleths for vibratory driving of 25-inch steel sheet piles, and 15-inch timber piles. An average value of 163 dB rms at 10 m was used for 24-inch AZ steel sheet and 150 dB rms at 16 m for 15-inch timber pile. For Year 1 work at the Shipyard Berth 11 the contractor has obtained initial acoustic readings associated with vibratory driving of 14″ H-Pile of 148 dB rms at 10 m. Additional details are found in Appendix A in the application. NMFS will use 148 dB at 10 m as the source level since it is site-specific and more conservative than the 145 dB value depicted in Caltrans 2015.

TABLE 6—SOURCE LEVELS FOR IN-WATER VIBRATORY HAMMER 24-INCH STEEL SHEET PILES, AND 15-INCH TIMBER PILES

Pile size and pile type	Water depth (m)	Distance measured (m)	Peak (dB)	RMS (dB)	SEL (dB)	Location
24-inch AZ Steel Sheet [1]	15	10	177	163	162	Berth 23, Port of Oakland, CA.
24-inch AZ Steel Sheet [1]	15	10	175	162	162	Berth 30, Port of Oakland, CA.
24-inch AZ Steel Sheet [1]	15	10	177	163	163	Berth 35/37 Port of Oakland, CA.
24-inch AZ Steel Sheet—Typical [1]	15	10	175	160	160	CA (Specific location unknown).
24-inch AZ Steel Sheet—Loudest [1]	15	10	182	165	165	CA (Specific location unknown).
24-inch AZ Steel Sheet (Average) [1]	15	10	178	163	163	CA (Specific location unknown).
15-inch Timber Pile [2]	10	16	164	150		WSF Port Townsend Ferry Terminal, WA.
14-inch H-type Pile [3]	6	10	155	148	145	CA (Specific location unknown).

Source:
[1] ICF Jones & Stokes and Illingsworth & Rodkin 2012.
[2] WSDOT 2010.
[3] CALTRANS 2015.

Using the data presented in Table 6 and Table 7, underwater sound levels were estimated using the practical spreading model to determine over what distance the thresholds would be exceeded.

Drilling is considered a continuous, non-impulsive noise source, similar to vibratory pile driving. Very little information is available regarding source levels of in-water drilling activities associated with nearshore pile installation such as that planned for the Berths 11, 12, and 13 structural repairs project. Dazey *et al.* (2012) attempted to characterize the source levels of several marine pile-drilling activities. One such activity was auger drilling (including installation and removal of the associated steel casing). Auger drilling will be employed as part of the Shipyard Project. The average sound pressure levels re 1 μPa rms were displayed for casing installation, auger drilling (inside the casing), and casing removal. For the purposes of this plan, it is assumed that the casing installation and removal activities would be conducted in a manner similar to that described in Dazey *et al.* (2012), primarily via oscillation. These average source levels are reported in Table 7.

TABLE 7—AVERAGE SOURCE LEVELS FOR AUGER DRILLING ACTIVITIES DURING PILE INSTALLATION

Drilling activity	Water depth (m)	Distance measured (m)	RMS (dB)	Location
Casing Installation	1–5	1	157	Bechers Bay Santa Rosa Island, CA.
Auger Drilling	1–5	1	151	Bechers Bay Santa Rosa Island, CA.
Casing Removal	1–5	1	152	Bechers Bay Santa Rosa Island, CA.
Average Drilling Activity	1–5	1	154	

Source: Dazey *et al.,* 2012.
Note: All source levels are referenced to 1 microPascal (re 1 μPa).

IHA applications for other construction projects have reported that, due to a lack of information regarding pile drilling source levels, it is generally assumed that pile drilling would produce less in-water noise than both impact and vibratory pile driving. Based on the general lack of information about these activities and the assumption that in-water noise from pile drilling would be less than either impact or vibratory pile driving, it is assumed that the source levels presented in Table 7 are the most applicable for acoustic impact analysis at Berths 11, 12, and 13. For the purposes of this IHA, however, we will conservatively assume that drilling has identical source levels to vibratory driving when calculating zones of influence. This includes instances where drilling is underway in the absence of any concurrent driving.

As part of Year 2 activities, concurrent work utilizing a vibratory hammer during drilling operations is possible. This potential concurrent activity could occur during installation of the rock sockets for approximately 16 days. The vibratory hammer may be working to install SOE sheets or H-Pile as the drilling work is being conducted. Under concurrent driving conditions, the Navy will use the larger of the two source level values to calculate size of entire ensonified area. Since the vibratory source level is greater than the level associated with drilling, it will be utilized.

With limited source level data available for vibratory pile extraction of 25-inch steel sheet piles, NMFS used the same values for both vibratory installation and extraction assuming that the two activities would produce

similar source levels if water depth, pile size, and equipment remain constant.

When NMFS Technical Guidance (2016) was published, in recognition of the fact that ensonified area/volume could be more technically challenging to predict because of the duration component in the new thresholds, an User Spreadsheet was developed that includes tools to help predict a simple isopleth that can be used in conjunction with marine mammal density or occurrence to help predict takes. We note that because of some of the assumptions included in the methods used for these tools, we anticipate that isopleths produced are typically going to be overestimates of some degree, which will result in some degree of overestimate of Level A take. However, these tools offer the best way to predict appropriate isopleths when more sophisticated 3D modeling methods are not available, and NMFS continues to develop ways to quantitatively refine these tools, and will qualitatively address the output where appropriate. For stationary sources pile driving, NMFS User Spreadsheet predicts the closest distance at which, if a marine mammal remained at that distance the whole duration of the activity, it would not incur PTS. Inputs used in the User Spreadsheet and the resulting isopleths are reported below in Table 8 and Table 9.

TABLE 8—USER SPREADSHEET INPUT FOR LEVEL A ISOPLETH PTS CALCULATIONS

User Spreadsheet Input	14″ Steel H impact	14″ Steel vibro	15″ Timber vibro	25″ Steel Sheet vibro	Drilling
Spreadsheet Tab Used	E.1) Impact pile driving.	A) Non-Impulsive, Stationary, Continuous.	A) Non-Impulsive, Stationary, Continuous.	A) Non-Impulsive, Stationary, Continuous.	A) Non-Impulsive, Stationary, Continuous.
Source Level (Single Strike/shot SEL)	171 SEL	148 rms	150 rms	163	154 rms.
Weighting Factor Adjustment (kHz)	2	2.5	2.5	2.5	2.5.
Number of strikes per pile	160	NA	NA	NA	NA.
Activity duration within 24-h period OR number of piles per day.	4 piles	4 hours	4 hours	4 hours	8 hours.
Propagation (xLogR)	15LogR	15LogR	15LogR	15LogR	15LogR.
Distance of source level measurement (meters)+.	10	10	16	10	10.

TABLE 9—USER SPREADSHEET OUTPUT FOR LEVEL A ISOPLETH AND ENSONIFIED AREA PTS CALCULATIONS

Source Type	PTS Isopleth	
	High-Frequency Cetaceans	Phocid Pinnipeds
14″ Steel H Impact	140 m	63 m.
14″ Steel Vibro	3.5 m	1.4 m.
15″ Timber Vibro	7.5 m	1.9 m.
25″ Steel Sheet Vibro	34.6 m	14.2 m.
Drilling (8 hours/day) within Shutdown Zone * utilizing 163 dB rms value	54.9 m	22.6 m.
Daily Ensonified Area		
14″ Steel H Impact	0.0615 km^2	0.0125 km^2.
14″ Steel H Vibro	38.46 m^2	6.15 m^2.
15″ Timber Vibro	179.9 m^2	11.33 m^2.
25″ Steel Sheet Vibro	0.0038 km^2	0.00062 km^2.
Drilling (8 hours/day) within Shutdown Zone * utilizing 163 dB rms value	0.0095 km^2	0.0016 km^2.

*While 154 dB rms is shown for drilling activity source level, take estimates and calculation of the ensonified area have been based on 163 dB rms (vibratory drilling) as these activities may run concurrently.

Using the same source level and transmission loss inputs discussed in the Level A isopleths section above, the Level B distance was calculated for both impact and vibratory driving (Table 10). The attenuation distance for impact hammer use associated with the installation of the sister pile/support pile with a source level of 182 dB rms resulted in an isopleth of 293 meters (m). The attenuation distance for vibratory hammer use with a source level of 163 dB rms resulted in an isopleth of 7.35 kilometers (km). The Level B area associated with the 120 dB re 1 μPa (rms) isopleth for vibratory driving and which is used in the take calculations is 0.9445 square kilometers (km^2). Note that these attenuation distances are based on sound characteristics in open water. The project area is located in a river surrounded by topographic features. Therefore, the actual attenuation distances are constrained by numerous land features and islands. As such, the maximum distance for the Level B isopleth during vibratory driving and drilling is approximately 1.4 km.

TABLE 10—PILE-DRIVING SOUND EXPOSURE DISTANCES (IN-WATER) LEVEL B ZONE OF INFLUENCE

Drilling activity	Behavioral thresholds for cetaceans and pinnipeds	Propagation model	Attenuation distance to threshold
Vibratory Hammer	120 dB rms	Practical Spreading Loss	7.35 km (4.57 mi).
Impact Hammer (rms)	160 dB rms	Practical Spreading Loss	293 m (961 ft).

Marine Mammal Occurrence

In this section, we provide the information about the presence, density, or group dynamics of marine mammals that will inform the take calculations. For all species, the best scientific information available was considered for use in the marine mammal take assessment calculations. Density information was taken from the Navy Marine Mammal Density Database as shown in Table 11. (Craine 2015; Krause 2015). These data are generally used for broad-scale offshore activities; however, due to a lack of any other data within the general project area, these data are presented as the best available data for the Piscataqua River.

TABLE 11—MARINE MAMMAL SPECIES POTENTIALLY PRESENT IN THE PISCATAQUA RIVER NEAR THE SHIPYARD

Species	Relative occurrence in Piscataqua River	Season(s) of occurrence	Approximate density in the vicinity of the project area (individuals per km²) [1]			
			Winter	Spring	Summer	Fall
Harbor Porpoise Gulf of Maine/Bay of Fundy stock.	Occasional use	Spring to Fall (April to December) [2].	1.2122	1.1705	0.7903	0.9125
Gray Seal Western North Atlantic stock.	Common	Year-round	0.2202	0.2202	0.2202	0.2202
Harbor Seal Western North Atlantic stock.	Common	Year-round	0.1998	0.1998	0.1998	0.1998
Harp Seal Western North Atlantic stock.	Rare	Winter to Spring (January–May)	0.0125	0.0125	0.0125	0.0125
Hooded Seal Western North Atlantic stock.	Rare	Winter to Spring (January–May)	N/A	N/A	N/A	N/A

Notes:
[1] Density data are taken from the Navy Marine Species Density Database (Crain 2015; Krause 2015).
[2] Densities shown for all seasons, even when species are unlikely to occur in the river.

Take Calculation and Estimation

Here we describe how the information provided above is brought together to produce a quantitative take estimate.

The following assumptions are made when estimating potential incidences of take:

- All marine mammal individuals potentially available are assumed to be present within the relevant area, and thus incidentally taken;
- An individual can only be taken once during a 24-h period;
- While up to 16 days of concurrent driving/drilling could occur, NMFS will conservatively assume that there are zero (0) days resulting in a total of 100 pile driving/drilling days; and
- Exposures to sound levels at or above the relevant thresholds equate to take, as defined by the MMPA.

In this case, the estimation of marine mammal takes uses the following calculation:

Exposure estimate = n * ZOI * days of total activity

Where:

n = density estimate used for each species/season.

ZOI = sound threshold ZOI area; the area encompassed by all locations where the SPLs equal or exceed the threshold being evaluated.

The ZOI impact area is estimated using the relevant distances in Table 9 and Table 10, assuming that sound radiates from a central point in the water column at project site and taking into consideration the possible affected area due to topographical constraints of the action area (*i.e.,* radial distances to thresholds are not always reached) as shown in Figure 6–1 in the application.

There are a several reasons why estimates of potential incidents of take may be conservative, assuming that available density and estimated ZOI areas are accurate. We assume, in the absence of information supporting a more refined conclusion, that the output of the calculation represents the number of individuals that may be taken by the specified activity. In fact, in the context of stationary activities such as pile driving and in areas where resident animals may be present, this number more realistically represents the number of incidents of take that may accrue to a smaller number of individuals. While pile driving can occur any day throughout the period of validity, and the analysis is conducted on a per day basis, only a fraction of that time (typically a matter of hours on any given day) is actually spent pile driving. The potential effectiveness of mitigation measures in reducing the number of takes is typically not quantified in the take estimation process. For these reasons, these take estimates may be conservative.

Harbor Porpoise

Harbor porpoises may be present in the project area year-round. Based on density data from the Navy Marine Species Density Database, their presence is highest in winter and spring, decreases in summer, and slightly increases in fall. However, in general, porpoises are known to occasionally occur in the river. Average density for the predicted seasons of occurrence was used to determine abundance of animals that could be present in the area for exposure, using the equation abundance = n * ZOI. Estimated abundance estimate for harbor porpoises was 0.96 animals generated from the equation (0.9445 km² Level B ensonified area *1.02 animals/km²). The number of Level B harbor porpoise exposures within the ZOIs is (100 days * 0.96

animals/day) is 96. Therefore, NMFS authorizes 96 Level B takes of harbor porpoise.

The injury zone for harbor porpoise was calculated to extend to a radius of 140 m from impact driven piles and a maximum of 55 m from vibratory or drilling activity. A 75 m shutdown zone is planned (see ''Mitigation''); therefore, the area between the 75 m and 140 m isopleths is where Level A take may occur during impact hammer use. The area of the 75 m shutdown zone was subtracted from the full Level A injury zone to obtain the Level A take zone of 0.0132 km^2. The density of harbor porpoises is estimated at 1.02 harbor porpoises/km^2. Using the density of harbor porpoises potentially present (1.02 animal/km^2) and the area of the Level A take zone, less than one (0.1218 mammals) harbor porpoise a day was estimated to be exposed to injury over the nine days of impact pile driving. In the **Federal Register** notice for the proposed IHA (82 FR 56791; November 30, 2017), NMFS had proposed to authorize a single Level A take of harbor porpoise. However, as part of the monitoring requirements under the existing IHA, the Navy observed two harbor porpoises traveling together in August 2017. In order to avoid shutdown and delay associated with exceeding take limits, NMFS will authorize the Level A take of two harbor porpoises.

Harbor Seal

Harbor seals may be present year-round in the project vicinity, with constant densities throughout the year. Based on local anecdotal data, harbor seals are the most common pinniped in the Piscataqua River near the Shipyard. Average density for the predicted seasons of occurrence was used to determine abundance of animals that could be present in the area for exposure, using the equation abundance = n * ZOI. Abundance for harbor seals were 0.19/day. (Average year-round density = 0.1998). Therefore, Level B harbor seal exposures within the ZOI is (100 days * 0.19 animals/day) would be up to 19 Level B exposures of harbor seals within the ZOI. As described above in the gray seal section, however, the modeling of estimated takes may be underestimated. The data from the preliminary monitoring report indicated 120 re 1 μPa (rms) Level B exposures of harbor seals over 73 work days resulting in 1.64 takes per day (120 takes/73 days). Therefore, NMFS is proposing to authorize 164 Level B harbor seal takes (1.64 takes/day * 100 days).

The injury zone for harbor seals was calculated to extend a radius of 63 m from impact driven piles and 14m for vibratory hammer use. The injury zone for drilling activity is estimated at 23 m. The Level A injury zone is within the shutdown zone, therefore no injurious takes of harbor seals are estimated to occur. However, as stated above for the gray seal take request, this may be an underestimate. The Navy has requested four Level A takes of harbor seal to coincide with the same number of Level A takes requested in Year 1. Preliminary monitoring report results support authorization of Level A take as one harbor seal was detected within 50 m of drilling activity. Therefore, NMFS is conservatively proposing four Level A takes of harbor seals so that operations will not have to be suspended due to exceeding authorized Level A takes.

Gray Seal

Gray seals are less common in the Piscataqua River than the harbor seal. Average density for the predicted seasons of occurrence was used to determine abundance of animals that could be present in the area for exposure, using the equation abundance = n * ZOI. The estimated abundance for gray seals is 0.21/day (average year-round density = 0.2202). Therefore, the number of Level B gray seal exposures within the ZOI is (100 days * 0.21 animals/day) resulting in up to 21 Level B exposures of gray seals within the ZOI.

However, current monitoring data indicate that this could be an underestimate. While there could be 21 Level B and 0 Level A takes for gray seal during construction activity monitoring of the zones, observations of gray seals have shown 18 Level B exposures over 73 days of activity through October 27, 2017. This comes out to 0.246 exposures per day (18/73 = 0.246). Therefore, the Navy has requested and NMFS is proposing to authorize 25 gray seal takes (0.246 takes/day * 100 days) under the IHA.

The injury zone for gray seals was calculated to extend to a radius of 63m for impact driven piles and 14m for vibratory hammer use. The injury zone for drilling is estimated at 23m from the activity. The injury zone for impact, vibratory and drilling activity remains within the shutdown zone of 75m for impact hammer use and 55 m for vibratory driving and drilling (see ''Mitigation''). These zones were utilized during Year 1. Based on these calculations and continued implementation of the shutdown zones, no injurious takes of gray seals are estimated to occur. The Navy, however, requests authorization of two Level A takes of gray seal to coincide with the same number of Level A takes requested in Year 1. This is partially supported by data collected in the preliminary Year 1 IHA monitoring report in which observers recorded one gray seal within 50 m of drilling activity. Because animals were observed within the shutdown zone during Year 1, NMFS is conservatively proposing authorization of two Level A gray seal takes, so that operations will not have to be suspended if animals unexpectedly occur in the Level A zones.

Harp Seal

Harp seals may be present in the project vicinity during the winter and spring, from January through February. In general, harp seals are much rarer than the harbor seal and gray seal in the Piscataqua River. These animals are conservatively assumed to be present within the underwater Level B ZOI during each day of in-water pile driving. Average density for the predicted seasons of occurrence was used to determine abundance of animals that could be present in the area for exposure, using the equation abundance = n * ZOI. Abundance for harp seals was 0.014/day (average year-round density = 0.0125). The number of Level B harp seal exposures within the ZOI is (100 days * 0.0125 animals/day) resulting in approximately 1 Level B exposure. In the **Federal Register** notice for the proposed IHA (82 FR 56791; November 30, 2017), NMFS had proposed to authorize a single Level B take of harp seal. Although rare, harp seals have been known to occur in this area. Therefore, in order to avoid shutdown and delay associated with exceeding take limits, NMFS will authorize the Level B take of five harp seals. This conservatively assumes that one harp seal could be taken during each of the five months that construction activities would take place.

The injury zone for harp seals was calculated to extend a radius of 63 m from impact driven piles and 14 m for vibratory hammer use. The injury zone for drilling is estimated at 23 m from the activity. These isopleths are within the shutdown zones and NMFS. Therefore, no Level A take is authorized as shown in Table 13.

Hooded Seal

In the **Federal Register** notice for the proposed IHA (82 FR 56791; November 30, 2017), NMFS did not propose to authorize take of any hooded seals. This was based on the fact that hooded seals are rare in this area and none were recorded under the 2017 IHA monitoring requirements. In general, hooded seals are much rarer than the

harbor seal and gray seal in the Piscataqua River. Anecdotal sighting information indicates that two hooded seals were observed from the Shipyard in August 2009, but no other observations have been recorded. Information on the average density for hooded seals was not available. In order to guard against unauthorized take of hooded seals, NMFS will authorize the Level B take of five hooded seals. This conservatively assumes that during each of the five months of construction one hooded seal could be taken by Level B harassment.

The injury zone for hooded seals was calculated to extend a radius of 63m from impact driven piles and 14m for vibratory hammer use. The injury zone for drilling is estimated at 23 m from the activity. As shown in Table 13, these isopleths are within the shutdown zones and, therefore, no Level A take is authorized.

Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to such activity and other means of effecting the least practicable impact on such species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stock for taking for certain subsistence uses (latter not applicable for this action). NMFS regulations require applicants for incidental take authorizations to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting such activity or other means of effecting the least practicable adverse impact upon the affected species or stocks and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as subsistence uses where applicable, we carefully consider two primary factors:

(1) The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or stocks, and their habitat. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of accomplishing the mitigating result if implemented as planned); the likelihood of effective implementation (probability implemented as planned); and

(2) the practicability of the measures for applicant implementation, which may consider such things as cost and impact on operations.

Mitigation for Marine Mammals and Their Habitat

The mitigation strategies described below are similar to those required and implemented under the first IHA associated with this project. In addition to the measures described later in this section, the Navy would conduct briefings between construction supervisors and crews, marine mammal monitoring team, and Navy staff prior to the start of all pile driving activity, and when new personnel join the work, in order to explain responsibilities, communication procedures, marine mammal monitoring protocol, and operational procedures.

The following measures would apply to the Navy's mitigation through shutdown and disturbance zones:

Time Restrictions—Pile driving/removal (vibratory as well as impact) will only be conducted during daylight hours so that marine mammals can be adequately monitored to determine if mitigation measures are to be implemented.

Establishment of Shutdown zone—During pile driving and removal, shutdown zones shall be established to prevent injury to marine mammals as determined under acoustic injury thresholds. During all pile driving and removal activities, regardless of predicted sound pressure levels (SPLs), the entire shutdown zone will be monitored to prevent injury to marine mammals from their physical interaction with construction equipment during in-water activities. The shutdown zone during impact driving will extend to 75 m for all authorized species. The shutdown during vibratory driving and drilling will extend to 55 m for all authorized species. Pile driving and removal operations will cease if a marine mammal approaches the shutdown zone. Pile driving and removal operations will restart once the marine mammal is visibly seen leaving the zone or after 15 minutes have passed with no sightings.

Establishment of Level A Harassment Zone—The Level A harassment zone is an area where animals may be exposed to sound levels that could result in PTS injury. The primary purpose of the Level A zone is monitoring for documenting incidents of Level A harassment. The Level A zones will extend from the 75 m shutdown zone out to 140 m for harbor porpoises. Animals observed in the Level A harassment zone will be recorded as potential Level A takes.

Establishment of Disturbance/Level B Harassment Zone—During pile driving and removal, the Level B zone shall include areas where the underwater SPLs are anticipated to equal or exceed the Level B harassment criteria for marine mammals (160 dB rms isopleths for impact pile driving, 120 re 1 μPa (rms) isopleth for vibratory pile-driving and drilling). The Level B zone will extend out to 293 m for impact driving and 7.35 km during vibratory driving and drilling and will include all waters in the sight line of the driving or drilling operation not constrained by land.

Shutdown Zone During Other In-water Construction or Demolition Activities—During all in-water construction or demolition activities having the potential to affect marine mammals, in order to prevent injury from physical interaction with construction equipment, a shutdown zone 10 m will be implemented to ensure marine mammals are not present within this zone. These activities could include, but are not limited to: (1) The movement of a barge to the construction site, or (2) the removal of a pile from the water column/substrate via a crane (*i.e.,* a ''dead pull'').

Soft Start for Impact Pile Driving—The use of a soft-start procedure is believed to provide additional protection to marine mammals by providing a warning and/or giving marine mammals a chance to leave the area prior to the hammer operating at full capacity. The project will use soft-start techniques recommended by NMFS for impact pile driving. Soft start must be conducted at beginning of day's activity and at any time impact pile driving has ceased for more than 30 minutes. If an impact hammer is used, contractors are required to provide an initial set of three strikes from the impact hammer at 40 percent energy, followed by a 1-minute waiting period, then two subsequent 3-strike sets.

Monitoring Protocols—Monitoring would be conducted before, during, and after pile driving activities. In addition, observers shall record all incidents of marine mammal occurrence, regardless of distance from activity, and shall document any behavioral reactions in concert with distance from piles being driven. Observations made outside the shutdown zone will not result in shutdown; that pile segment would be completed without cessation, unless the animal approaches or enters the shutdown zone, at which point all pile driving activities would be halted. Monitoring will take place from 15

minutes prior to initiation through 30 minutes post-completion of pile driving activities.

Monitoring will be conducted by one marine mammal observer (MMO) on one-third of driving days who will monitor the Level A harassment and shutdown zone during all pile-driving operations. Two MMOs shall monitor the Level A, Level B, and shutdown zones during two-thirds of pile-driving days. The Navy will extrapolate data collected by two MMOs during two-thirds of monitoring days and calculate total Level B take for all pile-driving days.

Prior to the start of pile driving activity, the shutdown zone will be monitored for 15 minutes to ensure that it is clear of marine mammals. Pile driving will only commence once observers have declared the shutdown zone clear of marine mammals; animals will be allowed to remain in the shutdown zone (*i.e.,* must leave of their own volition) and their behavior will be monitored and documented. The shutdown zone may only be declared clear when the entire shutdown zone is visible (*i.e.,* when not obscured by dark, rain, fog, etc.).

Drilling/pile driving activity shall not be conducted when weather/observer conditions do not allow for adequate sighting of marine mammals. In the unlikely event of conditions that prevent the visual detection of marine mammals, such as heavy fog, activities with the potential to result in Level A or Level B harassment will not be initiated. Impact pile driving already underway would be curtailed, but vibratory driving may continue if driving has already been initiated on a given pile. Driving of additional piles by any means will not be allowed until all zones are visible. However, in the event of an unsafe work environment if conditions prevent detection of marine mammals during impact pile driving and the pile currently being driven is not stable enough for activities to cease, impact pile driving would continue to get the single pile to stability.

If a marine mammal approaches or enters the shutdown zone during the course of pile driving operations, activity will be halted and delayed until either the animal has voluntarily left and been visually confirmed beyond the shutdown zone or 15 minutes have passed. Monitoring will be conducted throughout the time required to drive a pile and for 30 minutes following the conclusion of pile driving.

Based on our evaluation of the applicant's proposed measures NMFS has determined that the required mitigation measures provide the means effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance.

Monitoring and Reporting

In order to issue an IHA for an activity, section 101(a)(5)(D) of the MMPA states that NMFS must set forth requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104 (a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present in the action area. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

- Occurrence of marine mammal species or stocks in the area in which take is anticipated (*e.g.,* presence, abundance, distribution, density);
- Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) Action or environment (*e.g.,* source characterization, propagation, ambient noise); (2) affected species (*e.g.,* life history, dive patterns); (3) co-occurrence of marine mammal species with the action; or (4) biological or behavioral context of exposure (*e.g.,* age, calving or feeding areas);
- Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;
- How anticipated responses to stressors impact either: (1) Long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;
- Effects on marine mammal habitat (*e.g.,* marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and
- Mitigation and monitoring effectiveness.

Previous Monitoring Report

The Navy submitted a preliminary monitoring report covering the period between April 18, 2017 and October 27, 2017. This period does not cover all pile driving activities. Therefore, the Navy will submit a final report after the authorization period ends. During this period, piles were installed using vibratory hammer, the impact hammer, and drilling. Work was conducted over 73 days. Drilling has accounted for 98.8% of the total noise-generating time spent on installation/extraction activities at the Shipyard; vibratory activity occurred during 1% of the total time; and impact driving took place <1% of the total time. During this time, observers noted 142 occurrences of marine mammals within designated zones, with all but one occurring within the Level B harassment zone as shown in Table 12. Monitoring of all zones occurred on every drilling day.

TABLE 12—SUMMARY OF 2017 TAKES THROUGH OCTOBER 28, 2018

Species	Level A		Level B	
	Actual	Authorized	Actual	Authorized
Harbor porpoise	0	10	3	160
Harbor seal	1	4	120	312
Gray seal	0	2	18	156
Harp seal	0	0	0	5
Hooded seal	0	0	0	5

Visual Monitoring

The Navy will be required to conduct visual marine mammal monitoring during pile driving activities. Observers shall record all incidents of marine mammal occurrence, regardless of distance from activity, and shall document any behavioral reactions in concert with distance from piles being driven or removed. Pile driving activities include the time to install or remove a single pile or series of piles, as long as the time elapsed between uses of the pile driving equipment is no more than 30 minutes.

A minimum of two MMOs will be on location during all pile driving activities. They will be placed at the best vantage point(s) practicable. MMOs may be stationed on an elevated platform. MMOs will monitor for marine mammals and implement shutdown/delay procedures when applicable by calling for the shutdown to equipment operators. MMOs will scan the waters within each monitoring zone activity using big-eye binoculars, hand held binoculars, spotting scopes and visual observation. Monitoring distances will be measured with range finders and bearing to animals shall be determined using a compass.

The observers will be trained on the observation zones, potential species, how to observe, and how to fill out the data sheets by the Navy Natural Resources Manager prior to any pile-driving activities. The supervisory observer will be a trained biologist; additional observers will be trained by that supervisor as needed.

Shutdown and Level A zones must be monitored at all times by one MMO with no other duties or responsibilities. A second MMO will be required to monitor Level B zones on two-thirds of driving days. The following additional measures apply to visual monitoring during all pile driving activities

- Independent observers (*i.e.,* not construction personnel) are required;
- At least one observer must have prior experience working as an observer;
- Other observers (that do not have prior experience) may substitute education (undergraduate degree in biological science or related field) or training for experience;
- NMFS will require submission and approval of observer resumes.

Qualified observers are trained biologists with the following minimum qualifications:

- Visual acuity in both eyes (correction is permissible) sufficient for discernment of moving targets at the water's surface with ability to estimate target size and distance; use of binoculars may be necessary to correctly identify the target;
- Sufficient training, orientation, or experience with the construction operation to provide for personal safety during observations;
- Writing skills sufficient to prepare a report of observations including but not limited to the number and species of marine mammals observed; dates and times when in-water construction activities were conducted; dates and times when in-water construction activities were suspended to avoid potential incidental injury from construction sound of marine mammals observed within a defined shutdown zone; and marine mammal behavior; and
- Ability to communicate orally, by radio or in person, with project personnel to provide real-time information on marine mammals observed in the area as necessary.

A draft marine mammal monitoring report will be submitted to NMFS within 90 days after the completion of pile driving and removal activities or 60 days prior to the issuance of any subsequent IHA for this project, whichever comes first. It will include an overall description of work completed, a narrative regarding marine mammal sightings, and associated marine mammal observation data sheets, and extrapolated Level B take counts. Specifically, the report must include:

- Date and time that monitored activity begins or ends;
- Sediment characteristics/type;
- Construction activities occurring during each observation period;
- Weather parameters (*e.g.,* percent cover, visibility);
- Water conditions (*e.g.,* sea state, tide state);
- Species, numbers, and, if possible, sex and age class of marine mammals;
- Description of any observable marine mammal behavior patterns, including bearing and direction of travel and distance from pile driving activity;
- Distance from pile driving activities to marine mammals and distance from the marine mammals to the observation point;
- Locations of all marine mammal observations; and
- Other human activity in the area.

If no comments are received from NMFS within 30 days, the draft final report will constitute the final report. If comments are received, a final report addressing NMFS comments must be submitted within 30 days after receipt of comments.

In the unanticipated event that the specified activity clearly causes the take of a marine mammal in a manner prohibited by the IHA (if issued), such as serious injury or mortality, the Navy will immediately cease the specified activities and report the incident to the Chief of the Permits and Conservation Division, Office of Protected Resources, NMFS, and the Northeast/Greater Atlantic Regional Stranding Coordinator. The report would include the following information:

- Description of the incident;
- Environmental conditions (*e.g.,* Beaufort sea state, visibility);
- Description of all marine mammal observations in the 24 hours preceding the incident;
- Species identification or description of the animal(s) involved;
- Fate of the animal(s); and
- Photographs or video footage of the animal(s) (if equipment is available).

Activities would not resume until NMFS is able to review the circumstances of the prohibited take. NMFS would work with the Navy to determine what is necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. The Navy would not be able to resume their activities until notified by NMFS via letter, email, or telephone.

In the event that the Navy discovers an injured or dead marine mammal, and the lead MMO determines that the cause of the injury or death is unknown and the death is relatively recent (*e.g.,* in less than a moderate state of decomposition as described in the next paragraph), the Navy would immediately report the incident to the Chief of the Permits and Conservation Division, Office of Protected Resources, NMFS, and the Northeast/Greater Atlantic Regional Stranding Coordinator. The report would include the same information identified in the paragraph above. Activities would be able to continue while NMFS reviews the circumstances of the incident. NMFS would work with the Navy to determine whether modifications in the activities are appropriate.

In the event that the Navy discovers an injured or dead marine mammal and the lead MMO determines that the injury or death is not associated with or related to the activities authorized in the IHA (*e.g.,* previously wounded animal, carcass with moderate to advanced decomposition, or scavenger damage), the Navy would report the incident to the Chief of the Permits and Conservation Division, Office of Protected Resources, NMFS, and the Northeast/Greater Atlantic Regional Stranding Coordinator within 24 hours of the discovery. The Navy would provide photographs, video footage (if

available) or other documentation of the stranded animal sighting to NMFS and the Marine Mammal Stranding Network.

Hydroacoustic Monitoring

The Navy will continue to implement its in situ acoustic monitoring efforts in 2018. Specifically, data would be collected during vibratory installation of 20 sheet piles and impact installation of 4 H-piles, during drilling activities on one day, and during one day of drilling with concurrent vibratory driving. However, concurrent activity is so infrequent it is not likely to occur for a full day. Navy shall measure sound intensity at 10 m from the source pile, at the modeled limits of the Level A and Level B zones, and at intermediate points between 10m and the 160 dB and 120 dB re 1 μPa (rms) isopleths. For all piles required to be monitored, 100 percent of the data from each pile will be analyzed and included in the reported results, including ''soft starts'' of impact hammers. For each combination of pile type and hammer, the monitoring locations will be chosen to maximize coverage of the ZOI based on the number of piles scheduled for monitoring for a given timeframe. See the Navy's Acoustic Monitoring Plan for additional information. A final report shall be submitted to NMFS within 30 days of completing the verification monitoring. Results from the 2017 Hydroacoustic Monitoring Report may be found in Appendix A of the application. Data from the 2017 and 2018 hydroacoustic monitoring reports may be used to revise isopleths delineating harassment zones. Any revisions would be subject to NMFS' review and approval.

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.,* population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be ''taken'' through harassment, NMFS considers other factors, such as the likely nature of any responses (*e.g.,* intensity, duration), the context of any responses (*e.g.,* critical reproductive time or location, migration), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS's implementing regulations (54 FR 40338; September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the environmental baseline (*e.g.,* as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

Pile driving, pile extraction and drilling activities associated with the Navy project have the potential to injure, disturb or displace marine mammals. Specifically, the planned activities may result in Level B harassment (behavioral disturbance) for all species authorized for take from underwater sound generated during pile driving. Level A harassment in the form of PTS may also occur to limited numbers of three marine mammal species. Potential takes could occur if individuals of these species are present in the ensonified zone when pile driving and removal occurs.

No serious injury or mortality is anticipated given the nature of the activities and measures designed to minimize the possibility of injury to marine mammals. The potential for these outcomes is minimized through the construction method and the implementation of the planned mitigation measures. Specifically, vibratory driving and drilling will be the primary methods of installation (impact driving will occur for only 1.5 hours over 84–100 days). During impact driving, implementation of soft start and shutdown zones significantly reduces any possibility of injury. Given sufficient ''notice'' through use of soft start (for impact driving), marine mammals are expected to move away from a sound source that is annoying prior to it becoming potentially injurious. Conditions at the Shipyard offer MMOs clear views of the shutdown zones, enabling a high rate of success in implementation of shutdowns to avoid injury.

The Navy's planned activities are highly localized. A small portion of the Piscataqua River may be affected which is only a subset of the ranges of species for which take is authorized. The project is not expected to have significant adverse effects on marine mammal habitat. No important feeding and/or reproductive areas for marine mammals are known to be near the project area. Project-related activities may cause some fish to leave the area of disturbance, thus temporarily impacting marine mammals' foraging opportunities in a limited portion of the foraging range. However, since the area of the habitat range utilized by each species that may be affected is relatively small, the impacts to marine mammal habitat are not expected to cause significant or long-term negative consequences.

Exposures to elevated sound levels produced during pile driving activities may cause behavioral responses by an animal, but they are expected to be mild and temporary. Effects on individuals that are taken by Level B harassment, on the basis of reports in the literature as well as monitoring from other similar activities, will likely be limited to reactions such as increased swimming speeds, increased surfacing time, or decreased foraging (if such activity were occurring) (*e.g.,*Thorson and Reyff, 2006; Lerma, 2014). Most likely, individuals will simply move away from the sound source and be temporarily displaced from the areas of pile driving, although even this reaction has been observed primarily only in association with impact pile driving. These reactions and behavioral changes are expected to subside quickly when the exposures cease. The pile driving activities analyzed here are similar to, or less impactful than, numerous construction activities conducted in other similar locations, which have taken place with no reported injuries or mortality to marine mammals, and no known long-term adverse consequences from behavioral harassment. Repeated exposures of individuals to levels of sound that may cause Level B harassment are unlikely to result in permanent hearing impairment or to significantly disrupt foraging behavior. Level B harassment will be reduced through use of mitigation measures described herein.

In summary and as described above, the following factors primarily support our determination that the impacts resulting from this activity are not expected to adversely affect the species or stock through effects on annual rates of recruitment or survival:

- No mortality or serious injury is anticipated or authorized;
- The area of potential impacts is highly localized;
- No adverse impacts to marine mammal habitat;
- The absence of any significant habitat within the project area, including rookeries, or known areas or

features of special significance for foraging or reproduction;

- Anticipated incidences of Level A harassment would be in the form of a small degree of PTS to a limited number of animals;
- Anticipated incidents of Level B harassment consist of, at worst, temporary modifications in behavior;
- Very few individuals are likely to be affected by project activities (<0.01 percent of population for all authorized species); and
- The anticipated efficacy of the required mitigation measures in reducing the effects of the specified activity.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the required monitoring and mitigation measures, NMFS finds that the total marine mammal take from the construction activity will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted above, only small numbers of incidental take may be authorized under section 101(a)(5)(D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

TABLE 13—ESTIMATED NUMBER OF EXPOSURES AND PERCENTAGE OF STOCKS THAT MAY BE SUBJECTED TO LEVEL A AND LEVEL B HARASSMENT

Species	Authorized take		Total Level A and Level B takes	Population (%)
	Level B	Level A		
Harbor porpoise *Gulf of Maine/Bay of Fundy stock*	96	2	98	<0.01
Gray Seal *Western North Atlantic stock*	25	2	27	<0.01
Harbor Seal *Western North Atlantic stock*	164	4	168	<0.01
Harp Seal *Western North Atlantic stock*	5	0	5	<0.01
Hooded Seal *Western North Atlantic stock*	5	0	5	<0.01

Table 13 illustrates the number of animals that could be exposed to Level A and Level B harassment from work associated with the waterfront improvement project. The analysis provided indicates that authorized takes account for <0.01 percent of the populations of the stocks that could be affected. These are small numbers of marine mammals relative to the sizes of the affected species and population stocks under consideration.

Based on the analysis contained herein of the planned activity (including the required mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

There are no relevant subsistence uses of the affected marine mammal stocks or species implicated by this action. Therefore, NMFS has determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat.

No incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that consultation under section 7 of the ESA is not required for this action.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.,* the issuance of an incidental harassment authorization) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in CE B4 of the Companion Manual for NOAA Administrative Order 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review and signed a Categorical Exclusion memo in January 2018.

Authorization

NMFS has issued an IHA to the Navy for the potential harassment of small numbers of five marine mammal species incidental to the Waterfront Improvement Project at the Portsmouth Naval Shipyard in Kittery, Maine, provided the previously mentioned mitigation, monitoring and reporting requirements are incorporated.

Dated: January 19, 2018.

Donna S. Wieting,

Director, Office of Protected Resources,National Marine Fisheries Service.

[FR Doc. 2018–01306 Filed 1–23–18; 8:45 am]

BILLING CODE 3510–22–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Concept Paper, Application and Budget Instructions, Project Progress Report and Progress Report Supplement (OMB Control Number 3045–0038); Proposed Information Collection; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (CNCS) has submitted a public information collection request (ICR) entitled Concept Paper, Application and Budget Instructions, Project Progress Report and Progress Report Supplement (OMB Control Number 3045–0038) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments may be submitted, identified by the title of the information collection activity, by February 23, 2018.

ADDRESSES: Comments may be submitted, identified by the title of the information collection activity, to the Office of Information and Regulatory Affairs, Attn: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service, by any of the following two methods within 30 days from the date of publication in the **Federal Register**:

(1) *By fax to:* 202–395–6974, Attention: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service; or

(2) *By email to: smar@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Kelly Daly, at 202–606–6849 or email to *vista@americorps.gov.* Individuals who use a telecommunications device for the deaf (TTY–TDD) may call 1–800–833–3722 between 8:00 a.m. and 8:00 p.m. Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, 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;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to 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.

Comments

A 60-day Notice requesting public comment was published in the **Federal Register** on October 2, 2017 at Vol. 82, No. 189, Page 45832. This comment period ended December 1, 2017. Zero (0) public comments were received from this Notice.

Description: The forms are used to determine organizations' suitability to be AmeriCorps VISTA Sponsors, and once awarded a project, to gather information on their use of VISTA resources. CNCS seeks to renew the current information collection. The revisions are intended to clarify budget instructions. The information collection will otherwise be used in the same manner as the existing application. CNCS also seeks to continue using the current application until the revised application is approved by OMB. The current application expired on November 30, 2017.

Type of Review: Renewal.

Agency: Corporation for National and Community Service.

Title: Concept Paper, Application and Budget Instructions, Project Progress Report and Progress Report Supplement.

OMB Number: (OMB Control Number 3045–0038).

Agency Number: None.

Affected Public: Organizations and State, Local or Tribal Governments.

Total Respondents: 815.

Frequency: One time for the Concept Paper; annually for the Application with Budget Instructions and VISTA Progress Report Supplement; four times a year for the Progress Report in a project's first year and twice a year thereafter.

Average Time per Response: 15 hours (Application), 15 hours (VPR), 8 hours (VPRS).

Estimated Total Burden Hours: 13,040 hours (Application), 12,225 (VPR), 6,520 (VPRS).

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Dated: January 16, 2018.

Eileen Conoboy,

Acting Director, AmeriCorps VISTA.

[FR Doc. 2018–01227 Filed 1–23–18; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF EDUCATION

[Docket No. ED–2017–ICCD–0140]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Freedom of Information Act (FOIA) Third Party Perjury 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 an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before February 23, 2018.

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–0140. 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 Elise Cook, 202–401–3769.

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: Freedom of Information Act (FOIA) Third Party Perjury Form.

OMB Control Number: 1880–0545.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 62,000.

Total Estimated Number of Annual Burden Hours: 31,000.

Abstract: This collection is necessary to certify the identity of individuals requesting information under the Freedom of Information Act (FOIA) and Privacy Act (PA). This certification is required under 5 U.S.C. Section 552a(b). The form is used by Privacy Act requesters to obtain personal records via regular mail, fax or email. The department will use the information to help identify first-party or third party requesters with same or similar name when requesting retrieval of their own documents.

Dated: January 19, 2018.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018–01233 Filed 1–23–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Office of Postsecondary Education; Solicitation of Third-Party Comments Concerning the Performance of Accrediting Agencies

AGENCY: Accreditation Group, Office of Postsecondary Education, U.S. Department of Education.

ACTION: Call for written third-party comments.

SUMMARY: This notice provides information to members of the public on submitting written comments for accrediting agencies currently undergoing review for purposes of recognition by the U.S. Secretary of Education.

FOR FURTHER INFORMATION CONTACT: Herman Bounds, Director, Accreditation Group, Office of Postsecondary Education, U.S. Department of Education, 400 Maryland Avenue SW, Room 270–01, Washington, DC 20202, telephone: (202) 453–7615, or email: *herman.bounds@ed.gov.*

SUPPLEMENTARY INFORMATION: This solicitation of third-party comments concerning the performance of accrediting agencies under review by the Secretary is required by section 496(n)(1)(A) of the Higher Education Act (HEA) of 1965, as amended. These accrediting agencies will be on the agenda for the Spring 2018 National Advisory Committee on Institutional Quality and Integrity meeting. The meeting date has not been determined, but will be announced in a separate **Federal Register** notice.

Agencies Under Review and Evaluation: Below is a list of agencies currently undergoing review and evaluation by the Accreditation Group, including their current and requested scopes of recognition:

Application for Initial Recognition

1. Accrediting Council for Independent Colleges and Schools. Requested Scope of Recognition: The accreditation of private postsecondary institutions offering certificates or diplomas, and postsecondary institutions offering associate, bachelor's, or master's degrees in programs designed to educate students for professional, technical, or occupational careers, including those that offer those programs via distance education.

Applications for Renewal of Recognition

1. Association of Advanced Rabbinical and Talmudic Schools, Accreditation Commission. Scope of Recognition: The accreditation and preaccreditation (''Correspondent'' and ''Candidate'') within the United States of advanced rabbinical and Talmudic schools.

2. Academy of Nutrition and Dietetics, Accreditation Council for Education in Nutrition and Dietetics. Scope of Recognition: The accreditation and pre-accreditation, within the United States, of Didactic and Coordinated Programs in Dietetics at both the undergraduate and graduate level, post-baccalaureate Dietetic Internships, and Dietetic Technician Programs at the associate degree level, and for its accreditation of such programs offered via distance education.

3. Accreditation Council on Optometric Education. Scope of Recognition: The accreditation in the United States of professional optometric degree programs, optometric technician (associate degree) programs, and optometric residency programs, and for the pre-accreditation category of Preliminary Approval for professional optometric degree programs.

4. Council on Accreditation of Nurse Anesthesia Educational Programs. Scope of Recognition: The accreditation of institutions and programs of nurse anesthesia at the post master's certificate, master's, or doctoral degree levels in the United States, and its territories, including programs offering distance education.

5. Liaison Committee on Medical Education. Scope of Recognition: The accreditation of medical education programs within the United States leading to the M.D. degree.

6. Northwest Commission on Colleges and Universities. Scope of Recognition: The accreditation and preaccreditation (''Candidacy Status'') of postsecondary degree-granting educational institutions in Alaska, Idaho, Montana, Nevada, Oregon, Utah, and Washington, and the accreditation of programs offered via distance education within these institutions.

7. National Association of Schools of Art and Design. Scope of Recognition: For the accreditation throughout the United States of freestanding institutions and units offering art/design and art/design-related programs (both degree- and non-degree-granting), including those offered via distance education.

Compliance Report

1. American Psychological Association. Compliance report includes the following: (1) Findings identified in the September 22, 2016 letter from the senior Department official following the June 23, 2016 NACIQI meeting available at: *https://opeweb.ed.gov/aslweb/finalstaffreports.cfm,* (2) Review under 34 CFR 602.19(a), and § 602.20(b).

Scope of Recognition: The accreditation in the United States of doctoral programs in clinical, counseling, school and combined professional-scientific psychology; doctoral internship programs in health service psychology; and postdoctoral residency programs in health service psychology. The preaccreditation in the United States of doctoral internship programs in health service psychology;

and postdoctoral residency programs in health service psychology.

2. American Bar Association Compliance report includes the following: (1) Findings identified in the October 28, 2016 letter from the senior Department official following the June 23, 2016 NACIQI meeting available at: *https://opeweb.ed.gov/aslweb/finalstaffreports.cfm,* (2) Review under 34 CFR 602.15(a)(1), § 602.15(a)(2), § 602.15(a)(3), § 602.16(a)(1)(viii), and § 602.17(b).

Scope of Recognition: The accreditation throughout the United States of programs in legal education that lead to the first professional degree in law as well as freestanding law schools offering such programs. This recognition also extends to the Accreditation Committee of the Section of Legal Education (Accreditation Committee) for decisions involving continued accreditation (referred to by the agency as ''approval'') of law schools.

3. American Osteopathic Association, Commission on Osteopathic College Accreditation Compliance report includes the following: (1) Findings identified in the October 28, 2016 letter from the senior Department official following the June 23, 2016 NACIQI meeting available at: *https://opeweb.ed.gov/aslweb/finalstaffreports.cfm,* (2) Review under 34 CFR 602.11, § 602.13, § 602.15(a)(3), § 602.16(a)(1)(i), § 602.16(a)(1)(ii), § 602.16(a)(1)(iii), § 602.16(a)(1)(iv) § 602.16(a)(1)(v), § 602.16(a)(1)(vi), § 602.16(a)(1)(vii) § 602.16(a)(1)(viii) § 602.16(a)(1)(ix) § 602.16(a)(1)(x), § 602.16(a)(2), § 602.17(a), § 602.19(b), § 602.20(a), and § 602.26(b).

4. Transnational Association Of Christian Colleges and Schools Compliance report includes the following: (1) Findings identified in the October 28, 2016 letter from the senior Department official following the June 23, 2016 NACIQI meeting available at: *https://opeweb.ed.gov/aslweb/finalstaffreports.cfm,* (2) Review under 34 CFR 602.15(a)(2), and § 602.19(b).

Scope of Recognition: The accreditation and preaccreditation (''Candidate'' Status) of Christian postsecondary institutions in the United States that offer certificates, diplomas, and associate, baccalaureate, and graduate degrees, including institutions that offer distance education.

Application for an Expansion of Scope

Association of Advanced Rabbinical and Talmudic Schools, Accreditation Commission. Scope of Recognition: The accreditation and preaccreditation (''Correspondent'' and ''Candidate'') within the United States of advanced rabbinical and Talmudic schools. Requested Scope: The accreditation of advanced Rabbinical and Talmudic institutions in the United States which grant postsecondary degrees such as Associate, Baccalaureate, Masters, Doctorate, First Rabbinic and First Talmudic degrees.

Renewal—State Agency for the Approval of Public Postsecondary Vocational Education

Puerto Rico State Agency for the Approval of Public Postsecondary Vocational, Technical Institutions and Programs

Submission of Written Comments Regarding a Specific Accrediting Agency or State Approval Agency Under Review

Written comments about the recognition of a specific accrediting or State agency must be received by February 16, 2018, in the *ThirdPartyComments@ed.gov* mailbox and include the subject line ''Written Comments: (agency name).'' The email must include the name(s), title, organization/affiliation, mailing address, email address, and telephone number of the person(s) making the comment. Comments should be submitted as a Microsoft Word document or in a medium compatible with Microsoft Word (not a PDF file) that is attached to an electronic mail message (email) or provided in the body of an email message. Comments about an agency's recognition after review of a compliance report must relate to issues identified in the compliance report and the criteria for recognition cited in the senior Department official's letter that requested the report, or in the Secretary's appeal decision, if any. Comments about the renewal of an agency's recognition based on a review of the agency's petition must relate to its compliance with the Criteria for the Recognition of Accrediting Agencies, or the Criteria and Procedures for Recognition of State Agencies for Approval of Nurse Education as appropriate, which are available at *http://www.ed.gov/admins/finaid/accred/index.html.*

Only written material submitted by the deadline to the email address listed in this notice, and in accordance with these instructions, become part of the official record concerning agencies scheduled for review and are considered by the Department and NACIQI in their deliberations.

A later **Federal Register** Notice will describe how to register to provide oral comments at the meeting about the recognition of a specific accrediting agency or State approval agency.

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 Adobe 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.

Authority: 20 U.S.C. 1011c.

Lynn B. Mahaffie,

Deputy Assistant Secretary for Planning, Policy, and Innovation.

[FR Doc. 2018–01220 Filed 1–23–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[ED–2018–OII–0003]

Proposed Waiver and Extension of the Project Period; DC Opportunity Scholarship Program

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Proposed waiver and extension of the project period.

SUMMARY: For projects funded under the DC Opportunity Scholarship Program (OSP), the Secretary proposes to waive the requirements of the Education Department General Administrative Regulations that generally prohibit project period extensions involving the obligation of additional Federal funds. A waiver would allow the three-year grant funded with fiscal year (FY) 2015 funds under the OSP to be continued beyond its original project period with FY 2018 and FY 2019 funds.

DATES: The Department must receive your comments on or before February 23, 2018.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments submitted by fax or by email or those submitted after the comment period. To ensure that we do not receive

duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

• *Federal eRulemaking Portal:* Go to *www.regulations.gov* to submit your comments electronically. Information on using *Regulations.gov*, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under ''Help.''

• *Postal Mail, Commercial Delivery, or Hand Delivery:* If you mail or deliver your comments about this proposed waiver and extension of the project period, address them to Justis Tuia, U.S. Department of Education, 400 Maryland Avenue SW, Room 4W251, Washington, DC 20202.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at *www.regulations.gov.* Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Anna Hinton, U.S. Department of Education, 400 Maryland Avenue SW, Room 4W229, Washington, DC 20202. Telephone: (202) 260–1816 or by email: *anna.hinton@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: The Department invites you to submit comments regarding this proposed waiver and extension of the project period.

During and after the comment period, you may inspect all public comments about this proposed waiver and extension by accessing *Regulations.gov*. You may also inspect all public comments about this proposal in Room 4W229, 400 Maryland Avenue SW, Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record: On request, the Department will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Background

On February 23, 2015, the Department of Education (Department) published in the **Federal Register** (80 FR 9448) a notice inviting applications (2015 NIA) for a new award for FY 2015 under the OSP.

The OSP provides low-income students residing in Washington, DC with an opportunity to receive a scholarship to attend a participating private school of their choice. The OSP was established in 2004 under the DC School Choice Incentive Act. In 2011, Congress reauthorized the OSP through FY 2016 under the Scholarships for Opportunity and Results Act (SOAR Act) (Pub. L. 112–10); and, in FY 2017, the SOAR Act was reauthorized through FY 2019 by the FY 2017 Consolidated Appropriations Act (Pub. L. 115–31).

Under the SOAR Act, the Department awards one grant to an eligible applicant to administer the OSP. The grant awarded is in the form of a cooperative agreement between the Department and the grantee. The grantee is required to recruit and make scholarship awards to eligible scholarship applicants; support and serve scholarship students and their families in making school choice decisions; identify and work with participating schools; monitor compliance of participating schools with program and reporting requirements; maintain reliable data regarding the operation of the program; and ensure appropriate coordination with the other entities that conduct activities related to program operations. The SOAR Act also provides for a performance period of up to five years for the OSP grant award.

The current OSP grantee was awarded with a three-year grant from October 1, 2015 to September 30, 2018. The Department would typically conduct a new grant competition in FY 2018.

Proposed Waiver of 34 CFR 75.261(a) and (c)(2)

The Department seeks to extend the period of performance of the existing OSP grant for up to two more years and waive the provisions of 34 CFR 75.261(a) and (c)(2) so that the current grantee may continue to receive additional funds to serve students in FY 2018 and FY 2019. The Department proposes this waiver based primarily on four factors. First, extending the current grantee's project would create stability and continuity as the program enters the final two years of the current SOAR Act authorization. Second, few organizations are eligible for and have the capacity to administer this program, which is evident by the small number of eligible applications that have been submitted under past OSP competitions. Third, extending the current grantee's project would permit the current grantee to fully implement the new recruitment and marketing strategies designed to significantly increase scholarship usage rates. The Department believes it is unlikely that a new program administrator could expeditiously and effectively implement the newly designed outreach efforts of the current grantee. Fourth, extending the current grantee's project would align the next OSP competition with the next anticipated reauthorization of the SOAR Act. Accordingly, the Department does not believe it would be in the public interest to hold a competition for a new OSP administrator before FY 2020.

If this proposed waiver becomes final through a notice of final waiver and extension of the project period published in the **Federal Register—**

• Any activities carried out during the extended project period would have to be consistent with, or a logical extension of, the scope, goals, and objectives of the grantee's application as approved in the 2015 competition;

• The requirements applicable to continuation awards for this competition set forth in the 2015 NIA and the requirements in 34 CFR 75.253 would apply to any continuation award sought by the current grantee. We will base our decision regarding a continuation award on the program narrative, budget, budget narrative, and program performance report submitted by the current grantee for FY 2018, and the requirements in 34 CFR 75.253; and

• The Department would not announce a new competition or make a new award under the OSP in FY 2018 or FY 2019.

The proposed waiver and project period extension would not exempt the current OSP grantee from the account-closing provisions of 31 U.S.C. 1552(a).

Regulatory Flexibility Act Certification

The Secretary certifies that the proposed waiver and extension and the activities required to support additional months of funding would not have a significant economic impact on a substantial number of small entities.

The small entity that would be affected by this proposed waiver and extension is the FY 2015 grantee, the non-profit organization currently receiving Federal funds under the OSP. The proposed waiver and extension would not have a significant economic impact on this entity because the

activities required to support the additional year(s) of funding would not impose excessive regulatory burdens or require unnecessary Federal supervision. The waiver would impose minimal requirements to ensure the proper expenditure of program funds, including requirements that are standard for continuation awards.

Paperwork Reduction Act of 1995

This notice of proposed waiver and extension does not contain any information collection requirements.

Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR 79. One of the objectives of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism. The Executive Order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance. This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible 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 this site. You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: January 18, 2018.

Margo K. Anderson,

Acting Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. 2018–01307 Filed 1–23–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Electricity Advisory Committee; Notice of Open Meeting

AGENCY: Department of Energy, Office of Electricity Delivery and Energy Reliability.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Electricity Advisory Committee. The Federal Advisory Committee Act requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Tuesday, February 20, 2018, 12:00 p.m.–5:55 p.m. EST; Wednesday, February 21, 2018, 8:00 a.m.–12:15 p.m. EST.

ADDRESSES: National Rural Electric Cooperative Association, 4301 Wilson Blvd., Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Matthew Rosenbaum, Office of Electricity Delivery and Energy Reliability, U.S. Department of Energy, Forrestal Building, Room 8G–017, 1000 Independence Avenue SW, Washington, DC 20585; Telephone: (202) 586–1060 or Email: *matthew.rosenbaum@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Committee: The Electricity Advisory Committee (EAC) was re-established in July 2010, in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2, to provide advice to the U.S. Department of Energy (DOE) in implementing the Energy Policy Act of 2005, executing the Energy Independence and Security Act of 2007, and modernizing the nation's electricity delivery infrastructure. The EAC is composed of individuals of diverse background selected for their technical expertise and experience, established records of distinguished professional service, and their knowledge of issues that pertain to electricity.

Tentative Agenda: The meeting of the EAC is expected to include panels or presentations on rates, tariffs, and market design for energy storage; mutual assistance agreements; and emergency response and resilience in recovery efforts. The meeting is also expected to include a discussion on regulatory reform and an update on FERC activities presented by Commissioner Cheryl LaFleur. Additionally, the meeting is expected to include an update on the programs and initiatives of the DOE's Office of Electricity Delivery and Energy Reliability and a discussion of the plans and activities of the Smart Grid Subcommittee, Power Delivery Subcommittee, and Energy Storage Subcommittee.

Tentative Agenda: February 20, 2018

12:00 p.m.–1:00 p.m. Registration
1:00 p.m.–1:15 p.m. Welcome, Introductions, Developments since the September 2017 Meeting
1:15 p.m.–1:30 p.m. Update on the DOE Office of Electricity Delivery and Energy Reliability's Programs and Initiatives
1:30 p.m.–2:25 p.m. Regulatory Reform
2:25 p.m.–2:35 p.m. EAC Smart Grid Subcommittee Update
2:35 p.m.–2:50 p.m. EAC Power Delivery Subcommittee Update
2:50 p.m.–3:30 p.m. EAC Energy Storage Subcommittee Update
3:30 p.m.–3:45 p.m. Break
3:45 p.m.–5:45 p.m. Panel Session: Rate, Tariff, and Market Design for Energy Storage
5:45 p.m.–5:55 p.m. Wrap-up and Adjourn Day 1

Tentative Agenda: February 21, 2018

8:00 a.m.–8:30 a.m. Presentation on Mutual Assistance Agreements
8:30 a.m.–10:30 a.m. Panel Session: Emergency Response and Resilience in Recovery Efforts
10:30 a.m.–10:45 a.m. Break
10:45 a.m.–11:45 a.m. Presentation: FERC Update
11:45 a.m.–12:00 p.m. Reflections on Today's Panel and Presentations
12:00 p.m.–12:05 p.m. Public Comments
12:05 p.m.–12:15 p.m. Wrap-up and Adjourn

The meeting agenda may change to accommodate EAC business. For EAC agenda updates, see the EAC website at: *http://energy.gov/oe/services/electricity-advisory-committee-eac.*

Public Participation: The EAC welcomes the attendance of the public at its meetings. Individuals who wish to offer public comments at the EAC meeting may do so on Wednesday, February 21, 2018, but must register at the registration table in advance. Approximately five minutes will be reserved for public comments. Time allotted per speaker will depend on the number who wish to speak but is not expected to exceed three minutes. Anyone who is not able to attend the meeting, or for whom the allotted public comments time is insufficient to address pertinent issues with the EAC, is invited to send a written statement to Mr. Matthew Rosenbaum.

You may submit comments, identified by ''Electricity Advisory Committee Open Meeting,'' by any of the following methods:

• *Mail/Hand Delivery/Courier:* Matthew Rosenbaum, Office of Electricity Delivery and Energy Reliability, U.S. Department of Energy, Forrestal Building, Room 8G–017, 1000 Independence Avenue SW, Washington, DC 20585.

• *Email: matthew.rosenbaum@hq.doe.gov.* Include ''Electricity Advisory Committee Open Meeting'' in the subject line of the message.

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments. *Instructions:* All submissions received must include the agency name and identifier. All comments received will be posted without change to *http://energy.gov/oe/services/electricity-advisory-committee-eac,* including any personal information provided.

• *Docket:* For access to the docket, to read background documents or comments received, go to *http://energy.gov/oe/services/electricity-advisory-committee-eac.*

The following electronic file formats are acceptable: Microsoft Word (.doc), Corel Word Perfect (.wpd), Adobe Acrobat (.pdf), Rich Text Format (.rtf), plain text (.txt), Microsoft Excel (.xls), and Microsoft PowerPoint (.ppt). If you submit information that you believe to be exempt by law from public disclosure, you must submit one complete copy, as well as one copy from which the information claimed to be exempt by law from public disclosure has been deleted. You must also explain the reasons why you believe the deleted information is exempt from disclosure.

DOE is responsible for the final determination concerning disclosure or nondisclosure of the information and for treating it in accordance with the DOE's Freedom of Information regulations (10 CFR 1004.11).

Notes: Delivery of the U.S. Postal Service mail to DOE may be delayed by several weeks due to security screening. DOE, therefore, encourages those wishing to comment to submit comments electronically by email. If comments are submitted by regular mail, the Department requests that they be accompanied by a CD or diskette containing electronic files of the submission.

Minutes: The minutes of the EAC meeting will be posted on the EAC web page at *http://energy.gov/oe/services/electricity-advisory-committee-eac.* They can also be obtained by contacting Mr. Matthew Rosenbaum at the address above.

Issued in Washington, DC, on January 19, 2018.

LaTanya R. Butler,

Deputy Committee Management Officer.

[FR Doc. 2018–01259 Filed 1–23–18; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER15–762–011.
Applicants: Sierra Solar Greenworks LLC.
Description: Compliance filing: Sierra Solar Greenworks Notice of Change in Status MBR Tariff to be effective 1/17/2018.
Filed Date: 1/17/18.
Accession Number: 20180117–5030.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER16–468–005.
Applicants: FTS Master Tenant 1, LLC.
Description: Compliance filing: FTS Master Tenant 1 Notice of Change in Status MBR Tariff to be effective 1/17/2018.
Filed Date: 1/17/18.
Accession Number: 20180117–5028.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER17–1864–003.
Applicants: Bayshore Solar A, LLC.
Description: Compliance filing: Bayshore Solar A Notice of Change in Status MBR Tariff to be effective 1/17/2018.
Filed Date: 1/17/18.
Accession Number: 20180117–5025.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER17–1871–003.
Applicants: Bayshore Solar B, LLC.
Description: Compliance filing: Bayshore Solar B Notice of Change in Status MBR Tariff to be effective 1/17/2018.
Filed Date: 1/17/18.
Accession Number: 20180117–5026.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER17–1909–003.
Applicants: Bayshore Solar C, LLC.
Description: Compliance filing: Bayshore Solar C Notice of Change in Status MBR Tariff to be effective 1/17/2018.
Filed Date: 1/17/18.
Accession Number: 20180117–5027.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER17–2364–001; ER10–2719–027; ER10–2934–011; ER10–2959–012; ER10–2961–012; ER10–3099–019; ER14–2498–007; ER14–2500–007; ER16–2462–006.
Applicants: St. Joseph Energy Center, LLC, East Coast Power Linden Holding, L.L.C., Oregon Clean Energy, LLC, Newark Energy Center, LLC, EIF Newark, LLC, Chambers Cogeneration, Limited Partnership, Edgecombe Genco, LLC, Logan Generating Company, L.P., RC Cape May Holdings, LLC.
Description: Notice of Non-Material Change in Status of St. Joseph Energy Center, et al.
Filed Date: 1/17/18.
Accession Number: 20180117–5122.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER18–156–001.
Applicants: Southern California Edison Company.
Description: Tariff Amendment: SCE's Response to Deficiency re Amended LGIA Altagas Sonoran Energy SA No. 158 to be effective 10/26/2017.
Filed Date: 1/17/18.
Accession Number: 20180117–5099.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER18–662–000.
Applicants: Robinson Power Company, LLC.
Description: Request for Limited Tariff Waiver and for Expedited Action of Robinson Power Company, LLC.
Filed Date: 1/16/18.
Accession Number: 20180116–5283.
Comments Due: 5 p.m. ET 1/24/18.

Docket Numbers: ER18–665–000.
Applicants: South Central MCN LLC.
Description: Compliance filing: Submission of Assignment, Assumption and Amendment of Agreement to be effective 1/17/2018.
Filed Date: 1/17/18.
Accession Number: 20180117–5106.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER18–667–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: § 205(d) Rate Filing: 2018–01–18_SA 3028 Ameren IL-Prairie Power Project#8 Piper City to be effective 1/3/2018.
Filed Date: 1/18/18.
Accession Number: 20180118–5023.
Comments Due: 5 p.m. ET 2/8/18.

Docket Numbers: ER18–668–000.
Applicants: Midcontinent Independent System Operator, Inc. Ameren Illinois Company.
Description: § 205(d) Rate Filing: 2018–01–18_SA 3028 Ameren IL-Prairie Power Project #9 Menard Greenview to be effective 1/3/2018.
Filed Date: 1/18/18.
Accession Number: 20180118–5024.
Comments Due: 5 p.m. ET 2/8/18.

Docket Numbers: ER18–669–000.

Applicants: Mid-Atlantic Interstate Transmission, LLC, Trans-Allegheny Interstate Line Company, PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: MAIT and TrAILCo submit Four ECSAs SA Nos. 4202, 4203, 4204 and 4205 to be effective 3/20/2018.

Filed Date: 1/18/18.

Accession Number: 20180118–5038.

Comments Due: 5 p.m. ET 2/8/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01245 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Institute Proceedings

Docket Number: PR18–23–000.

Applicants: Enstor Katy Storage and Transportation, L.P.

Description: Tariff filing per 284.123(b),(e)/: Resubmission of Revised Enstor Katy SOC to be effective 1/10/2018.

Filed Date: 1/11/18.

Accession Number: 20180111¬5000.

Comments/Protests Due: 5 p.m. ET 2/1/18.

Docket Number: PR18–24–000.

Applicants: Enstor Grama Ridge Storage and Transportation, L.L.C.

Description: Tariff filing per 284.123(b),(e)/: Resubmission of Revised Enstor Grama SOC to be effective 1/10/2018.

Filed Date: 1/11/18.

Accession Number: 20180111¬5001.

Comments/Protests Due: 5 p.m. ET 2/1/18.

Docket Number: RP18–344–000.

Applicants: Rockies Express Pipeline LLC.

Description: Tariff filing per 154.204 Neg Rate 2018–01–11 ARM perm CR to be effective 1/12/18.

Filed Date: 1/11/18.

Accession Number: 20180111–5155.

Comments Due: 5 p.m. ET 1/23/18.

Docket Number: RP18–260–001.

Applicants: Eastern Shore Natural Gas Company.

Description: Tariff filing per 154.203: Amended Filing to Comply in CP17–28–000 Negotiated Rate and Non-Conforming SAs to be effective 12/14/2017 under RP18–260.

Filed Date: 1/11/18.

Accession Number: 20180111–5145.

Comments Due: 5 p.m. ET 1/23/18.

Docket Number: RP17–346–002.

Applicants: Northwest Pipeline LLC.

Description: Compliance Filing Rate case Settlement.

Filed Date: 01/3/18.

Accession Number: 201801035130.

Comments Due: 5 p.m. ET 1/25/18.

Docket Numbers: RP18–355–000.

Applicants: Guardian Pipeline, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate PAL Agreement—MIECO to be effective 1/17/2018.

Filed Date: 1/17/18.

Accession Number: 20180117–5066.

Comments Due: 5 p.m. ET 1/29/18.

Docket Numbers: RP18–356–000.

Applicants: Trailblazer Pipeline Company LLC.

Description: § 4(d) Rate Filing: Neg Rate 2018–01–17 Mieco PALS to be effective 1/17/2018.

Filed Date: 1/17/18.

Accession Number: 20180117–5098.

Comments Due: 5 p.m. ET 1/29/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and § 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01249 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5891–009]

Deschutes Valley Water District; Notice of Availability of Revised Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed the Deschutes Valley Water District's (licensee) updated application to amend the license in order to construct and operate fish passage facilities at the Opal Springs Hydroelectric Project No. 5891. The project is located on the Crooked River in Jefferson County, Oregon. The project occupies federal lands administered by the U.S. Bureau of Land Management.

The updated application, filed with the Commission on October 31, 2017, contains an Environmental Analysis in its Exhibit E. After independent review of the licensee's Exhibit E, Commission staff has decided to adopt the licensee's updated Environmental Analysis and issue it as staff's Environmental Assessment (EA). The updated EA analyzes the potential environmental impacts of construction and operation of fish passage facilities plus the proposed mitigation measures and concludes that granting the proposed amendment would not constitute a major federal action that would significantly affect the quality of the human environment.

A copy of the updated EA is on file with the Commission and is available for public inspection. The EA may be viewed on the Commission's website at *http://www.ferc.gov* using the eLibrary link. Enter the docket number (P–5891) in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or call toll-free at 1–866–208–3676 or (202) 502–8659 (for TTY).

A copy of the EA may also be accessed using this link: *https://*

elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14736150.

You may also register online at *http://www.ferc.gov/docs-filing/esubsription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

All comments must be filed within 30 days of the date of this notice and should reference Project No. 5891–009. The Commission strongly encourages electronic filing. Please file comments using the Commission's efiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support. In lieu of electronic filing, please send a paper copy to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

For further information, contact Jennifer Ambler at (202) 502–8586 or *Jennifer.Ambler@ferc.gov.*

Dated: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01253 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER18–664–000]

Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization; Steamboat Hills, LLC

This is a supplemental notice in the above-referenced proceeding of Steamboat Hills, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is February 6, 2018.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website thatenables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, pleaseemail *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01251 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application for Transfer of License and Soliciting Comments, Motions To Intervene, and Protests

	Project No.
Northern Indiana Public Service Company ..... Northern Indiana Public Service Company LLC	12514–084

On January 3, 2018, Northern Indiana Public Service Company (transferor) and Northern Indiana Public Service Company LLC (transferee) filed an application for the transfer of license of the Norway-Oakdale Hydroelectric Project No. 12514. The project is located on the Tippecanoe River in Carroll and White counties, Indiana.

The applicants seek Commission approval to transfer the license for the Norway-Oakdale Hydroelectric Project from the transferor to the transferee. This transfer of license reflects an internal corporate reorganization. The transferor will be merged into newly created transferee.

Applicants Contact: Ms. Hallie Meushaw, Troutman Sanders LLP, 600 Peachtree Street NE, Suite 5200, Atlanta, GA 30308, Phone: 404–885–3660, Email: *hallie.meushaw@troutman.com* and Mr. M. Bryan Little, Senior Counsel, NiSource Corporate Services, 150 West Market Street, Ste. 600, Indianapolis, IN 46204, Phone: 317–694–4903, Email: *Blittle@nisource.com.*

FERC Contact: Patricia W. Gillis, (202) 502–8735, *patricia.gillis@ferc.gov.*

Deadline for filing comments, motions to intervene, and protests: 30 days from the date that the Commission issues this notice. 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/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–12514–084.

Dated: January 18, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–01230 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 9282–037]

PVM Commercial Center, LLC; Pine Valley Hydroelectric Power Company, LLC; Notice of Application for Transfer of License and Soliciting Comments, Motions To Intervene, and Protests

On December 20, 2017, PVM Commercial Center, LLC (transferor) and Pine Valley Hydroelectric Power Company, LLC (transferee) filed an application for the transfer of license for the Pine Valley Project No. 9282. The project is located on the Souhegan River in Hillsborough County, New Hampshire. The project does not occupy Federal lands.

The applicants seek Commission approval to transfer the license for the Pine Valley Project from the transferor to the transferee.

Applicant's Contact: For Transferor and Transferee: Mr. Martin G. Greco, Pine Valley Hydroelectric Power Company, LLC, PO Box 9, South Casco, ME 04077, Phone: 207–655–7000, Email: *mgreco@evergreenelectric.com.*

FERC Contact: Patricia W. Gillis, (202) 502–8735, *patricia.gillis@ferc.gov.*

Deadline for filing comments, motions to intervene, and protests: 30 days from the date that the Commission issues this notice. 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/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–9282–037.

Dated: January 18, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–01229 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2082–062; Project No. 14803–000]

PacifiCorp, Klamath River Renewal Corporation; Notice of Teleconference for Tribal Consultation Meeting

a. *Project Names and Numbers:* Klamath and Lower Klamath Hydroelectric Projects No. 2082 and 14803.

b. *Project licensee:* PacifiCorp and Klamath River Renewal Corporation.

c. *Date and Time of Teleconference:* Monday, February 5, 2018, from 11:00 a.m. to 1:00 p.m. Eastern Standard Time.

d. *FERC Contact:* Jennifer Polardino, (202) 502–6437 or *jennifer.polardino@ferc.gov.*

e. *Purpose of Meeting:* Commission staff will hold a teleconference with the Modoc Tribe to discuss PacifiCorp and the Klamath River Renewal Corporation's (Renewal Corporation) application to amend the existing Klamath Project No. 2082 to administratively remove the J.C. Boyle, Copco No. 1, Copco No. 2, and Iron Gate developments from the license and create a new project, the Lower Klamath Project No. 14803, for those developments. The applicants also request the Lower Klamath Project be transferred to the Renewal Corporation which, if the Commission were to approve its surrender application in a separate proceeding, would then surrender the project license and remove the above four developments.

f. Members of the public and intervenors in the referenced proceedings may attend the teleconference; however, participation will be limited to tribal representatives of the Modoc Tribe and the Commission's representatives. If the Modoc Tribe decides to disclose information about a specific location which could create a risk or harm to an archaeological site or Native American cultural resource, the public will be excused for that portion of the meeting when such information is disclosed. The teleconference meeting will be transcribed by a court reporter and the transcript will be placed in the public record of these proceedings. Please call or email Jennifer Polardino at (202) 502–6437 or *jennifer.polardino@ferc.gov* by Monday, January 29, 2018, to RSVP and to receive the teleconference call-in information.

Dated: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01252 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 12611–010]

Verdant Power, LLC; Notice of Application Accepted for Filing, Soliciting Comments, Protests, and Motions To Intervene

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Proceeding:* Extension of Pilot License Term.

b. *Project No.:* P–12611–010.

c. *Date Filed:* December 29, 2017.

d. *Licensee:* Verdant Power, LLC.

e. *Name and Location of Project:* Roosevelt Island Tidal Energy Project, located on the East River in New York County, New York.

f. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

g. *Licensee Contact Information:* Mr. Ronald F. Smith, President and Chief Operating Officer, Verdant Power, LLC, P.O. Box 282, Roosevelt Island, New York, New York, 10044. Phone: (703) 328–6841.

h. *FERC Contact:* Mr. Mark Pawlowski, (202) 502–6052, *mark.pawlowski@ferc.gov.*

i. Deadline for filing comments, motions to intervene, and protests is February 20, 2018. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, and recommendations, using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–12611–010.

j. *Description of Proceeding:* The licensee seeks Commission approval to

extend the current 10-year term of the pilot license for the Roosevelt Island Tidal Energy Project by five years. The current term of the pilot license expires December 31, 2021. The licensee wants to extend the term so it expires on December 31, 2026. The licensee states it is ready to install the first phase of the licensed project and that the extension is warranted because installation will result in operational data, which will inform the subsequent phases of the pilot license, as well as relicensing the project. Concurrent with the licensee's request for a five-year extension, the licensee filed a Notice of Intent (NOI) to relicense the pilot project and a request that the Commission waive certain deadlines, as required by the Commission's regulations for filing the Pre-Application Document. Should the Commission grant the licensee's request for a five-year extension of its licensee term, the Commission would dismiss the licensee's NOI and request for waiver.

k. This notice is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street, NE, Washington, DC 20426. The filing may also be viewed on the Commission's website at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the Docket number (P–12611–010) excluding the last three digits in the docket number field to access the notice. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call toll-free 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov.* For TTY, call (202) 502–8659.

l. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

m. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

n. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title COMMENTS, PROTEST, or MOTION TO INTERVENE as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to the request to extend the license term. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: January 18, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–01231 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL18–25–000]

Calpine Bethlehem, LLC, Calpine Mid-Atlantic Generation, LLC, Calpine Mid Merit, LLC, Calpine New Jersey Generation, LLC, Garrison Energy Center LLC, Zon Energy LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On January 18, 2018, the Commission issued an order in Docket No. EL18–25–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into whether the rates for Reactive Supply and Voltage Control Service (Reactive Service) of Calpine Bethlehem, LLC, Calpine Mid-Atlantic Generation, LLC, Calpine Mid Merit, LLC, Calpine New Jersey Generation, LLC, Garrison Energy Center LLC, and Zion Energy LLC (collectively, Applicants) may be unjust and unreasonable. *Calpine Bethlehem, LLC, Calpine Mid-Atlantic Generation, LLC, Calpine Mid Merit, LLC, Calpine New Jersey Generation, LLC, Garrison Energy Center LLC, and Zion Energy LLC,* 162 FERC ¶ 61,031 (2018).

The refund effective date in Docket No. EL18–25–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL18–25–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214, within 21 days of the date of issuance of the order.

Dated: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01250 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER16–2360–005; ER12–2037–011; ER12–2314–007; ER15–2129–004; ER15–2130–004; ER15–2131–004; ER16–2360–005.

Applicants: Great Western Wind Energy, LLC, Milo Wind Project, LLC, Roosevelt Wind Project, LLC, Slate Creek Wind Project, LLC, Spearville 3, LLC, Spinning Spur Wind LLC.

Description: Notice of Non-Material Change in Status of Great Western Wind Energy, LLC, et al.

Filed Date: 1/18/18.

Accession Number: 20180118–5095.

Comments Due: 5 p.m. ET 2/8/18.

Docket Numbers: ER17–2577–001.

Applicants: York Haven Power Company, LLC.

Description: Amended Response of York Haven Power Company, LLC to November 28, 2017 Request for Additional Information.

Filed Date: 1/12/18.

Accession Number: 20180112–5213.

Comments Due: 5 p.m. ET 2/2/18.

Docket Numbers: ER18–156–001.

Applicants: Southern California Edison Company.

Description: Tariff Amendment: SCE's Response to Deficiency re Amended LGIA Altagas Sonoran Energy SA No. 158 to be effective 10/26/2017.
Filed Date: 1/17/18.
Accession Number: 20180117–5099.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER18–671–000.
Applicants: Alabama Power Company.
Description: § 205(d) Rate Filing: Pulaski County Solar 2 (Hawkinsville 1 Solar) LGIA Filing to be effective 1/3/2018.
Filed Date: 1/18/18.
Accession Number: 20180118–5060.
Comments Due: 5 p.m. ET 2/8/18.

Docket Numbers: ER18–672–000.
Applicants: Unitil Energy Systems, Inc.
Description: Notice of Termination of Wheeling Agreement of Unitil Energy Systems, Inc.
Filed Date: 1/17/18.
Accession Number: 20180117–5139.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER18–673–000.
Applicants: Unitil Energy Systems, Inc.
Description: Notice of Termination of Wheeling Agreement of Unitil Energy Systems, Inc.
Filed Date: 1/17/18.
Accession Number: 20180117–5141.
Comments Due: 5 p.m. ET 2/7/18.

Docket Numbers: ER18–674–000.
Applicants: PacifiCorp.
Description: § 205(d) Rate Filing: Exelon NITSA (OR D.A.) Rev 1 to be effective 1/1/2018.
Filed Date: 1/18/18.
Accession Number: 20180118–5082.
Comments Due: 5 p.m. ET 2/8/18.

Docket Numbers: ER18–675–000.
Applicants: AES Ohio Generation, LLC.
Description: Tariff Cancellation: AES Ohio Generation Notice of Termination Rate Schedule 3 to be effective 2/20/2018.
Filed Date: 1/18/18.
Accession Number: 20180118–5103.
Comments Due: 5 p.m. ET 2/8/18.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES18–21–000.
Applicants: Union Electric Company.
Description: Application under Federal Power Act Section 204 of Union Electric Company.
Filed Date: 1/18/18.
Accession Number: 20180118–5084.
Comments Due: 5 p.m. ET 2/8/18.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF18–490–000.
Applicants: UE–00601MD.
Description: Form 556 of UD–00601MD.
Filed Date: 1/10/18.
Accession Number: 20180110–5214.
Comments Due: None Applicable.

Docket Numbers: QF18–501–000.
Applicants: Computer Avenue, LLC.
Description: Form 556 of Computer Avenue, LLC.
Filed Date: 1/18/18.
Accession Number: 20180118–5099.
Comments Due: None Applicable.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: January 18, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–01248 Filed 1–23–18; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2016–0109; FRL–9971–51–OEI]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; Pesticide Data Call-in Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), ''Pesticide Data Call-in Program'' (EPA ICR No. 2288.03, OMB Control No. 2070–0174) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a reinstatement of a previously approved ICR. Public comments were previously requested via the **Federal Register** on August 23, 2017 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before February 23, 2018.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OPP–2016–0109, to (1) EPA online using *www.regulations.gov* (our preferred method), or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460, and (2) OMB via email to *oira_submission@omb.eop.gov.* Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Cameo Smoot, Field and External Affairs Division, (7596P), EPA, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (703) 305–5454; email address: *smoot.cameo@epa.gov.*

SUPPLEMENTARY INFORMATION: Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov* or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit *http://www.epa.gov/dockets.*

Abstract: This ICR covers the information collection activities associated with the issuance of data-call-ins (DCIs) under section 3(c)(2)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). In general, before manufacturers can sell pesticides in the United States, EPA must evaluate the pesticides thoroughly to ensure that they meet federal safety

standards to protect human health and the environment. EPA grants a ''registration'' or license that permits a pesticide's distribution, sale, and use only after the company meets the scientific and regulatory requirements. In evaluating a pesticide registration application, EPA assesses a wide variety of potential human health and environmental effects associated with the use of the product. Applicants, or potential registrants, must generate or provide the scientific data necessary to address concerns pertaining to the identity, composition, potential adverse effects, and environmental fate of each pesticide. The data allow EPA to evaluate whether a pesticide has the potential to cause harmful effects on certain non-target organisms and endangered species that include: Humans; wildlife; plants; and surface water or ground water.

Through a rigorous scientific and public process, EPA specifies the kinds of data and information necessary to make regulatory judgments about the risks and benefits of pesticide products under FIFRA sections 3, 4 and 5, as well as the data and information needed to determine the safety of pesticide chemical residues under FFDCA section 408. The regulations in 40 CFR part 158 describe the minimum data and information EPA typically requires to support an application for pesticide registration or amendment; support the reregistration of a pesticide product; support the maintenance of a pesticide registration by means of the data call-in process; or establish or maintain a tolerance or exemption from the requirements of a tolerance for a pesticide chemical residue. As described in 40 CFR 158.30, however, FIFRA provides EPA with flexibility to require, or not require, data and information for the purposes of making regulatory judgments for individual pesticide products, thereby allowing for the data required to be modified on an individual basis to fully characterize the use and properties, characteristics, or effects of specific pesticide products under review. The Agency encourages each applicant to consult with EPA to discuss the data requirements prior to and during the registration process. In addition, the Agency cautions applicants that the data routinely required by the regulations may not be sufficient to permit EPA to evaluate the potential of the product to cause unreasonable adverse effects on man or the environment. EPA may, therefore, require the submission of additional data or information beyond that specified in the regulations if such data or information are needed to evaluate a pesticide product as required by FIFRA and FFDCA.

EPA uses the DCIs issued to acquire the data that has been deemed necessary for the Agency's statutorily mandated review of a pesticide's registration, which require it to assess whether the continued registration of an existing pesticide causes an unreasonable adverse effect on human health or the environment and whether the Agency will pursue regulatory measures.

Respondents/affected entities: Pesticide registrants—North American Industrial Classification System (NAICS) code 325320 (Pesticide and Other Agricultural Chemical Manufacturing).

Respondent's obligation to respond: Mandatory under FIFRA section 3(c)(2)(B).

Estimated number of respondents: 122 (total).

Frequency of response: On occasion.

Total estimated burden: 615,447 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: $43,792,523 (per year). There are no capital investment or maintenance and operational costs associated with this collection.

Changes in the Estimates: There is an increase of 353,146 hours in the total estimated respondent burden compared with that identified in the last ICR approved by OMB. The burden increase is a cumulative result of the program implementing new methodologies to calculate respondent burden, the inclusion of a new information collection group—consortium participants—to more accurately reflect the respondent burden, renaming and recalculating an existing information collection group from Enforcement and Unanticipated Incident activities to Maintenance DCIs, and the acceleration of the Registration Review Program. All of these activities have contributed to the significant increase in number of DCIs to be issued (221 versus 45) annually.

Courtney Kerwin,

Director, Regulatory Support Division.

[FR Doc. 2018–01269 Filed 1–23–18; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[CG Docket No. 03–123; DA 17–1214]

Pleading Cycle Extended for Comment on Applications for State Certification for the Provision of Telecommunications Relay Service

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission extends the deadlines for comment on applications for state certification for the provision of state telecommunications relay service (TRS) that were included in a Public Notice DA 17–1074.

DATES: Interested parties may file comments no later than February 23, 2018. Reply comments may be filed no later than March 12, 2018.

ADDRESSES: Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- *Electronic Filers:* Documents may be filed electronically using the internet by accessing ECFS: *https://www.fcc.gov/ecfs/.*
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street SW, Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Dana Wilson, Consumer and Governmental Affairs Bureau at: (202) 418–2247; email: *Dana.Wilson@fcc.gov.*

SUPPLEMENTARY INFORMATION: Interested parties may file comments on or before the dates indicated above in the Dates portion of this notice. All filings must reference CG Docket No. 03–123 and the relevant state identification number of the state application for which comments are being submitted.

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), (844) 432–2275 (videophone), or (202) 418–0432 (TTY). Documents DA 17–1074 and DA 17–1214 can also be downloaded in Word or Portable Document Format (PDF) at: *https://www.fcc.gov/general/telecommunications-relay-services-trs*.

Synopsis

Section 64.606(a)(1) of the Commission's rules requires that public notice of states filing for certification includes notification in the **Federal Register**. The original deadlines of December 1, 2017, for comments and December 18, 2017, for reply comments are therefore extended to February 23, 2018 for comments and March 12, 2018 for reply comments.

Public Notice DA 17–1074 listed the states noted below as having submitted applications to the Commission for renewal of certification of their state TRS programs, for the five-year period from July 26, 2018 through July 25, 2023. These applications can be found on the Commission's website at: *https://www.fcc.gov/general/trs-state-and-territories.*

File No: TRS–19–17
Regulatory Commission of Alaska, State of Alaska
File No: TRS–32–17
California Public Utilities Commission, State of California
File No: TRS–23–17
Colorado Public Utilities Commission, State of Colorado
File No: TRS–48–17
Public Utilities Regulatory Authority, State of Connecticut
File No: TRS–50–17
Florida Public Service Commission, State of Florida
File No: TRS–22–17
Hawaii Public Utilities Commission, State of Hawaii
File No: TRS–08–17
Telephone Relay Access Corporation, State of Indiana
File No: TRS–13–17
Louisiana Relay Administration Board, State of Louisiana
File No: TRS–55–17
Mississippi Public Service Commission, State of Mississippi
File No: TRS–40–17
Nebraska Public Service Commission, State of Nebraska
File No: TRS–42–17
New Hampshire Public Utilities, State of New Hampshire
File No: TRS–30–17
North Carolina Utilities Commission, State of North Carolina
File No: TRS–59–17
Rhode Island Public Utilities Commission, State of Rhode Island
File No: TRS–11–17
South Carolina Public Service Commission, State of South Carolina
File No: TRS–20–17
Tennessee Public Utility Commission, State of Tennessee
File No: TRS–17–17
Public Utility Commission of Texas, State of Texas
File No: TRS–04–17
Dept. for the Deaf and Hard of Hearing, Commonwealth of Virginia
File No: TRS–27–17
Office of the Deaf and Hard of Hearing, State of Washington
File No: TRS–06–17
Public Service Commission of West Virginia, State of West Virginia
File No: TRS–01–17
Wisconsin Dept. of Administration, State of Wisconsin

Federal Communications Commission.

Eliot Greenwald,

Deputy Chief, Disability Rights Office, Consumer and Governmental Affairs Bureau.

[FR Doc. 2018–01224 Filed 1–23–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1147]

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 March 26, 2018. 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 No.: 3060–1147.

Title: Wireless E911 Location Accuracy Requirements (Third Report and Order in PS Docket No. 07–114).

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit, state, local or tribal government, and Federal Government.

Number of Respondents and Responses: 4,294 respondents; 4,510 responses.

Estimated Time per Response: 1 hour–8 hours.

Frequency of Response: On occasion reporting requirement.

Obligation To Respond: Required to obtain or retain benefits. Statutory authority for this collection is contained in 47 U.S.C. Sections 151, 154(i), 301, 303(r), and 332 of the Communications Act, as amended.

Total Annual Burden: 31,668 hours.

Total Annual Cost: No cost.

Privacy Impact Assessment: No Impact(s).

Nature and Extent of Confidentiality: No confidentiality is required for this collection.

Needs and Uses: The Commission is seeking Office of Management and Budget (OMB) approval for an extension of this information collection (no change in the reporting requirement or in the previous burden estimates). The Commission will submit this information collection to OMB after this 60 day comment period.

The Commission's *Third Report and Order* in PS Docket No. 07–114 adopted a rule providing that new CMRS network providers meeting the definition of covered CMRS providers in Section 20.18 and deploying new stand-alone networks must meet the handset-based location accuracy standard in delivering emergency calls for Enhanced 911 service. The rule requires that new stand-alone CMRS providers must satisfy the handset-based location accuracy standard at either a county-based or Public Safety Answering Point (PSAP)-based geographic level. Additionally, in accordance with the pre-existing requirements for CMRS providers using handset-based location technologies, new stand-alone CMRS providers are permitted to exclude up to 15 percent of the counties or PSAP areas they serve due to heavy forestation that limits handset-based technology accuracy in those counties or areas but are required to file an initial list of the specific counties or portions of counties where they are utilizing their respective exclusions.

A. *Updated Exclusion Reports.* Under this information collection and pursuant to current rule section 20.18(h), new stand-alone CMRS providers and existing CMRS providers that have filed initial exclusion reports are required to file reports informing the Commission of any changes to their exclusion lists within thirty days of discovering such changes. The permitted exclusions properly but narrowly account for the known technical limitations of either the handset-based or network-based location accuracy technologies chosen by a CMRS provider, while ensuring that the public safety community and the public at large are sufficiently informed of these limitations.

B. *Confidence and Uncertainty Data.* Under this information collection and pursuant to current rule section 20.18(h), all CMRS providers and other entities responsible for transporting confidence and uncertainty data between the wireless carriers and PSAPs, including LECs, CLECs, owners of E911 networks, and emergency service providers (collectively, System Service Providers (SSPs)) must continue to provide confidence and uncertainty data of wireless 911 calls to Public Safety Answering Points (PSAP) on a per call basis upon a PSAP's request. New stand-alone wireless carriers also incur this obligation. The transport of the confidence and uncertainty data is needed to ensure the delivery of accurate location information with E911 service.

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2018–01212 Filed 1–23–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Recordkeeping Requirements Associated with the Real Estate Lending Standards Regulation for State Member Banks (Reg H–5; OMB No. 7100–0261).

FOR FURTHER INFORMATION CONTACT: 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.

OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–6974.

SUPPLEMENTARY INFORMATION: On June 15, 1984, the Office of Management and Budget (OMB) delegated to the Board authority under the Paperwork Reduction Act (PRA) to approve of and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instrument(s) are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

Final approval under OMB delegated authority of the extension for three years, without revision, of the following report:

Report title: Recordkeeping Requirements Associated with the Real Estate Lending Standards Regulation for State Member Banks.

Agency form number: Reg H–5.

OMB control number: 7100–0261.

Frequency: Policy statement, annually; policy statement (de novo), annually; recordkeeping for loans with LTV's that exceed supervisory limits and maintaining a system of review, quarterly.

Respondents: State member banks.

Estimated number of respondents: 829.

Estimated average hours per response: Policy statement, 5 hours; policy statement (de novo), 20 hours; recordkeeping for loans with LTV's that exceed supervisory limits and maintaining a system of review, 5 hours.

Estimated annual burden hours: Policy statement, 4,145 hours; policy statement (de novo), 20 hours; recordkeeping for loans with LTV's that exceed supervisory limits and maintaining a system of review, 16,580 hours.

General Description of Report: State member banks must adopt and maintain

a written real estate lending policy that is reviewed and approved by the bank's board of directors at least annually. Also, these banks must identify in their loan records loans in excess of the Board's supervisory loan-to-value (LTV) limits.

Legal authorization and confidentiality: The Board has determined that section 304 of Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1828(o)) authorizes the Federal Reserve to require the recordkeeping requirements associated with the Board's Regulation H (12 CFR 208.51). The obligation of state member banks to comply with the Reg H recordkeeping requirements is mandatory. Since the information is not collected by the Federal Reserve, no issue of confidentiality under the Freedom of Information Act (FOIA) normally arises. However, information gathered by the Federal Reserve during examinations of state member banks would be deemed exempt from FOIA disclosure by exemption 8 (5 U.S.C. 552(b)(8)). In addition, exemptions (b)(4) and (b)(6) of FOIA, (5 U.S.C. 552(b)(4) and (b)(6)) also may exempt from disclosure certain data (specifically, individual loans identified as in excess of supervisory LTV limits) collected in response to these requirements if gathered by the Federal Reserve, depending on the particular circumstances. These additional exemptions relate to confidential commercial and financial information and personal information, respectively. Applicability of these exemptions would be determined on a case-by-case basis.

Current actions: On September 27, 2017, the Board published a notice in the **Federal Register** (82 FR 45025) requesting public comment for 60 days on the extension, without revision, of the Recordkeeping Requirements Associated with the Real Estate Lending Standards Regulation for State Member Banks (Reg H–5). The comment period for this notice expired on November 27, 2017. The Board did not receive any comments.

Board of Governors of the Federal Reserve System, January 19, 2018.

Margaret McCloskey Shanks,

Deputy Secretary of the Board.

[FR Doc. 2018–01235 Filed 1–23–18; 8:45 am]

BILLING CODE 6210–01–P

GENERAL SERVICES ADMINISTRATION

[Notice–PBS–2018–01; Docket No. 2018–0002; Sequence No. 1]

Notice of Intent To Prepare an Environmental Impact Statement (EIS) for the Modernization and Expansion of the Existing Otay Mesa Land Port of Entry (LPOE)

AGENCY: Public Building Service (PBS), General Services Administration (GSA).

ACTION: Notice of Intent; Announcement of meeting.

SUMMARY: GSA intends to prepare an EIS to analyze the potential impacts from the proposed modernization and expansion of the existing Otay Mesa LPOE. As the lead agency in this undertaking, GSA is acting on behalf of its major tenant at this facility, the Department of Homeland Security's (DHS) Customs and Border Protection (CBP).

DATES: *Meeting Date:* The Public Involvement and Scoping Meeting will be held on Thursday, February 8, 2018 from 4:00 p.m. to 6:00 p.m., Pacific Time (PT). Interested parties are encouraged to provide written comments regarding the scope of the EIS on or before Monday, February 19, 2018.

ADDRESSES: The meeting will be held at the Holiday Inn Express and Suites San Diego, 2296 Niels Bohr Court, San Diego, CA 92154, telephone 619–710–0900. The meeting will be conducted in an open house format, where project information will be presented and distributed.

Written comments can be submitted by either of the following methods:

- *Email: osmahn.kadri@gsa.gov.*
- *Postal Mail/Commercial Delivery:* ATT: Osmahn Kadri, 50 United Nations Plaza, Room 3345, Mailbox 9, San Francisco, CA 94102.

The views and comments of the public are necessary in helping to determine the scope and content of the environmental analysis.

FOR FURTHER INFORMATION CONTACT: Osmahn A. Kadri, Regional Environmental Quality Advisor/NEPA Project Manager, GSA, at 415–522–3617. Please also call this number if special assistance is needed to attend and participate in the public scoping meeting.

SUPPLEMENTARY INFORMATION:

Background

Otay Mesa is located approximately 17 miles southeast of downtown San Diego, just north of the U.S. border and the Baja California Peninsula of Mexico. The Otay Mesa LPOE is one of the ten busiest LPOE's in the country and is the busiest commercial port on the California/Mexico border. Ever-increasing traffic loads and new security initiatives require increased capacity and new inspection technology to be installed and implemented at existing facilities.

Alternatives

The EIS will consider two ''action'' alternatives and one ''no action'' alternative. The two ''action'' alternatives consist of renovation and expansion activities at the existing Otay Mesa LPOE. These activities could include the construction of additional primary inspection and exit booths; the construction of a new commercial annex building for enrollment and processing capabilities; and the relocation of the existing hazardous materials docks. Improvements could also include modifications to inspection stations and work areas, including the construction of a new Customs and Border Protection (CBP) regional training center. Enhancements could also include the construction and operation of secondary inspection areas, holding rooms, as well as the expansion of pedestrian and commercial lanes.

The ''no action'' alternative assumes that modernization and expansion of the existing LPOE would not occur and that a new facility would not be constructed adjacent to the existing LPOE. The LPOE would continue to operate under current conditions.

Dated: January 17, 2018.

Matthew Jear,

Director, Portfolio Management Division, Pacific Rim Region, Public Buildings Service.

[FR Doc. 2018–01281 Filed 1–23–18; 8:45 am]

BILLING CODE 6820–YF–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–1880]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect

information from the public. Under the Paperwork Reduction Act of 1995 (the PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by March 26, 2018.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address:CMS, Office of Strategic Operations and Regulatory Affairs; Division of Regulations Development; Attention: Document Identifier/OMB Control Number ___; Room C4–26–05; 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, you may make your request using one of following:

1. Access CMS' website address at *http://www.cms.hhs.gov/PaperworkReductionActof1995.*

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:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–1880 Certification as a Supplier of Portable X-Ray and Portable X-Ray Survey Report Form and Supporting Regulations

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collection

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Certification as a Supplier of Portable X-Ray and Portable X-Ray Survey Report Form and Supporting Regulations; *Use:* CMS–1880 is initially completed by suppliers of portable X-ray services, expressing an interest in and requesting participation in the Medicare program. This form initiates the process of obtaining a decision as to whether the conditions of coverage are met as a portable X-ray supplier. It also promotes data reduction or introduction to, and retrieval from, the Certification and Survey Provider Enhanced Reporting (CASPER) by the CMS Regional Offices (ROs). *Form Numbers:* CMS–1880 (OMB control number: 0938–0027); *Frequency:* Occasionally; *Affected Public:* State, Local, or Tribal Governments; *Number of Respondents:* 86; *Total Annual Responses:* 86; *Total Annual Hours:* 22. (For policy questions regarding this collection contact Peter Ajounoma at 410–786–3580.)

Dated: January 19, 2018.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2018–01293 Filed 1–23–18; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; Notice of Charter Renewal

In accordance with Title 41 of the U.S. Code of Federal Regulations, Section 102–3.65(a), notice is hereby given that the Charter for the National Center for Advancing Translational Sciences Advisory Council will be renewed for an additional two-year period on February 7, 2018.

It is determined that the National Center for Advancing Translational Sciences Advisory Council is in the public interest in connection with the performance of duties imposed on the National Institutes of Health by law, and that these duties can best be performed through the advice and counsel of this group.

Inquiries may be directed to Claire Harris, Acting Director, Office of Federal Advisory Committee Policy, Office of the Director, National Institutes of Health, 6701 Democracy Boulevard, Suite 1000, Bethesda, Maryland 20892 (Mail code 4875), *harriscl@nih.gov* or Telephone (301) 496–2123.

Dated: January 18, 2018.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01187 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Mental Health; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial

property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Early Phase and Career Development—Pathophysiology and Clinical Trials.

Date: February 13, 2018.

Time: 1:30 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: David I. Sommers, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, 6001 Executive Blvd., Room 6154, MSC 9606, Bethesda, MD 20892, 301–443–7861, *dsommers@mail.nih.gov*.

Name of Committee: National Institute of Mental Health Special Emphasis Panel; Addressing Suicide Research Gaps: Aggregating and Mining Existing Data Sets for Secondary Analyses.

Date: February 16, 2018.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Marcy Ellen Burstein, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, NIH Neuroscience Center, 6001 Executive Blvd., Room 6143, MSC 9606, Bethesda, MD 20892–9606, 301–443–9699, *bursteinme@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program No. 93.242, Mental Health Research Grants, National Institutes of Health, HHS)

Dated: January 18, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01201 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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 as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Cancer Institute, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors for Basic Sciences, National Cancer Institute.

Date: March 12, 2018.

Time: 9:00 a.m. to 3:30 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: National Institutes of Health, 31 Center Drive, Building 31, Wing C; 6th Floor, Conference Room 6, Bethesda, MD 20892.

Contact Person: Mehrdad Tondravi, Ph.D., Chief, Institute Review Office, Office of the Director, National Cancer Institute, National Institutes of Health, 9609 Medical Center, Room 3W302, Bethesda, MD 20892–9750, 240–276–5664, *tondravim@mail.nih.gov.*

Name of Committee: Board of Scientific Counselors for Clinical Sciences and Epidemiology National Cancer Institute.

Date: March 13, 2018.

Time: 9:00 a.m. to 2:30 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: National Institutes of Health, 31 Center Drive, Building 31, Wing C; 6th Floor, Conference Room 6, Bethesda, MD 20892.

Contact Person: Brian E. Wojcik, Ph.D., Senior Review Administrator, Institute Review Office, Office of the Director, National Cancer Institute, National Institutes of Health, 9609 Medical Center, Room 3W414, Bethesda, MD 20892–9750, 240–276–5664, *wojcikb@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: January 18, 2018.

Melanie Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01188 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the NIH Clinical Center Research Hospital Board.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the provisions set forth in section 552b(c)(9)(B), Title 5 U.S.C., as amended because the premature disclosure of program documents—PAC and the discussions would likely to significantly frustrate implementation of recommendations.

Name of Committee: NIH Clinical Center Research Hospital Board.

Date: February 2, 2018.

Open: 9:00 a.m. to 3:10 p.m.

Agenda: Patient Safety at the CC—Right Path; Patient & Staff Safety Beyond Stars; Center for Cellular Engineering.

Place: National Institutes of Health, Building 31, 6th Floor, Conference Room: 6C6, 31 Center Drive, Bethesda, MD 20892.

Closed: 3:10 p.m. to 5:00 p.m.

Agenda: To review and evaluate identification of candidates for leadership roles.

Place: National Institutes of Health, Building 31, 6th Floor, Conference Room: 6C6, 31 Center Drive, Bethesda, MD 20892.

Contact Person: Gretchen Wood, Staff Assistant, Office of the Director, National Institutes of Health, One Center Drive, Building 1, Room 126, Bethesda, MD 20892, 301–496–4272, *woodgs@nih.gov*.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: January 18, 2018.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01193 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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/or contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with grant applications and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel, SEP 7: NCI Clinical and Translational Exploratory/Developmental Studies.

Date: February 16, 2018.

Time: 7:00 a.m. to 6:00 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: Robert S. Coyne, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W236, Bethesda, MD 20892–9750, 240–276–5120, *coyners@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, TEP–7A: Cancer Symptom Management.

Date: February 21, 2018.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 1E030, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Jeffrey E. DeClue, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W114, Bethesda, MD 20892–9750, 240–276–6371, *decluej@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, TEP–7B: Models for Disparity Research.

Date: February 22, 2018.

Time: 12:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 1E030, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Jeffrey E. DeClue, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W114, Bethesda, MD 20892–9750, 240–276–6371, *decluej@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel; Physical Science—Oncology Projects.

Date: February 23, 2018.

Time: 12:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W242, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Zhiqiang Zou, MD, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W242, Bethesda, MD 20892–9750, 240–276–6372, *zouzhiq@mail.nih.gov.*

Name of Committee: National Cancer Institute Initial Review Group, Subcommittee J—Career Development.

Date: February 28–March 1, 2018.

Time: 8:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, North Bethesda, MD 20852.

Contact Person: Tushar Deb, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W624, Bethesda, MD 20892–9750, 240–276–6132, *tushar.deb@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, U01 Conference Grant Review.

Date: February 28, 2018.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W556, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Bratin K. Saha, Ph.D., Scientific Review Officer, Program Coordination and Referral Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W556, Bethesda, MD 20892–9750, 240–276–6411, *sahab@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, Multilevel Interventions in Cancer Care Delivery.

Date: February 28, 2018.

Time: 12:30 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W104, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Eun Ah Cho, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W104, Bethesda, MD 20892–9750, 240–276–6342, *choe@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, NCI Program Project VII (P01) Review.

Date: March 2, 2018.

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: Clifford W. Schweinfest, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W108, Bethesda, MD 20892–9750, 240–276–6343, *schweinfestcw@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, Innovative Molecular and Cellular Analysis Technologies (IMAT).

Date: March 2, 2018.

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: Yasuko Furumoto, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W424, Bethesda, MD 20892–9750, 240–276–5287, *yasuko.furumoto@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, Cooperative Agreement to Develop Targeted Agents for Use with Systemic Agents plus Radiotherapy.

Date: March 2, 2018.

Time: 10:00 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W640, Rockville, MD 20850 (Telephone Conference Call).

Contact Person: Saejeong J. Kim, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W640, Bethesda, MD 20892–9750, 240–276–5179, *saejeong.kim@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, SEP–1B: NCI Clinical and Translational Exploratory/Developmental Studies.

Date: March 2, 2018.

Time: 12:00 p.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W248, Rockville, MD 20850 (Telephone Conference Call).
Contact Person: Anita T. Tandle, Ph.D., Scientific Review Officer, Research Programs Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W248, Bethesda, MD 20892–9750, 240–276–5007, *tandlea@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, SEP–5B: NCI Clinical and Translational Exploratory/Developmental Studies.
Date: March 7, 2018.
Time: 11:00 a.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W264, Rockville, MD 20850 (Telephone Conference Call).
Contact Person: Ombretta Salvucci, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W264, Bethesda, MD 20892–9750, 240–276–7286, *salvucco@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, Outstanding Investigator Award I.
Date: March 8–9, 2018.
Time: 8:00 a.m. to 1:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Gaithersburg Marriott Washingtonian Center, 9751 Washingtonian Boulevard, Gaithersburg, MD 20878.
Contact Person: Caterina Bianco, MD, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W110, Bethesda, MD 20892–9750, 240–276–6459, *biancoc@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, U01 Small Cell Lung Cancer Consortium.
Date: March 14, 2018.
Time: 12:00 p.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W238, Rockville, MD 20850 (Telephone Conference Call).
Contact Person: Byeong-Chel Lee, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W238, Bethesda, MD 20892–9750, 240–276–7755, *byeong-chel.lee@nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, Cancer Biomarkers and Biospecimens Review Meeting.
Date: March 22, 2018.
Time: 10:00 a.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Cancer Institute, Shady Grove, 9609 Medical Center Drive, Room 7W106, Rockville, MD 20850 (Telephone Conference Call).
Contact Person: Reed A. Graves, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W106, Bethesda, MD 20892–9750, 240–276–6384, *gravesr@mail.nih.gov.*

Name of Committee: National Cancer Institute Special Emphasis Panel, Omnibus SEP–6.
Date: April 3–4, 2018.
Time: 6:00 p.m. to 6:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Bethesda North Marriott Hotel & Conference Center, 5701 Marinelli Road, Bethesda, MD 20852.
Contact Person: Eduardo E. Chufan, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W254, Bethesda, MD 20892–9750, 240–276–7975, *chufanee@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: January 18, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01189 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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: Oncology 2—Translational Clinical Integrated Review Group; Cancer Biomarkers Study Section.
Date: February 15–16, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Residence Inn by Marriott Bethesda, 7335 Wisconsin Ave, Bethesda, MD 20814.
Contact Person: Lawrence Ka-Yun Ng, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6152, MSC 7804, Bethesda, MD 20892, 301–357–9318, *ngkl@csr.nih.gov.*

Name of Committee: Oncology 2—Translational Clinical Integrated Review Group; Drug Discovery and Molecular Pharmacology Study Section.
Date: February 20–21, 2018.
Time: 8:00 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: The Dupont Hotel, 1500 New Hampshire Avenue NW, Washington, DC 20036.
Contact Person: Jeffrey Smiley, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6194, MSC 7804, Bethesda, MD 20892, 301–594–7945, *smileyja@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member conflict: Topics in Hepatology.
Date: February 21, 2018.
Time: 1:00 p.m. to 4:00 p.m.
Agenda: To review and evaluate grant applications.
Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).
Contact Person: Jonathan K Ivins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2190, MSC 7850, Bethesda, MD 20892, (301) 594–1245, *ivinsj@csr.nih.gov.*

Name of Committee: Brain Disorders and Clinical Neuroscience Integrated Review Group; Acute Neural Injury and Epilepsy Study Section.
Date: February 22–23, 2018.
Time: 7:30 a.m. to 5:00 p.m.
Agenda: To review and evaluate grant applications.
Place: Hotel Zoe, 425 North Point Street, San Francisco, CA 94133.
Contact Person: Seetha Bhagavan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5194, MSC 7846, Bethesda, MD 20892, (301) 237–9838, *bhagavas@csr.nih.gov.*

Name of Committee: Molecular, Cellular and Developmental Neuroscience Integrated Review Group; Drug Discovery for the Nervous System Study Section.
Date: February 22, 2018.
Time: 8:00 a.m. to 6:30 p.m.
Agenda: To review and evaluate grant applications.
Place: Sheraton Clayton Plaza Hotel, 7730 Bonhomme Avenue, St. Louis, MO 63031.
Contact Person: Mary Custer, Ph.D., Scientific Review Officer, Center for

Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4148, MSC 7850, Bethesda, MD 20892, (301) 435–1164, *custerm@csr.nih.gov.*

Name of Committee: Bioengineering Sciences & Technologies Integrated Review Group; Biodata Management and Analysis Study Section.

Date: February 22, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hotel Sorento, 900 Madison Street, Seattle, WA 98104.

Contact Person: Wenchi Liang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3150, MSC 7770, Bethesda, MD 20892, 301–435–0681, *liangw3@csr.nih.gov.*

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Gastrointestinal Mucosal Pathobiology Study Section.

Date: February 22–23, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Long Beach and Executive Center, 701 West Ocean Boulevard, Long Beach, CA 90831.

Contact Person: Aiping Zhao, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm 2188 MSC7818, Bethesda, MD 20892–7818, (301) 435–0682, *zhaoa2@csr.nih.gov.*

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cellular, Molecular and Integrative Reproduction Study Section.

Date: February 22, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Marriott Wardman Park Washington DC Hotel, 2660 Woodley Road, NW, Washington, DC 20008.

Contact Person: Gary Hunnicutt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6164, MSC 7892, Bethesda, MD 20892, 301–435–0229, *hunnicuttgr@csr.nih.gov.*

Name of Committee: Cell Biology Integrated Review Group; Membrane Biology and Protein Processing Study Section.

Date: February 22, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Janet M Larkin, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5142, MSC 7840, Bethesda, MD 20892, 301–806–2765, *larkinja@csr.nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Neurotoxicology and Alcohol Study Section.

Date: February 22–23, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Argonaut Hotel, 495 Jefferson Street, San Francisco, CA 94109.

Contact Person: Jana Drgonova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5213, Bethesda, MD 20892, 301–827–2549, *jdrgonova@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowship: Immunology.

Date: February 22–23, 2018.

Time: 8:00 a.m. to 10:00 a.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Long Beach and Executive Center, 701 West Ocean Boulevard, Long Beach, CA 90831.

Contact Person: Liying Guo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4016F, Bethesda, MD 20892, 301–435–0908, *lguo@mail.nih.gov.*

Name of Committee: Musculoskeletal, Oral and Skin Sciences Integrated Review Group; Oral, Dental and Craniofacial Sciences Study Section.

Date: February 22–23, 2018.

Time: 8:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Arlington, 1325 Wilson Boulevard, Arlington, VA 22209.

Contact Person: Yi-Hsin Liu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4214, MSC 7814, Bethesda, MD 20892, 301–435–1781, *liuyh@csr.nih.gov.*

Name of Committee: Digestive, Kidney and Urological Systems Integrated Review Group; Hepatobiliary Pathophysiology Study Section.

Date: February 22–23, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.

Contact Person: Jianxin Hu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2156, Bethesda, MD 20892, 301–827–4417, *jianxinh@csr.nih.gov.*

Name of Committee: Emerging Technologies and Training Neurosciences Integrated Review Group; Bioengineering of Neuroscience, Vision and Low Vision Technologies Study Section.

Date: February 22–23, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Westin St. Francis, 335 Powell Street, San Francisco, CA 94102.

Contact Person: Robert C Elliott, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5190, MSC 7846, Bethesda, MD 20892, 301–435–3009, *elliotro@csr.nih.gov.*

Name of Committee: Immunology Integrated Review Group; Vaccines Against Microbial Diseases Study Section.

Date: February 22–23, 2018.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: SpringHill Suites, 9000 Bayfront Court, San Diego, CA 92101.

Contact Person: Jian Wang, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4218, MSC 7812, Bethesda, MD 20892, (301) 435–2778, *wangjia@csr.nih.gov.*

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Genetic Variation and Evolution Study Section.

Date: February 22–23, 2018.

Time: 10:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Ronald Adkins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2206, MSC 7890, Bethesda, MD 20892, 301–435–4511. *ronald.adkins@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Molecular Probes.

Date: February 23, 2018.

Time: 8:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Sheraton Clayton Plaza Hotel, 7730 Bonhomme Avenue, St. Louis, MO 63031.

Contact Person: Mary Custer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4148, MSC 7850, Bethesda, MD 20892, (301) 435–1164, *custerm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Area: Immunology.

Date: February 23, 2018.

Time: 11:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Long Beach and Executive Center, 701 West Ocean Boulevard, Long Beach, CA 90831.

Contact Person: Liying Guo, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4016F, Bethesda, MD 20892, 301–435–0908, *lguo@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR16–216: Outcome Measures for Use in Treatment Trials for Individuals with IDD.

Date: February 23, 2018.

Time: 1:00 p.m. to 1:30 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Jane A Doussard-Roosevelt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, MSC 7848, Bethesda, MD 20892, (301) 435–4445, *doussarj@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Collaborative Applications: Child Psychopathology.

Date: February 23, 2018.

Time: 2:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854.

Contact Person: Jane A Doussard-Roosevelt, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3184, MSC 7848, Bethesda, MD 20892, (301) 435–4445, *doussarj@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Healthcare Delivery and Implementation Research.

Date: February 23, 2018.

Time: 12:30 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Xin Yuan, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3141, Bethesda, MD 20892, 301–827–7245, *yuanx4@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: January 18, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01186 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, 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: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Integrative Physiology of Obesity and Diabetes Study Section.

Date: February 20–21, 2018.

Time: 8:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz Carlton Hotel, 1150 22nd Street NW, Washington, DC 20037.

Contact Person: Raul Rojas, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6185, Bethesda, MD 20892, (301)451–6319, *rojasr@mail.nih.gov*.

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group; Mechanisms of Sensory, Perceptual, and Cognitive Processes Study Section.

Date: February 20–21, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Bahia Resort Hotel, 998 West Mission Bay Drive, San Diego, CA 92109.

Contact Person: Kirk Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7844, Bethesda, MD 20892, 301–435–1242, *kgt@mail.nih.gov*.

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group; Health Services Organization and Delivery Study Section.

Date: February 20–21, 2018.

Time: 8:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.

Contact Person: Jacinta Bronte-Tinkew, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3164, MSC 7770, Bethesda, MD 20892, (301) 806–0009, *brontetinkewjm@csr.nih.gov*.

Name of Committee: Healthcare Delivery and Methodologies Integrated Review Group, Dissemination and Implementation Research in Health Study Section.

Date: February 21–22, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Palomar Hotel, 2121 P Street NW, Washington, DC 20037.

Contact Person: Yvonne Owens Ferguson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, Bethesda, MD 20892, 301–827–3689, *fergusonyo@csr.nih.gov*.

Name of Committee: Infectious Diseases and Microbiology Integrated Review Group; Vector Biology Study Section.

Date: February 21–22, 2018.

Time: 8:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Marines' Memorial Club & Hotel, 609 Sutter Street, San Francisco, CA 94102.

Contact Person: Liangbiao Zheng, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3214, MSC 7808, Bethesda, MD 20892, 301–402–5671, *zhengli@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–15–358—Molecular and Cellular Causal Aspects of Alzheimer's Disease.

Date: February 21, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.

Contact Person: Afia Sultana, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Room 4189, Bethesda, MD 20892, (301) 827–7083, *sultanaa@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–17–047—Selective Cell and Network Vulnerability in Aging and Alzheimer's Disease.

Date: February 21, 2018.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Alexandria Old Town, 1767 King Street, Alexandria, VA 22314.

Contact Person: Afia Sultana, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Room 4189, Bethesda, MD 20892, (301) 827–7083, *sultanaa@mail.nih.gov.*

Name of Committee: Bioengineering Sciences & Technologies Integrated Review Group; Instrumentation and Systems Development Study Section.

Date: February 21–22, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: JW Marriott New Orleans, 614 Canal Street, New Orleans, LA 70130.

Contact Person: Joseph Thomas Peterson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4118, MSC 7814, Bethesda, MD 20892, 301–408–9694, *petersonjt@csr.nih.gov.*

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Genomics, Computational Biology and Technology Study Section.

Date: February 21–22, 2018.

Time: 11:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Virtual Meeting).

Contact Person: Baishali Maskeri, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of

Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–2864, *maskerib@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR15–359: Biomarker Studies for Diagnosing Alzheimer's Disease and Predicting Progression.

Date: February 21, 2018.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Paula Elyse Schauwecker, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 701 Rockledge Drive, Room 5211, Bethesda, MD 20892, 301–760–8207, *schauweckerpe@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; (PAR–15–161) Clinical Pilot Studies in Kidney Diseases.

Date: February 21, 2018.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Atul Sahai, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2188, MSC 7818, Bethesda, MD 20892, 301–435–1198, *sahaia@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: January 18, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01185 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy And Infectious Diseases; Notice of Closed 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 of Allergy and Infectious Diseases Special Emphasis Panel NIAID Investigator Initiated Program Project Applications (P01).

Date: February 15, 2018.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892 (Telephone Conference Call).

Contact Person: Julio Aliberti, Ph.D., Scientific Review Officer Scientific Review Program DEA/NIAID/NIH/DHHS, 5601 Fishers Lane, MSC–9823, Rockville, MD 20852, 301–761–7322, *alibertijc@niaid.nih.gov.*

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel NIAID Resource-related Research Projects (R24).

Date: February 22, 2018.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892 (Telephone Conference Call).

Contact Person: James T. Snyder, Ph.D., Scientific Review Officer Scientific Review Program, Division of Extramural Activities/Room 3G31B, National Institutes of Health, NIAID, 5601 Fishers Lane MSC 9823, Rockville, MD 20892, (240) 669–5060, *james.snyder@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: *January 18, 2018.*

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01191 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Allergy, Immunology, and Transplantation Research Committee.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(6), Title 5 U.S.C., as amended for review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute of Allergy and Infectious Diseases, including consideration of personnel qualifications and performance, and the competence of individual investors, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Allergy, Immunology, and Transplantation Research Committee.

Date: February 15–16, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Ritz Carlton Hotel, 1150 22nd Street NW, Washington, DC 20037.

Contact Person: James T. Snyder, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities/Room 3G31B, National Institutes of Health, NIAID, 5601 Fishers Lane, MSC 9834, Bethesda, MD 20892–9834, (240) 669–5060, *james.snyder@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: January 18, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01190 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; 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 of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, Time-Sensitive Obesity Research.

Date: January 29, 2018.

Time: 3:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Michele L. Barnard, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7353, 6707 Democracy Boulevard, Bethesda, MD 20892–2542, (301) 594–8898, *barnardm@extra.niddk.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, NIDDK–KUH–Member Conflict SEP.

Date: February 7, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.

Contact Person: Xiaodu Guo, MD, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7023, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–4719, *guox@extra.niddk.nih.gov.*

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, NIDDK–KUH–Fellowship Review.

Date: February 7, 2018.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.

Contact Person: Xiaodu Guo, MD, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7023, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, (301) 594–4719, *guox@extra.niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: January 18, 2018.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–01192 Filed 1–23–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1800]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before April 24, 2018.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1800, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found

online at *https://www.floodsrp.org/pdfs/srp_overview.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: January 9, 2018.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Essex County, New Jersey (All Jurisdictions)	
Project: 17–02–0794S Preliminary Date: June 30, 2017	
Borough of North Caldwell	Borough Hall, 141 Gould Avenue, North Caldwell, NJ 07006.
Borough of Roseland	Public Works Department, 300 Eagle Rock Avenue, Roseland, NJ 07068.
Township of Livingston	Township Hall, Engineering Department, 357 South Livingston Avenue, Livingston, NJ 07039.
Township of West Caldwell	Municipal Building, 30 Clinton Road, West Caldwell, NJ 07006.
Morris County, New Jersey (All Jurisdictions)	
Project: 14–02–2566S Preliminary Dates: February 26, 2016 and August 22, 2017	
Borough of Butler	Borough Municipal Building, 1 Ace Road, Butler, NJ 07405.
Borough of Chatham	Borough Municipal Building, 54 Fairmount Avenue, Chatham, NJ 07928.
Borough of Florham Park	Borough Hall, 111 Ridgedale Avenue, Florham Park, NJ 07932.
Borough of Kinnelon	Borough Municipal Building, 130 Kinnelon Road, Kinnelon, NJ 07405.
Borough of Lincoln Park	Borough Building Department, 34 Chapel Hill Road, Lincoln Park, NJ 07035.
Borough of Madison	Borough Hall, Hartley Dodge Memorial Building, 50 Kings Road, Madison, NJ 07940.
Borough of Mendham	The Phoenix House, 2 West Main Street, Mendham, NJ 07945.
Borough of Morris Plains	Borough Hall, 531 Speedwell Avenue, Morris Plains, NJ 07950.
Borough of Mount Arlington	Borough Hall, 419 Howard Boulevard, Mount Arlington, NJ 07856.
Borough of Netcong	Borough Municipal Building, 23 Maple Avenue, Netcong, NJ 07857.
Borough of Riverdale	Borough Municipal Building, 91 Newark-Pompton Turnpike, Riverdale, NJ 07457.
Borough of Rockaway	Borough Municipal Building, 1 East Main Street, Rockaway, NJ 07866.
Borough of Victory Gardens	Victory Gardens Borough Municipal Building, 337 South Salem Street, Dover, NJ 07801.
Borough of Wharton	Borough Hall, 10 Robert Street, Wharton, NJ 07885.
Town of Boonton	Town Hall, 100 Washington Street, Boonton, NJ 07005.
Town of Dover	Engineering Department, 100 Princeton Avenue, Dover, NJ 07801.
Town of Morristown	Town Hall, 200 South Street, Morristown, NJ 07960.
Township of Boonton	Township Municipal Building, 155 Powerville Road, Boonton Township, NJ 07005.
Township of Chatham	Township Municipal Building, 58 Meyersville Road, Chatham, NJ 07928.
Township of Chester	Township Building, 1 Parker Road, Chester, NJ 07930.
Township of Denville	Engineering Department, 1 Saint Mary's Place, Denville, NJ 07834.
Township of East Hanover	Township Municipal Building, Construction Department, 411 Ridgedale Avenue, East Hanover, NJ 07936.
Township of Hanover	Hanover Township Municipal Building, 1000 Route 10, Whippany, NJ 07981.
Township of Harding	Harding Township Municipal Building, 21 Blue Mill Road, New Vernon, NJ 07976.
Township of Jefferson	Jefferson Township Municipal Building, 1033 Weldon Road, Lake Hopatcong, NJ 07849.
Township of Long Hill	Long Hill Township Hall, 915 Valley Road, Gillette, NJ 07933.
Township of Mendham	Mendham Township Building, 2 West Main Street, Brookside, NJ 07926.
Township of Mine Hill	Municipal Building, 10 Baker Street, Mine Hill, NJ 07803.
Township of Montville	Township Municipal Building, Engineering Department, 195 Changebridge Road, Montville, NJ 07045.
Township of Morris	Morris Township Municipal Building, 50 Woodland Avenue, Morristown, NJ 07960.
Township of Mount Olive	Mount Olive Township Hall, 204 Flanders-Drakestown Road, Budd Lake, NJ 07828.

Community	Community map repository address
Township of Parsippany-Troy Hills	Parsippany-Troy Hills Township Hall, 1001 Parsippany Boulevard, Parsippany, NJ 07054.
Township of Pequannock	Pequannock Township Municipal Building, 530 Newark-Pompton Turnpike, Pompton Plains, NJ 07444.
Township of Randolph	Township Municipal Building, 502 Millbrook Avenue, Randolph, NJ 07869.
Township of Rockaway	Township Municipal Building, 65 Mount Hope Road, Rockaway, NJ 07866.
Township of Roxbury	Township of Roxbury Town Hall, 1715 Route 46, Ledgewood, NJ 07852.
Township of Washington	Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, NJ 07853.
Passaic County, New Jersey (All Jurisdictions)	
Project: 17–02–0805S Preliminary Date: August 30, 2017	
Borough of Totowa	Municipal Complex, Clerk's Office, 537 Totowa Road at Cherba Place, Totowa, NJ 07512.
Township of Little Falls	Township Hall, 225 Main Street, Little Falls, NJ 07424.
Township of Wayne	Township Hall, Engineering Department, 475 Valley Road, Wayne, NJ 07470.
Erie County, New York (All Jurisdictions)	
Project: 17–02–0762S Preliminary Dates: February 19, 2016 and September 29, 2017	
Town of Amherst	Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221.

[FR Doc. 2018–01216 Filed 1–23–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4350–DR; Docket ID FEMA–2018–0001]

Mississippi; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Mississippi (FEMA–4350–DR), dated November 22, 2017, and related determinations.

DATES: This amendment was issued January 2, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Mississippi is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of November 22, 2017.

Hancock County for Public Assistance.

Stone County for emergency protective measures [Category B] under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–01218 Filed 1–23–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4353–DR; Docket ID FEMA–2018–0001]

California; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of California (FEMA–4353–DR), dated January 2, 2018, and related determinations.

DATES: This amendment was issued January 10, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident for this disaster has been expanded to include flooding, mudflows, and debris flows directly related to the wildfires. During the incident period, only those areas within the designated areas specifically determined by the Federal Coordinating Officer to be damaged or adversely affected as a direct result of the compromised watershed conditions and fire-generated debris caused by the

wildfires will be considered eligible for assistance on a case-by-case basis.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidential Declared Disaster Areas; 97.049, Presidential Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidential Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–01219 Filed 1–23–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4353–DR; Docket ID FEMA–2018–0001]

California; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of California (FEMA–4353–DR), dated January 2, 2018, and related determinations.

DATES: The declaration was issued January 2, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 2, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of California resulting from wildfires beginning on December 4, 2017, and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of California.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, William Roche, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of California have been designated as adversely affected by this major disaster:

Santa Barbara and Ventura Counties for Public Assistance.

All areas within the State of California are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–01221 Filed 1–23–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at *https://msc.fema.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to

section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at *https://msc.fema.gov.*

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: January 9, 2018.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Arizona:					
Cochise (FEMA Docket No.: B–1752).	Unincorporated Areas of Cochise County (17–09–1682P).	The Honorable Ann English, Chair, Board of Supervisors, Cochise County, 1415 West Melody Lane, Building G, Bisbee, AZ 85603.	Cochise County Flood Control District, 1415 West Melody Lane, Building F, Bisbee, AZ 85603.	Dec. 27, 2017	040012
Maricopa (FEMA Docket No.: B–1750).	City of Glendale (17–09–0883P).	The Honorable Jerry Weiers, Mayor, City of Glendale, 5850 West Glendale Avenue, Glendale, AZ 85301.	City Hall, 5850 West Glendale Avenue, Glendale, AZ 85301.	Dec. 22, 2017	040045
Maricopa (FEMA Docket No.: B–1750).	City of Peoria (17–09–0883P).	The Honorable Cathy Carlat, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	City Hall, 8401 West Monroe Street, Peoria, AZ 85345.	Dec. 22, 2017	040050
Maricopa (FEMA Docket No.: B–1750).	City of Phoenix (17–09–0814P).	The Honorable Greg Stanton, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, AZ 85003.	Street Transportation Department, 200 West Washington Street, 5th Floor, Phoenix, AZ 85003.	Dec. 22, 2017	040051
California:					
Riverside (FEMA Docket No.: B–1746).	Unincorporated Areas of Riverside County (17–09–1375P).	The Honorable John F. Tavaglione, Chairman, Board of Supervisors, Riverside County, 4080 Lemon Street, 5th Floor, Riverside, CA 92501.	Riverside County, Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501.	Nov. 29, 2017	060245
San Diego (FEMA Docket No.: B–1750).	Unincorporated Areas of San Diego County (17–09–0655P).	The Honorable Dianne Jacob, Chair, Board of Supervisors, San Diego County, 1600 Pacific Highway, Room 335, San Diego, CA 92101.	Department of Public Works, Flood Control, 5510 Overland Avenue, Suite 410, San Diego, CA 92123.	Dec. 21, 2017	060284
Ventura (FEMA Docket No.: B–1752).	City of Fillmore (16–09–2533P).	The Honorable Carrie Broggie, Mayor, City of Fillmore, 250 Central Avenue, Fillmore, CA 93015.	City Hall, 250 Central Avenue, Fillmore, CA 93015.	Dec. 29, 2017	060415
Ventura (FEMA Docket No.: B–1752).	Unincorporated Areas of Ventura County (16–09–2533P).	The Honorable John C. Zaragoza, Chairman, Board of Supervisors, Ventura County, 800 South Victoria Avenue, Ventura, CA 93009.	Ventura County, Hall of Administration, 800 South Victoria Avenue, Ventura, CA 93009.	Dec. 29, 2017	060413
Florida:					
Duval (FEMA Docket No.: B–1750).	City of Jacksonville (17–04–4330P).	The Honorable Lenny Curry, Mayor, City of Jacksonville, City Hall at St. James Building, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	City Hall, 117 West Duval Street, Jacksonville, FL 32202.	Dec. 15, 2017	120077
Leon (FEMA Docket No.: B–1750).	Unincorporated Areas of Leon County (17–04–2660P).	Mr. Vincent Long, County Administrator, Leon County, 301 South Monroe Street 5th Floor, Tallahassee, FL 32301.	Leon County Courthouse, 301 South Monroe Street, Tallahassee, FL 32301.	Dec. 19, 2017	120143
St. Johns (FEMA Docket No.: B–1746).	Unincorporated Areas of St. Johns County (17–04–3359P).	The Honorable James K. Johns, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084.	Nov. 27, 2017	125147
St. Johns (FEMA Docket No.: B–1746).	Unincorporated Areas of St. Johns County (17–04–3769P).	The Honorable James K. Johns, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32084.	St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084.	Dec. 6, 2017	125147
Idaho: Blaine (FEMA Docket No.: B–1752).	Unincorporated Areas of Blaine County (17–10–0681P).	The Honorable Jacob Greenberg, Commissioner, Blaine County, 206 1st Avenue South, Suite 300, Hailey, ID 83333.	Blaine County Planning & Zoning, 219 1st Avenue South, Suite 208, Hailey, ID 83333.	Dec. 28, 2017	165167
Illinois:					
Tazewell (FEMA Docket No.: B–1750).	City of Washington (17–05–0896P).	The Honorable Gary W. Manier, Mayor, City of Washington, 301 Walnut Street, Washington, IL 61571.	City Hall, 301 Walnut Street, Washington, IL 61571.	Nov. 9, 2017	170655

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Tazewell (FEMA Docket No.: B–1750).	Unincorporated Areas of Tazewell County (17–05–0896P).	The Honorable David Zimmerman, Chairman, Tazewell County Board, McKenzie Building, 11 South 4th Street, Suite 432, Pekin, IL 61554.	McKenzie Building, 4th Floor, 11 South 4th Street, Pekin, IL 61554.	Nov. 9, 2017	170815
Will (FEMA Docket No.: B–1750).	Unincorporated Areas of Will County (16–05–6813P).	The Honorable Lawrence M. Walsh, County Executive, Will County, Will County Office Building, 302 North Chicago Street, Joliet, IL 60432.	Land Use Department, 58 East Clinton Street, Suite 100, Joliet, IL 60432.	Nov. 28, 2017	170695
Will (FEMA Docket No.: B–1750).	Village of Romeoville (17–05–4409P).	The Honorable John D. Noak, Mayor, Village of Romeoville, 1050 West Romeo Road, Romeoville, IL 60446.	Village Hall, 1050 West Romeo Road, Romeoville, IL 60446.	Dec. 22, 2017	170711
Iowa: Bremer (FEMA Docket No.: B–1750).	City of Waverly (17–07–0954P).	The Honorable Charles D. Infelt, Mayor, City of Waverly, 200 1st Street Northeast, Waverly, IA 50677.	City Hall, 200 1st Street Northeast, Waverly, IA 50677.	Dec. 22, 2017	190030
Kansas:					
Johnson (FEMA Docket No.: B–1746).	City of Leawood (17–07–1313P).	The Honorable Peggy J. Dunn, Mayor, City of Leawood, City Hall, 4800 Town Center Drive, Leawood, KS 66211.	City Hall, 4800 Town Center Drive, Leawood, KS 66211.	Nov. 15, 2017	200167
Johnson (FEMA Docket No.: B–1746).	City of Olathe (17–07–1191P).	The Honorable Michael Copeland, Mayor, City of Olathe, 100 East Santa Fe Street, Olathe, KS 66061.	City Hall, Planning Office, 100 East Santa Fe Drive, Olathe, KS 66061.	Nov. 24, 2017	200173
Missouri:					
St. Louis (FEMA Docket No.: B–1750).	City of Chesterfield (16–07–2013P).	The Honorable Bob Nation, Mayor, City of Chesterfield, Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, MO 63017.	City Hall, 690 Chesterfield Parkway West, Chesterfield, MO 63017.	Dec. 5, 2017	290896
St. Louis (FEMA Docket No.: B–1746).	City of Chesterfield (17–07–0724P).	The Honorable Bob Nation, Mayor, City of Chesterfield, 690 Chesterfield Parkway West, Chesterfield, MO 63017.	Chesterfield Municipal Court, 690 Chesterfield Parkway West, Chesterfield, MO 63017.	Nov. 16, 2017	290896
St. Louis (FEMA Docket No.: B–1750).	City of Creve Coeur (16–07–2013P).	The Honorable Barry Glantz, Mayor, City of Creve Coeur, Creve Coeur Government Center, 300 North New Ballas Road, Creve Coeur, MO 63141.	Government Center, 300 North New Ballas Road, Creve Coeur, MO 63141.	Dec. 5, 2017	290344
St. Louis (FEMA Docket No.: B–1750).	City of Town and Country (16–07–2013P).	The Honorable Jon F. Dalton, Mayor, City of Town and Country, Municipal Center, 1011 Municipal Center Drive, Town and Country, MO 63131.	Municipal Center, 1011 Municipal Center Drive, Town and Country MO 63131.	Dec. 5, 2017	290389
St. Louis (FEMA Docket No.: B–1750).	Unincorporated Areas of St. Louis County (16–07–2013P).	Mr. Steven A. Stenger, County Executive, St. Louis County, St. Louis County Government Center, 41 South Central, Clayton, MO 63105.	St. Louis County Government Community Development, 121 South Meramec Avenue, Clayton, MO 63105.	Dec. 5, 2017	290327
Nevada:					
Carson City (FEMA Docket No.: B–1750).	City of Carson City (16–09–1091P).	The Honorable Robert Crowell, Mayor, City of Carson City, City Hall, 201 North Carson Street Suite 2, Carson City, NV 89701.	Carson City, Permit Center, 108 East Proctor Street, Carson City, NV 89701.	Dec. 26, 2017	320001
Clark (FEMA Docket No.: B–1752).	Unincorporated Areas of Clark County (17–09–0607P).	The Honorable Steve Sisolak, Chairman, Board of Supervisors, Clark County, 500 South Grand Central Parkway, 6th Floor, Las Vegas, NV 89106.	Office of the Director of Public Works, 500 South Grand Central Parkway, Las Vegas, NV 89155.	Dec. 26, 2017	320003
Ohio:					
Fairfield (FEMA Docket No.: B–1750).	City of Lancaster (17–05–3331P).	The Honorable David S. Smith, Mayor, City of Lancaster, Lancaster City Hall, 104 East Main Street, Room 101, Lancaster, OH 43130.	Municipal Building, 121 East Chestnut Street, Suite 100, Lancaster, OH 43130.	Dec. 14, 2017	390161
Lake (FEMA Docket No.: B–1750).	City of Wickliffe (16–05–5396P).	The Honorable William A. Margalis, Mayor, City of Wickliffe, Wickliffe City Hall, 28730 Ridge Road, Wickliffe, OH 44092.	City Hall, Building Department, 28730 Ridge Road, Wickliffe, OH 44092.	Dec. 21, 2017	390321
Montgomery (FEMA Docket No.: B–1752).	City of West Carrollton (16–05–4433P).	The Honorable Jeff Sanner, Mayor, City of West Carrollton, 300 East Central Avenue, West Carrollton, OH 45449.	Civic Center, 300 East Central Avenue, West Carrollton, OH 45449.	Dec. 28, 2017	390419
Oregon: Jackson (FEMA Docket No.: B–1750).	City of Medford (17–10–0050P).	The Honorable Gary Wheeler, Mayor, City of Medford, 411 West 8th Street, Medford, OR 97501.	City Hall, 411 West 8th Street, Medford, OR 97501.	Dec. 1, 2017	410096
Texas:					
Dallas (FEMA Docket No.: B–1746).	City of Dallas (17–06–0928P).	The Honorable Michael S. Rawlings, Mayor, City of Dallas, Office of the Mayor, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Department of Public Works, 320 East Jefferson Street, Room 321, Dallas, TX 75203.	Nov. 24, 2017	480171
Dallas and Tarrant (FEMA Docket No.: B–1746).	City of Grand Prairie (17–06–0659P).	The Honorable Ron Jensen, Mayor, City of Grand Prairie, 317 West College Street, Grand Prairie, TX 75053.	City Development Center, 206 West Church Street, Grand Prairie, TX 75050.	Nov. 16, 2017	485472
Tarrant (FEMA Docket No.: B–1746).	City of Fort Worth (17–06–0659P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Department of Transportation and Public Works, 1000 Throckmorton Street, Fort Worth, TX 76102.	Nov. 16, 2017	480596

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Washington: Island (FEMA Docket No.: B–1750).	Unincorporated Areas of Island County (17–10–1006P).	Mr. Richard Hannold, Commissioner, Island County, 1 Northeast 7th Street, Room 214, Coupeville, WA 98239.	Island County Courthouse Annex, 1 Northeast 6th Street, Coupeville, WA 98239.	Dec. 18, 2017	530312
Wisconsin: Waukesha (FEMA Docket No.: B–1746).	Unincorporated Areas of Waukesha County (17–05–3462P).	The Honorable Paul L. Decker, Waukesha County Board Chair, County Courthouse, 515 West Moreland Boulevard, Room C170, Waukesha, WI 53188.	Waukesha County Administration Center, 515 West Moreland Boulevard, Waukesha, WI 53188.	Nov. 20, 2017	550476

[FR Doc. 2018–01217 Filed 1–23–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4356–DR; Docket ID FEMA–2018–0001]

Vermont; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Vermont (FEMA–4356–DR), dated January 2, 2018, and related determinations.

DATES: The declaration was issued January 2, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 2, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Vermont resulting from a severe storm and flooding during the period of October 29–30, 2017, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Vermont.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, James N. Russo, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Vermont have been designated as adversely affected by this major disaster:

Addison, Chittenden, Essex, Franklin, Grand Isle, Lamoille, Orange, Orleans, Washington, and Windham Counties for Public Assistance.

All areas within the State of Vermont are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–01222 Filed 1–23–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

Intent To Request Extension From OMB of One Current Public Collection of Information: Law Enforcement Officer Flying Armed Training

AGENCY: Transportation Security Administration, DHS.

ACTION: 60-Day Notice.

SUMMARY: The Transportation Security Administration (TSA) invites public comment on one currently approved Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0034, abstracted below that we will submit to OMB for an extension in compliance with the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. The collection involves the Federal Air Marshal Service (FAMS) maintenance of a database of all Federal, State and local law enforcement agencies that have received the Law Enforcement Officer (LEO) Flying Armed Training course.

DATES: Send your comments by March 26, 2018.

ADDRESSES: Comments may be emailed to *TSAPRA@tsa.dhs.gov* or delivered to the TSA PRA Officer, Office of Information Technology (OIT), TSA–11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598–6011.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh at the above address, or by telephone (571) 227–2062.

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be available at *http://www.reginfo.gov* upon its submission to OMB. Therefore, in preparation for OMB review and

approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement 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;

(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 using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, TSA is also requesting comments on the extent to which this request for information could be modified to reduce the burden on respondents.

Information Collection Requirement

OMB Control Number 1652–0034; Law Enforcement Officer Flying Armed Training. TSA is requesting approval for the extension of the collection of this information to comply with 49 CFR 1544.219, which requires Federal LEOs, full-time territorial, tribal, municipal, county or state LEOs who are direct employees of government agencies, and authorized railroad police officers to complete the LEOs Flying Armed training course in order to fly armed. The course is a non-tactical overview of the conditions under which an officer may fly armed and the required conduct and duties of the LEO while flying armed. This collection permits TSA to collect identifying information from law enforcement agencies requesting the LEO Flying Armed training course materials.

The process begins when a representative from a law enforcement agency electronically requests the LEO Flying Armed training course material via the TSA Flying While Armed website (*https://www.tsa.gov/travel/law-enforcement*). The fillable form, which is submitted to TSA electronically, must contain: full name of the officer, title, phone number, email address, employing department, work address, supervisor's name, supervisor's title, supervisor's contact information, the agency's originating agency identifier (ORI), an affirmation that the officer/agency meets the requirements set forth in 49 CFR 1544.219, and a brief narrative detailing the agency's operational need to fly armed. Once the fillable form is completed, TSA, through its Office of Training and Development (OTD), receives a notification via email. OTD vets the request to ensure that all of the required information has been submitted and that the agency has a current operational need to fly armed. If OTD determines that the requesting agency meets the standard set forth in 49 CFR 1544.219, they electronically send a non-disclosure agreement (NDA) to the requesting agency. Once OTD receives the signed NDA, they will electronically send the LEO Flying Armed training course materials to the requesting agency. OTD keeps an electronic record of each agency that they have sent LEO Flying Armed training course material to, including a point of contact (POC) for that agency. If an issue arises during the screening and verification process regarding the authenticity of an agency that requests training materials, no training materials will be supplied until that issue has either been confirmed or resolved, and a record of such is maintained.

Upon completion of the training, the LEO who has been authorized by his or her agency to fly armed presents his or her credentials and other required documentation at the airport in order to fly armed. A Transportation Security Officer verifies all pertinent information onsite. Based on current data, TSA estimates there are approximately 2,000 respondents on an annual basis. At most, each agency spends approximately 5 minutes to provide the information TSA needs to confirm the law enforcement agencies are eligible to receive the training. This amounts to 2000 agencies multiplied by 5 minutes equals 166.6 hours (2000 agencies × 5 min = 10,000 min [166.6 hrs.]) for a total annual hour burden of 167 hours.

Dated: January 19, 2018.

Christina A. Walsh,

TSA Paperwork Reduction Act Officer, Office of Information Technology.

[FR Doc. 2018–01242 Filed 1–23–18; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6078–N–01]

Mortgage and Loan Insurance Programs Under the National Housing Act—Debenture Interest Rates

AGENCY: Office of the Assistant Secretary for Housing, HUD.

ACTION: Notice.

SUMMARY: This Notice announces changes in the interest rates to be paid on debentures issued with respect to a loan or mortgage insured by the Federal Housing Administration under the provisions of the National Housing Act (the Act). The interest rate for debentures issued under Section 221(g)(4) of the Act during the 6-month period beginning January 1, 2018, is 2 ⅜ percent. The interest rate for debentures issued under any other provision of the Act is the rate in effect on the date that the commitment to insure the loan or mortgage was issued, or the date that the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is higher. The interest rate for debentures issued under these other provisions with respect to a loan or mortgage committed or endorsed during the 6-month period beginning January 1, 2018, is 2¾ percent.

FOR FURTHER INFORMATION CONTACT: Yong Sun, Department of Housing and Urban Development, 451 Seventh Street SW, Room 5148, Washington, DC 20410–8000; telephone (202) 402–4778 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: Section 224 of the National Housing Act (12 U.S.C. 1715o) provides that debentures issued under the Act with respect to an insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4) of the Act) will bear interest at the rate in effect on the date the commitment to insure the loan or mortgage was issued, or the date the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is higher. This provision is implemented in HUD's regulations at 24 CFR 203.405, 203.479, 207.259(e)(6), and 220.830. These regulatory provisions state that the applicable rates of interest will be published twice each year as a notice in the **Federal Register**.

Section 224 further provides that the interest rate on these debentures will be set from time to time by the Secretary of HUD, with the approval of the Secretary of the Treasury, in an amount not in excess of the annual interest rate determined by the Secretary of the Treasury pursuant to a statutory formula based on the average yield of all outstanding marketable Treasury obligations of maturities of 15 or more years.

The Secretary of the Treasury (1) has determined, in accordance with the provisions of Section 224, that the statutory maximum interest rate for the period beginning January 1, 2018, is 2¾ percent; and (2) has approved the establishment of the debenture interest rate by the Secretary of HUD at 2¾ percent for the 6-month period beginning January 1, 2018. This interest rate will be the rate borne by debentures issued with respect to any insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4)) with insurance commitment or endorsement date (as applicable) within the first 6 months of 2018.

For convenience of reference, HUD is publishing the following chart of debenture interest rates applicable to mortgages committed or endorsed since January 1, 1980:

Effective interest rate	On or after	Prior to
9½	Jan. 1, 1980	July 1, 1980
9⅞	July 1, 1980	Jan. 1, 1981
11¾	Jan. 1, 1981	July 1, 1981
12⅞	July 1, 1981	Jan. 1, 1982
12¾	Jan. 1, 1982	Jan. 1, 1983
10¼	Jan. 1, 1983	July 1, 1983
10⅜	July 1, 1983	Jan. 1, 1984
11½	Jan. 1, 1984	July 1, 1984
13⅜	July 1, 1984	Jan. 1, 1985
11⅝	Jan. 1, 1985	July 1, 1985
11⅛	July 1, 1985	Jan. 1, 1986
10¼	Jan. 1, 1986	July 1, 1986
8¼	July 1, 1986	Jan. 1. 1987
8	Jan. 1, 1987	July 1, 1987
9	July 1, 1987	Jan. 1, 1988
9⅛	Jan. 1, 1988	July 1, 1988
9⅜	July 1, 1988	Jan. 1, 1989
9¼	Jan. 1, 1989	July 1, 1989
9	July 1, 1989	Jan. 1, 1990
8⅛	Jan. 1, 1990	July 1, 1990
9	July 1, 1990	Jan. 1, 1991
8¾	Jan. 1, 1991	July 1, 1991
8½	July 1, 1991	Jan. 1, 1992
8	Jan. 1, 1992	July 1, 1992
8	July 1, 1992	Jan. 1, 1993
7¾	Jan. 1, 1993	July 1, 1993
7	July 1, 1993	Jan. 1, 1994
6⅝	Jan. 1, 1994	July 1, 1994
7¾	July 1, 1994	Jan. 1, 1995
8⅜	Jan. 1, 1995	July 1, 1995
7¼	July 1, 1995	Jan. 1, 1996
6½	Jan. 1, 1996	July 1, 1996
7¼	July 1, 1996	Jan. 1, 1997
6¾	Jan. 1, 1997	July 1, 1997
7⅛	July 1, 1997	Jan. 1, 1998
6⅜	Jan. 1, 1998	July 1, 1998
6⅛	July 1, 1998	Jan. 1, 1999
5½	Jan. 1, 1999	July 1, 1999
6⅛	July 1, 1999	Jan. 1, 2000
6½	Jan. 1, 2000	July 1, 2000
6½	July 1, 2000	Jan. 1, 2001
6	Jan. 1, 2001	July 1, 2001
5⅞	July 1, 2001	Jan. 1, 2002
5¼	Jan. 1, 2002	July 1, 2002
5¾	July 1, 2002	Jan. 1, 2003
5	Jan. 1, 2003	July 1, 2003
4½	July 1, 2003	Jan. 1, 2004
5⅛	Jan. 1, 2004	July 1, 2004
5½	July 1, 2004	Jan. 1, 2005
4⅞	Jan. 1, 2005	July 1, 2005
4½	July 1, 2005	Jan. 1, 2006
4⅞	Jan. 1, 2006	July 1, 2006
5⅜	July 1, 2006	Jan. 1, 2007
4¾	Jan. 1, 2007	July 1, 2007
5	July 1, 2007	Jan. 1, 2008
4½	Jan. 1, 2008	July 1, 2008
4⅝	July 1, 2008	Jan. 1, 2009
4⅛	Jan. 1, 2009	July 1, 2009
4⅛	July 1, 2009	Jan. 1, 2010
4¼	Jan. 1, 2010	July 1, 2010
4⅛	July 1, 2010	Jan. 1, 2011
3⅞	Jan. 1, 2011	July 1, 2011
4⅛	July 1, 2011	Jan. 1, 2012
2⅞	Jan. 1, 2012	July 1, 2012
2¾	July 1, 2012	Jan. 1, 2013
2½	Jan. 1, 2013	July 1, 2013
2⅞	July 1, 2013	Jan. 1, 2014
3⅝	Jan. 1, 2014	July 1, 2014
3¼	July 1, 2014	Jan. 1, 2015
3	Jan. 1, 2015	July 1, 2015
2⅞	July 1, 2015	Jan. 1, 2016
2⅞	Jan. 1, 2016	July 1, 2016
2½	July 1, 2016	Jan. 1, 2017
2¾	Jan. 1, 2017	July 1, 2017
2⅞	July 1, 2017	Jan. 1, 2018
2¾	Jan. 1, 2018	July 1, 2018

Section 215 of Division G, Title II of Public Law 108–199, enacted January 23, 2004 (HUD's 2004 Appropriations Act) amended Section 224 of the Act, to change the debenture interest rate for purposes of calculating certain insurance claim payments made in cash. Therefore, for all claims paid in cash on mortgages insured under Section 203 or 234 of the National Housing Act and endorsed for insurance after January 23, 2004, the debenture interest rate will be the monthly average yield, for the month in which the default on the mortgage occurred, on United States Treasury Securities adjusted to a constant maturity of 10 years, as found in Federal Reserve Statistical Release H–15. The Federal Housing Administration has codified this provision in HUD regulations at 24 CFR 203.405(b) and 24 CFR 203.479(b).

Section 221(g)(4) of the Act provides that debentures issued pursuant to that paragraph (with respect to the assignment of an insured mortgage to the Secretary) will bear interest at the ''going Federal rate'' in effect at the time the debentures are issued. The term ''going Federal rate'' is defined to mean the interest rate that the Secretary of the Treasury determines, pursuant to a statutory formula based on the average yield on all outstanding marketable Treasury obligations of 8- to 12-year maturities, for the 6-month periods of January through June and July through December of each year. Section 221(g)(4) is implemented in the HUD regulations at 24 CFR 221.255 and 24 CFR 221.790.

The Secretary of the Treasury has determined that the interest rate to be borne by debentures issued pursuant to Section 221(g)(4) during the 6-month period beginning January 1, 2018, is 2⅜ percent.

The subject matter of this notice falls within the categorical exemption from HUD's environmental clearance procedures set forth in 24 CFR 50.19(c)(6). For that reason, no environmental finding has been prepared for this notice.

(Authority: Sections 211, 221, 224, National Housing Act, 12 U.S.C. 1715b, 1715l, 1715o; Section 7(d), Department of HUD Act, 42 U.S.C. 3535(d).)

Dated: January 18, 2018.

Dana T. Wade,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2018–01274 Filed 1–23–18; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6001–N–45]

60-Day Notice of Proposed Information Collection: Multifamily Insurance Benefits Claims Package

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: *Comments Due Date:* March 26, 2018.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

FOR FURTHER INFORMATION CONTACT: Alabama Brumskine, Accountant, Multifamily Claims Branch, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email *Alabama.J.Brumskine@hud.gov* or telephone 202–402–3472. (This is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877–8339. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Multifamily Insurance Benefits Claims Package.

OMB Approval Number: 2502–0418.

Type of Request: Revision of currently approved collection.

Form Number: HUD–2741, HUD–2742, HUD–2744–A, HUD–2744–B, HUD–2744–C, HUD–2744–D, HUD–2744–E, HUD–434, HUD–1044–D.

Description of the need for the information and proposed use: A lender with an insured multifamily mortgage pays an annual insurance premium to the Department. When and if the mortgage goes into default, the lender may elect to file a claim for FHA multifamily insurance benefits with the Department. HUD needs this information to determine if FHA multifamily insurance claims submitted to HUD are accurate, valid and support payment of an FHA multifamily insurance claim.

Respondents (*i.e.* affected public): Business or other for profit entities, non-profit entities, and government agencies.

Estimated Number of Respondents: 110.

Estimated Number of Responses: 110.

Frequency of Response: Occasion.

Average Hours per Response: 4.25.

Total Estimated Burden: 467.50.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: January 5, 2018.

Dana T. Wade,

General Deputy Assistant Secretary for Housing.

[FR Doc. 2018–01272 Filed 1–23–18; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[18X LLIDB00100 L17110000.PH0000 LXSS024D0000 4500117344]

Notice of Public Meetings, Boise District Resource Advisory Council, Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meetings.

SUMMARY: In accordance with the Federal Land Policy and Management Act of 1976 and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management (BLM) Boise District Resource Advisory Council (RAC) will meet as indicated below.

DATES: The Boise District RAC will meet on February 22, 2018, and April 4, 2018. The meetings will begin at 9:00 a.m. and end no later than 4:00 p.m. Periods for public comment will take place from 11:00 a.m. to 11:30 a.m. for both meetings.

ADDRESSES: The Boise District RAC will meet at the BLM Boise District Office, 3948 Development Avenue, Boise, Idaho 83705.

FOR FURTHER INFORMATION CONTACT: Michael Williamson, BLM Boise District, Idaho, 3948 Development Avenue, Boise, Idaho 83705, (208) 384–3393, email *mwilliamson@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may contact Mr. Williamson by calling the Federal Relay Service (FRS) at (800) 877–8339. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with Mr. Williamson. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The 15-member RAC advises the Secretary of the Interior, through the BLM, on a variety of planning and management issues associated with public land management in Idaho. During the February 22, 2018, meeting, the Boise District RAC will discuss a review of the draft for the Four Rivers Field Office Resource Management Plan including any need for follow-up, and receive updates on the Wild Horse and Burro program, travel management planning, Soda Fire rehabilitation, Tri-State fuel break project, and other field office updates. Additional topics may be added and will be included in local media announcements. During the April 4, 2018, meeting, the Boise District RAC will receive updates on the Wild Horse and Burro program, travel management planning, Fire program, Soda Fire rehabilitation, Tri-State and Soda fuel break projects, and other field office updates. Additional topics may be added and will be included in local media announcements.

RAC meetings are open to the public. The public may present written comments to the Council at the address provided above. Each formal Council meeting will also have time allocated for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Before including your address, phone number, email address, or other personal identifying information in your comments, please be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. Individuals who plan to attend and need special assistance, such as sign language interpretation, tour transportation or other reasonable accommodations, should contact the BLM as provided above.

Authority: 43 CFR 1784.4–2.

Lara Douglas,

BLM Boise District Manager.

[FR Doc. 2018–01309 Filed 1–23–18; 8:45 am]

BILLING CODE 4310–AK–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–253 and 731–TA–132, 252, 271, 273, 532–534, and 536 (Fourth Review)]

Certain Circular Welded Pipe and Tube from Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey

Determination

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that revocation of the countervailing duty order on certain circular welded pipe and tube from Turkey and revocation of the antidumping duty orders on certain circular welded pipe and tube from Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted these reviews on June 1, 2017 (82 FR 25328) and determined on September 5, 2017 that it would conduct expedited reviews (82 FR 49423, October 25, 2017).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on January 18, 2018. The views of the Commission are contained in USITC Publication 4754 (January 2018), entitled *Circular Welded Pipe and Tube from Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey: Investigation Nos. 701–TA–253 and 731–TA–132, 252, 271, 273, 532–534, and 536 (Fourth Review).*

By order of the Commission.

Issued: January 19, 2018.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2018–01255 Filed 1–23–18; 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)).

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1070]

Certain Periodontal Laser Devices and Components Thereof Termination of Investigation on the Basis of Withdrawal of the Complaint

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ'') initial determination (''ID'') (Order No. 7), which terminated the investigation on the basis of withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server 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.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 15, 2017, based upon a complaint filed by Millennium Dental Technologies, Inc. of Cerritos, California (''Millennium''). 82 FR 43401, 43402 (Sept. 15, 2017). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), in the importation into the United States, the sale for importation, 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. 82 FR at 43401. The notice of investigation named as respondents Fotona d.o.o. of Ljubljana, Slovenia, and Fotona, LLC of Dallas Texas (collectively, ''Fotona''). The Office of Unfair Import Investigations was also named as a party.

On December 28, 2017, Millennium moved to terminate the investigation based upon withdrawal of the complaint. The Commission investigative attorney responded in support of the motion. Fotona responded that while it did not oppose termination, it intended to reserve the right to seek sanctions against Millennium.

On January 3, 2018, the presiding ALJ granted the motion as the subject ID. The ID finds that the motion complies with Commission Rules, that no extraordinary circumstances prevent the termination of the investigation, and that termination is in the public interest. ID at 1–2; *see* 19 CFR 210.21(a)(1).

No petitions for review of the ID were filed. The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: January 19, 2018.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2018–01295 Filed 1–23–18; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1049]

Certain Digital Cable and Satellite Products, Set-Top Boxes, Gateways and Components Thereof; Commission Determination Not To Review an Initial Determination Granting a Joint Unopposed Motion To Terminate the Investigation Based on a License Agreement; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (Order No. 37) granting a joint unopposed motion to terminate the investigation based on a license agreement.

FOR FURTHER INFORMATION CONTACT: Lucy Grace D. Noyola, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–

205–3438. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 18, 2017, based on a complaint filed by Sony Corporation of Tokyo, Japan and Sony Electronics Inc. of San Diego, California (collectively, ''Sony''), alleging a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337. 82 FR 18310 (Apr. 18, 2017). The complaint, as supplemented, alleges violations of section 337 in the sale for importation, importation and sale after importation of certain digital cable and satellite products, set-top boxes, gateways, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 6,467,093; 8,032,919; 6,556,221; 6,915,525; and RE45,126. The notice of investigation names as respondents ARRIS International plc, ARRIS Group, Inc., ARRIS Enterprises LLC, and ARRIS Solutions, Inc., all of Suwanee, Georgia; ARRIS Technology, Inc. of Horsham, Pennsylvania; ARRIS Global Ltd. (formerly Pace Ltd.) of Saltaire, England; and Pace Americas, LLC, Pace Americas Holdings, Inc., Pace USA LLC, and Pace Americas Investments LLC, all of Boca Raton, Florida (collectively, ''ARRIS''). *Id.* at 18310–11. The Office of Unfair Import Investigations (''OUII'') is also named as a party. *Id.* at 18311.

On December 15, 2017, Sony and ARRIS filed a joint motion to terminate the investigation based on a patent cross license agreement. On December 18, 2017, OUII filed a response supporting the motion.

On December 27, 2017, the presiding administrative law judge (''ALJ'') issued the subject initial determination (''ID'') (Order No. 37), granting the motion. The ALJ found that the cross license agreement is not contrary to the public interest, that good cause has been shown for termination of the investigation, and that termination of the investigation is in the public interest. No petitions for review of the subject ID were filed.

The Commission has determined not to review the subject ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: January 19, 2018.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2018–01302 Filed 1–23–18; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1083]

Certain Personal Computers, Mobile Devices, Digital Media Players, and Microconsoles Commission Determination Not To Review an Initial Determination (Order No. 7) Terminating the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the ''Commission'') has determined not to review a January 2, 2018, initial determination (Order No. 7) (the ''ID'') granting a joint motion to terminate this investigation based on a settlement agreement and withdrawal of the complaint. This investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Ron Traud, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3427. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at 202–205–1810.

SUPPLEMENTARY INFORMATION: On November 14, 2017, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), based on a complaint filed by Aqua Connect, Inc. of Orange, CA; and Strategic Technology Partners, LLC of Orange, CA (collectively, ''Aqua Connect''). 82 FR 55117, 55117–18 (Nov. 14, 2017). The complaint alleges a violation of section 337 by reason of infringement of certain claims of U.S. Patent Nos. RE46,386 and 8,924,502. The complaint named as a respondent Apple Inc. of Cupertino, CA (''Apple''). The Office of Unfair Import Investigations (''OUII'') is also a party in this investigation.

On December 20, 2017, Aqua Connect and Apple filed a confidential joint motion to terminate this investigation based on a settlement agreement (the ''Agreement'') and withdrawal of the complaint. On December 21, 2017, the private parties filed a public version of this motion. OUII filed a response supporting the motion.

On January 2, 2018, the administrative law judge issued the ID, which grants the motion. The ID finds that the private parties' motion complies with Commission Rule 210.21(b), particularly finding that the parties have provided a confidential and a public version of the Agreement, and also finding that the parties' motion states that ''[t]here are no other agreements, written, oral, express or implied, between Aqua Connect and Apple concerning the subject matter of this investigation.'' The ID additionally finds that ''there are no extraordinary circumstances that warrant denying the motion.'' The ID further considers the public interest, as is required under Commission Rule 210.50(b)(2), and determines that ''there is no evidence indicating that terminating this investigation based on the Agreement would be contrary to the public interest.'' Accordingly, the ID grants the motion. No petitions for review of the ID were filed.

The Commission has determined not to review the ID. This investigation is terminated.

The authority for the Commission's determination is contained in Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: January 19, 2018.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2018–01285 Filed 1–23–18; 8:45 am]

BILLING CODE 7020–02–P

OFFICE OF MANAGEMENT AND BUDGET

Calendar Year (CY) 2017 Cost of Outpatient Medical, Dental, and Cosmetic Surgery Services Furnished by the Department of Defense Medical Treatment Facilities; Certain Rates Regarding Recovery From Tortiously Liable Third Persons

AGENCY: Executive Office of the President, Office of Management and Budget.

ACTION: Notice.

SUMMARY: By virtue of the authority vested in the President by Section 2(a) of Public Law 87–693 and delegated to the Director of the Office of Management and Budget by the President through Executive Order 11060, as amended by Executive Order 12608 of September 9, 1987, the rates referenced below are hereby established. These rates are for use in connection with the recovery from tortiously liable third persons for the outpatient medical, dental and cosmetic surgery services furnished by military treatment facilities through the Department of Defense. They are the same rates as the outpatient third party reimbursement rates that were set on July 1, 2017 for billing medical insurers, but require a different approval authority for the purpose of billing for tort liability. The rates were established in accordance with the requirements of OMB Circular A–25, requiring reimbursement of the full cost of all services provided. The CY 2017 outpatient medical, dental and cosmetic surgery services referenced are effective for billing tort liability upon publication of this notice in the **Federal Register** and will remain in effect until further notice. Previously published inpatient rates remain in effect until further notice. Pharmacy rates are updated periodically. A full disclosure of the rates is posted at Health.mil website in the Defense Health Agency Uniform Business Office section (*http://health.mil/Military-Health-Topics/Business-Support/Uniform-Business-Office/Billing/Medical-Affirmative-Claims*).

John Mulvaney,

Director of the Office of Management and Budget.

[FR Doc. 2018–01244 Filed 1–23–18; 8:45 am]

BILLING CODE 3110–01–P

OFFICE OF MANAGEMENT AND BUDGET

Fiscal Year (FY) 2018 Cost of Inpatient Hospital and Medical Care Treatment Furnished by the Department of Defense Medical Treatment Facilities; Certain Rates Regarding Recovery From Tortiously Liable Third Persons

AGENCY: Executive Office of the President, Office of Management and Budget.

ACTION: Notice.

SUMMARY: By virtue of the authority vested in the President by Section 2(a) of Public Law 87–693 and delegated to the Director of the Office of Management and Budget by the President through Executive Order 11060, as amended by Executive Order 12608 of September 9, 1987, the rates referenced below are hereby established. These rates are for use in connection with the recovery from tortiously liable third persons for the cost of inpatient medical services furnished by military treatment facilities through the Department of Defense. They are the same rates as the inpatient third party reimbursement rates that were set on October 1, 2017 for billing medical insurers, but require a different approval authority for the purpose of billing for tort liability. The rates were established in accordance with the requirements of OMB Circular A–25, requiring reimbursement of the full cost of all services provided. The fiscal year 2018 inpatient medical rates referenced are effective for billing tort liability upon publication of this notice in the **Federal Register** and will remain in effect until further notice. Previously published outpatient medical and dental, and cosmetic surgery rates remain in effect until further notice. Pharmacy rates are updated periodically. A full disclosure of the rates is posted at Health.mil website in the Defense Health Agency Uniform Business Office section (*http://health.mil/Military-Health-Topics/Business-Support/Uniform-Business-Office/Billing/Medical-Affirmative-Claims*).

John Mulvaney,

Director of the Office of Management and Budget.

[FR Doc. 2018–01243 Filed 1–23–18; 8:45 am]

BILLING CODE 3110–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–271; NRC–2015–0157]

Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Final environmental assessment and finding of no significant impact; correction.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is correcting a notice that was published in the **Federal Register** (FR) on December 26, 2017, regarding issuance of a final environmental assessment (EA) and finding of no significant impact (FONSI). The EA and FONSI address the issuance of two exemptions that allow Entergy Nuclear Operations, Inc. to use funds from the Vermont Yankee decommissioning trust fund for irradiated fuel management activities. This action is necessary to delete erroneous text in the response to petitioner's comment 1.a. and provide clarification.

DATES: The correction is effective January 24, 2018.

ADDRESSES: Please refer to Docket ID NRC–2015–0157 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2015–0157. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then

select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.*

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Jack Parrott, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6634, email: *Jack.Parrott@nrc.gov.*

SUPPLEMENTARY INFORMATION: In the FR on December 26, 2017, in FR Doc. 2017–27682, on page 61042, in the NRC response to Petitioners comment 1.a., the entire response is corrected to read as follows: ''The NRC disagrees with this comment. The NRC is aware of the possible sale of VY to NorthStar, and that the sale may result in changes to the plan, schedule, and cost estimate for decommissioning. The sale transaction is still pending regulatory review and approval by both the Vermont Public Service Board and the NRC. Pursuant to 10 CFR 50.80, the VY license may not be transferred, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the NRC gives its consent in writing. In light of the pendency of the license transfer request, it would be inappropriate for the agency to prejudge the outcome of this review. However, pursuant to 10 CFR 51.22(c)(21), the agency has determined that, as a generic matter, there are no significant environmental impacts associated with the transfer of the license. While the petitioners have challenged the applicability of the categorical exclusion in these circumstances, the agency believes that, for purposes of this EA, it is appropriate to rely on the existing analysis and to leave future arguments concerning its applicability to the ongoing adjudicatory process. Furthermore, pursuant to 10 CFR 50.33(k), the license transfer request is required to state information in the form of a report indicating how reasonable assurance will be provided that funds will be available to decommission the facility.''

Dated at Rockville, Maryland, this 19th day of January.

For the Nuclear Regulatory Commission.

John R. Tappert,

Director, Division of Decommissioning, Uranium Recovery, and Waste Programs, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2018–01241 Filed 1–23–18; 8:45 am]

BILLING CODE 7590–01–P

PENSION BENEFIT GUARANTY CORPORATION

Proposed Submission of Information Collection for OMB Review; Comment Request; Payment of Premiums

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of intent to request OMB approval of collection of information.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) intends to request that the Office of Management and Budget (OMB) extend for three years its approval under the Paperwork Reduction Act of the collection of information under PBGC's regulation on Payment of Premiums (OMB control number 1212–0009; expires March 31, 2018) without modification. This notice informs the public of PBGC's intent and solicits public comment on the collection of information.

DATES: Comments must be submitted by March 26, 2018.

ADDRESSES: Comments may be submitted by any of the following methods:

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the website instructions for submitting comments.

• *Email: paperwork.comments@pbgc.gov.*

• *Mail or Hand Delivery:* Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005–4026.

Comments received will be posted to *www.pbgc.gov.*

Copies of the collection of information and comments may be obtained without charge by writing to the Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005–4026; faxing a request to 202–326–4042; or calling 202–326–4040 during normal business hours. (TTY/ASCII users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4040.) The premium payment regulation and the premium instructions (including illustrative forms) are available at *www.pbgc.gov.*

FOR FURTHER INFORMATION CONTACT: Stephanie Cibinic, Deputy Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW, Washington, DC 20005–4026; 202–326–4400 ext. 6352. (TTY/ASCII users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4400 ext. 6352.)

SUPPLEMENTARY INFORMATION:

Section 4007 of Title IV of the Employee Retirement Income Security Act of 1974 (ERISA) requires pension plans covered under Title IV pension insurance programs to pay premiums to PBGC. All plans covered by Title IV pay a flat-rate per-participant premium. An underfunded single-employer plan also pays a variable-rate premium based on the value of the plan's unfunded vested benefits.

Pursuant to section 4007, PBGC has issued its regulation on Payment of Premiums (29 CFR part 4007). Under § 4007.3 of the premium payment regulation, the plan administrator of each pension plan covered by Title IV of ERISA is required to file a premium payment and information prescribed by PBGC for each premium payment year. Premium information is filed electronically using ''My Plan Administration Account'' (''My PAA'') through PBGC's website. Under § 4007.10 of the premium payment regulation, plan administrators are required to retain records about premiums and information submitted in premium filings.

Premium filings report (i) the flat-rate premium and related data (all plans), (ii) the variable-rate premium and related data (single-employer plans), and (iii) additional data such as identifying information and miscellaneous plan-related or filing-related data (all plans). PBGC needs this information to identify the plans for which premiums are paid, to verify whether the amounts paid are correct, to help PBGC determine the magnitude of its exposure in the event of plan termination, to help track the creation of new plans and transfer of participants and plan assets and liabilities among plans, and to keep PBGC's insured-plan inventory up to date. That information and the retained records are also needed for audit purposes.

The collection of information under the regulation has been approved through March 31, 2018, by OMB under control number 1212–0009. PBGC intends to request that OMB approve the

revised collection of information for three years without change. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

PBGC estimates that it will receive 23,700 premium filings per year from 23,700 plan administrators under this collection of information. PBGC further estimates that the annual burden of this collection of information is 10,439 hours and $16,392,500.

PBGC is soliciting public comments to—

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodologies and assumptions used;
- enhance the quality, utility, and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Stephanie Cibinic,

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

[FR Doc. 2018–01265 Filed 1–23–18; 8:45 am]

BILLING CODE 7709–02–P

OFFICE OF PERSONNEL MANAGEMENT

Reinstatement of a Previously Approved Information Collection: General Request for Investigative Information (INV 40), Investigative Request for Employment Data and Supervisor Information (INV 41), Investigative Request for Personal Information (INV 42), Investigative Request for Educational Registrar and Dean of Students Record Data (INV 43), and Investigative Request for Law Enforcement Data (INV 44)

AGENCY: Office of Personnel Management.

ACTION: 60-Day notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the National Background Investigations Bureau (NBIB), Office of Personnel Management (OPM) proposes to request the Office of Management and Budget (OMB) to reinstate a previously-approved information collection, *General Request for Investigative Information (INV 40), Investigative Request for Employment Data and Supervisor Information (INV 41), Investigative Request for Personal Information (INV 42), Investigative Request for Educational Registrar and Dean of Students Record Data (INV 43), and Investigative Request for Law Enforcement Data (INV 44).*

DATES: Comments are encouraged and will be accepted until March 26, 2018. This process is conducted in accordance with 5 CFR 1320.8(d)(1).

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the National Background Investigations Bureau, U.S. Office of Personnel Management, 1900 E Street NW, Washington, DC 20415, Attention: Donna McLeod or sent by email to *FISFormsComments@opm.gov.*

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the National Background Investigations Bureau, U.S. Office of Personnel Management, 1900 E Street NW, Washington, DC 20415, Attention: Donna McLeod; or sent by email to *FISFormsComments@opm.gov* or phone at 202–606–2139.

SUPPLEMENTARY INFORMATION: OPM is soliciting comments for this collection as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2). The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of 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.

The INV 40, 41, 42, 43, and 44 are used to conduct the ''written inquiries'' portion of the investigation, to include investigations for suitability or fitness for Civil Service, nonappropriated fund, or contract employment pursuant to standards issued under Civil Service Rule V, E.O. 13488, as amended, E.O. 13764, and 5 CFR part 731; investigations for employment in a sensitive national security position or for eligibility for access to classified information pursuant to standards issued under E.O. 12968, as amended, E.O. 13764, and 5 CFR part 1400; and investigations for identity credentials for long-term physical and logical access to Federally-controlled facilities and information systems, pursuant to standards issued under E.O. 13764. The INV forms 40 and 44, in particular, facilitate OPM's access to criminal history record information under 5 U.S.C. 9101.

The content of the INV forms is also designed to meet notice requirements for personnel investigations specified by 5 CFR 736.102(c). These notice requirements apply to any ''investigation . . . to determine the suitability, eligibility, or qualifications of individuals for Federal employment, for work on Federal contracts, or for access to classified information or restricted areas.''

None of the forms are used for any purpose other than a personnel background investigation, as described above. The completed forms are maintained by OPM subject to the protections of the Privacy Act of 1974, as amended.

Procedurally, the subject of a personnel background investigation discloses the identity of relevant sources, such as supervisors, coworkers, neighbors, friends, current or former spouses, instructors, relatives, or schools attended, on the standard form (SF) 85, Questionnaire for Non-Sensitive Positions; the SF 85P, Questionnaire for Public Trust Positions; or the SF 86, Questionnaire for National Security Positions. The INV forms are distributed to the provided source contacts identified on the standard form questionnaire through an automated mailing operation.

The INV 40 is used to collect records from a Federal or State record repository or a credit bureau. The INV 44 is used to collect law enforcement data from a criminal justice agency. The INV 41, 42, and 43 are sent to employment references, associates, and educational institutions. The forms disclose that the source's contact information was provided by the subject to assist in completing a background investigation

to help determine the subject's eligibility for employment or security clearance, and request that the source complete the form to help in this determination. Generally, the subject of the investigation will identify these employment references, associates, and schools on his or her SF 85, SF 85P, or SF 86 questionnaire.

OPM proposes the following modifications to the INV 40, INV 41, INV 42, INV 43 and INV 44. On all of the forms, an explanation was added to address the need to have the forms completed and returned as soon as possible. The Privacy Act Information section changed from, ''The information you provide, including your identity, will be disclosed to the person being investigated and other federal agencies, at this person's request'' to ''The information you provide, including your identity, will be furnished to the agency requesting the investigation, other agencies as warranted, and to the person investigated upon his or her specific request. Routine uses for disclosure of investigative records are published in the **Federal Register** at 81 FR 70194–95.'' The INV 41 and INV 43, Instruction, ''Your name has been provided by the person'' was amended to ''Your contact information was provided by the person.'' The INV 41, 42, 43, and 44 were amended to refer to the purpose of the investigations as ''eligibility for employment or security clearance'' for uniformity. The INV 41 and INV 42 Privacy Act Information, ''Providing additional information on this form will void your request for confidentiality'' was removed. Specific instructions for requesting confidentiality are provided in block 6 on the INV 41 and block 8 on the INV 42. Changes were made to OPM's form processing options found on the INV 40, INV 41, INV 43, and INV 44. Modifications were made to clarify the use of the ''additional information'' section on the INV 41, INV 42, INV 43, and INV 44.

In an effort to align the collection of information obtained through written inquiries and the collection of information disclosed by the subject of the background investigation on the standard form questionnaires, the following changes were made. INV 41 (#2) (e) ''Fired for unfavorable employment or conduct'' was amended to ''Fired''; (f) ''Resigned after informed of possible firing'' was amended to ''Quit after being told they would be fired''; (g) ''Left employment by mutual agreement due to specific problems'' was amended to ''Left by mutual agreement following charges or allegations of misconduct''; and (h) ''left by mutual agreement following notice of unsatisfactory performance.'' was added. INV 41 (#2) and INV 42 (#7) ''abuse of drugs'' was amended to ''abuse/illegal use of drugs.''

Analysis

Agency: NBIB, Office of Personnel Management.

Title: General Request for Investigative Information (INV 40), Investigative Request for Employment Data and Supervisor Information (INV 41), Investigative Request for Personal Information (INV 42), Investigative Request for Educational Registrar and Dean of Students Record Data (INV 43), and Investigative Request for Law Enforcement Data (INV 44).

OMB Number: 3206–0165.

Affected Public: Forms are not used for any purpose other than a personnel background investigation. The completed forms are maintained by OPM and are subject to the protections of the Privacy Act of 1974, as amended.

Procedurally, the subject of a personnel background investigation discloses the identity of relevant sources, such as supervisors, coworkers, neighbors, friends, current or former spouses, instructors, relatives, or schools attended, on the standard form (SF) 85, Questionnaire for Non-Sensitive Positions; the SF 85P, Questionnaire for Public Trust Positions; or the SF 86, Questionnaire for National Security Positions. After OPM receives a completed SF 85, SF 85P, or SF 86, the INV forms are distributed to the provided source contacts through an automated mailing operation.

The INV 40 is used to collect records from a Federal or State record repository or a credit bureau. The INV 44 is used to collect law enforcement data from a criminal justice agency. The INV 41, 42, and 43 are sent to employment references, associates, and educational institutions attended. The forms disclose that the source's name was provided by the subject to assist in completing a background investigation to help determine the subject's eligibility for employment or security clearance, and request that the source complete the form to help in this determination. Generally, the subject of the investigation will identify these employment references, associates, and schools on his or her SF 85, SF 85P, or SF 86 questionnaire. If information is omitted on the questionnaire, however, the information may be provided in a follow-up contact between the subject and an investigator.

Number of Respondents: 5,682,744 (58,071 (INV 40); 3,358,486 (INV 41); 56,090 (INV 42); 855,051 (INV 43); 1,355,046 (INV 44))

Estimated Time per Respondent: 5 minutes per form (INV 40, INV 41, INV 42, INV 43, INV 44)

Total Burden Hours: 473,562 (4,839 (INV 40); 279,874 (INV 41); 4,674 (INV 42); 71,254 (INV 43); 112,921 (INV 44))

Office of Personnel Management.

Kathleen M. McGettigan,

Acting Director.

[FR Doc. 2018–01258 Filed 1–23–18; 8:45 am]

BILLING CODE 6325–53–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82531; File No. SR–NYSE–2017–53]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend the Listed Company Manual for Special Purpose Acquisition Companies To Lower the Initial Holders Requirement From 300 to 150 Round Lot Holders and To Eliminate Completely the 300 Public Stockholders Continued Listing Requirement, To Require at Least $5 Million in Net Tangible Assets for Initial and Continued Listing, and To Impose a 30-Day Deadline To Demonstrate Compliance With the Initial Listing Requirements Following a Business Combination

January 18, 2018.

On November 16, 2017, New York Stock Exchange LLC (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to amend the Listed Company Manual for Special Purpose Acquisition Companies (''SPACs'') [3] to lower the initial holders requirement from 300 to 150 round lot holders and to eliminate the continued listing requirement of 300 public stockholders completely, to require at least $5 million in net tangible assets for initial listing and continued listing, and to impose a 30-day deadline to demonstrate compliance with initial listing requirements following a

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Commission notes that throughout this Notice we have used the term ''SPAC'' or ''SPACs.'' These terms have the same meaning as an ''Acquisition Company'' or ''AC'' which is the term used by NYSE in its current proposed rule filing and rule text.

business combination. The proposed rule change was published for comment in the **Federal Register** on December 6, 2017.[4] The Commission received two comments on the proposal.[5]

Section 19(b)(2) of the Act[6] provides that within 45 days of the notice publication of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is January 20, 2018. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposal and the comment letters. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[7] designates March 6, 2018, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSE–2017–53).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–01208 Filed 1–23–18; 8:45 am]

BILLING CODE 8011–01–P

[4] *See* Securities Exchange Act Release No. 82180 (November 30, 2017), 82 FR 57632 (December 6, 2017) (''Notice'').

[5] *See* Letters to Brent J. Fields, Secretary, Commission, from Michael Kitlas, dated November 30, 2017 (''Kitlas Letter'') and Jeffrey P. Mahoney, General Counsel, Council of Institutional Investors, dated December 20, 2017 (''CII Letter'').

[6] 15 U.S.C. 78s(b)(2).

[7] *Id.*

[8] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82529; File No. SR–CBOE–2018–003]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Delete Obsolete Rules

January 18, 2018.

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 January 3, 2018, Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') 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 delete Rules that no longer apply to the Exchange and make other nonsubstantive changes to the Rules. The text of the proposed rule change is available on the Exchange's website (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this rule change is to delete Rules that no longer apply to the Exchange and to make other nonsubstantive changes to the Rules.

Deletion of Rules

The Exchange proposes to delete the following rules and chapters from its rulebook:

- *Rule 2.40—Market-Maker Surcharge for Brokerage.* Rule 2.40 operated as a pilot program until March 30, 2000, at which time the program expired (and the Exchange did not request renewal). The Exchange does not impose a surcharge on Market-Maker transactions pursuant to this rule. Any fees and rebates applicable to any Market-Maker transactions are included in the Cboe Options Fees Schedule.
- *Rule 6.2—Trading Rotations.* Rule 6.2 states the Exchange may use the procedures described in current Rules 6.2, 6.2A, or 6.2B to conduct trading rotations in all options listed on the Exchange. Currently, the Exchange only uses the procedures set forth in current Rule 6.2B to conduct trading rotations, and no longer conducts trading rotations pursuant to current Rule 6.2. Therefore, this provision no longer applies to trading on the Exchange.[3]
- *Rule 6.2A—Rapid Opening System (''ROS'').* The Exchange used ROS prior to open options prior to implementation of the Exchange's Hybrid Trading System, which includes the Hybrid 3.0 Platform. Currently, all options listed on the Exchange trade on its Exchange's Hybrid Trading System. As stated in Rule 6.2A, ROS does not apply to series trading on the Hybrid Trading System, which open on the Cboe Options Hybrid Opening System (''HOSS'') (pursuant to Rule 6.2B). Therefore, Rule 6.2A no longer applies to any options listed for trading on the Exchange.[4]
- *Rules 6.8—RAES Operations and 6.9—Automatic ORS Order Execution Against Booked Orders.* The Exchange's Retail Automatic Execution System (''RAES'') was an automated execution system feature of the Exchange's Order Routing System (''ORS'') operated by the Exchange and that provided automated order execution and reporting services for options. RAES and ORS are no longer used, as all options

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The proposed rule change makes corresponding changes to the following rules to delete references to ROS and the rule proposed to be deleted: Rules 6.6, 6.18, 6.25(b)(1), 6.73(c), 8.60(c)(7) and Interpretation and Policy .02, 21.11, 22.11, and 24.13.

[4] The proposed rule change makes corresponding changes to the following rules to delete references to ROS and the rule proposed to be deleted: Rules 1.1(fff) and (ggg), 6.2, 6.6, 6.18, 6.25(b)(1), 8.60(c)(7) and Interpretation and Policy .02, 22.11, 24.13. Because the proposed rule change deletes both Rules 6.2 and 6.2A, the proposed rule change also renumbers Rule 6.2B to be Rule 6.2, and makes corresponding changes throughout the Rules.

trading on the Exchange currently occurs on the Hybrid Trading System, which includes Exchange's Order Handling System (''OHS''). Therefore, RAES and ORS no longer apply to any options listed for trading on the Exchange.[5]

• *Rule 6.10—LOU System Operations.* The Large Order Utility (''LOU'') System was a facility of the Exchange that provided order routing, handling, and execution for eligible options orders routed electronically to the Exchange. The LOU System is no longer used, as all options trading on the Exchange trade on the Hybrid Trading System. Therefore, the LOU System no longer applies to any options listed for trading on the Exchange.

• *Rule 6.13B—Penny Price Improvement.* Pursuant to Rule 6.13B, the Exchange may designate one or more options trading on the Hybrid Trading System in a Penny Price Improvement Program, which allows Trading Permit Holders to provide price improvement beyond the Exchange's disseminated quote for classes not already quote in penny increments and for which the simple auction liaison system is not in effect. The Exchange currently has not designated, and has no intention to designate, any options for participation in this program. Therefore, this program no longer applies to any options listed for trading on the Exchange.[6]

• *Rule 6.54(a)—Accommodation Liquidation (Cabinet Trades) for Classes Not Trading on the Cboe Options Hybrid System.* Rule 6.54 describes cabinet trading permitted on the Exchange. Paragraph (a) describes cabinet trading for classes not trading on the Hybrid System, while paragraph (b) describes cabinet trading for classes trading on the Hybrid System. All options trading on the Exchange currently trade on the Hybrid Trading System, and thus Rule 6.54 (a) no longer applies to any options listed for trading on the Exchange.[7]

• *Chapter VII—Order Book Officials.* Order Book Officials were Exchange employees responsible for maintaining the book with respect to classes assigned to them, effecting proper executions of orders placed with them, displaying bids and offers, and monitoring the market for classes assigned to them. The Exchange currently has no employees designated as, and does not intend to designate any employees as, Order Book Officials, as Order Book Official functions are generally obsolete now that most trading occurs electronically.

The proposed rule change deletes Rules 7.1 through 7.3, 7.4 except for subparagraph (a)(1) (which is being moved to Rule 6.11, with some modifications described below), 7.5, 7.7 through 7.10, and Chapter VII, Section B, as they relate solely to responsibilities of Order Book Officials.

Rule 7.4(a)(1) states public customer orders in Hybrid and Hybrid 3.0 classes are eligible for entry into the electronic book, and the Exchange may determine on a class-by-class basis other orders that are eligible for entry into the electronic book. Currently, after a class is open for trading (see Rule 6.2B for a description of orders the System accepts prior to opening), the System accepts for entry into the Book (1) quotes of all Market-Makers and order of any origin code in Hybrid classes and (2) quotes of Lead Market-Makers (''LMMs'') and orders of priority customers in Hybrid 3.0 classes, while the Exchange continues to have flexibility to permit orders of other origin codes be eligible for book entry. The Exchange proposes to codify this current book eligibility (which is consistent with the Exchange's authority in current Rule 7.4(a)(1)) in Rule 6.11. The proposed rule change also deletes the provision in current Rule 7.4(a)(1) that states Trading Permit Holders submitting orders or quotes for entry in to the book must do so electronically and in the format announced by the Exchange. It is redundant to state orders and quotes for entry in the electronic book must be submitted electronically, and Rule 6.53A describes the types of order formats Trading Permit Holders must use.[8]

Rule 7.5, Interpretation and Policy .03 states every Floor Broker who represents a Market-Maker with an order in any options class must, by public outcry at the post, indicate the identify of such Market-Maker at the request of any Trading Permit Holder or Order Book Official. The proposed rule change moves this provision (with the reference to Order Book Official deleted) to Rule 6.73, which relates to responsibilities of Floor Brokers.

Rule 7.6 regarding the requirement for PAR Official to report unusual activity is proposed to move to Rule 6.12B(b)(vi).[9] The proposed rule change moves currently applicable provisions in Rule 7.12 (regarding PAR Officials) to Rule 6.12B (with some nonsubstantive changes).[10] PAR Officials are Exchange employees or independent contractors whom the Exchange may designate as being responsible for operating a PAR workstation and effecting proper executions of orders placed with them. PAR Officials no longer maintain the book with respect to assigned classes, as the electronic book manages electronic

[5] The proposed rule change makes corresponding changes to the following rules to delete references to RAES and ORS, change references from ORS to OHS, and the rules proposed to be deleted: Rules 1.1(fff) and (ggg), 6.3, Interpretation and Policy .05, 6.6(b) and (e) and Interpretation and Policy .01, 6.7(b) (the Hybrid System includes OHS and the book), 6.8C (which the proposed rule change renumbers as 6.8), 6.13(a) and (c), 6.18, 8.7(b)(iii) and Interpretations and Policies .07 (which is being deleted in its entirety, as described below) .11(a) (the Exchange deleted the paragraph letter for current paragraph (b), as it will be the only paragraph in that Interpretation and Policy, as well as the introduction to that paragraph regarding its applicability to classes on the Hybrid System, because all classes are on the Hybrid System), 8.13, 8.16, 8.51(c)(1)(a)(iii), 8.60(c)(7) (the proposed rule change renumbers provisions (8) through (10) as (7) through (9)) and Interpretation and Policy .02, 8.85(a)(ix) (the proposed rule change renumbers subparagraphs (x) and (xi) as (ix) and (x), and deletes from current subparagraph (x) (proposed subparagraph (xi) the introduction to that paragraph regarding its applicability to classes on the Hybrid System, because all classes are on the Hybrid System), 23.7, 24.15, 24.17, 24.21(j)(1), and 24B.15.

[6] The proposed rule change makes corresponding changes to the following rules to delete references to the Penny Price Improvement Program and the rules proposed to be deleted: Rules 1.1(fff) and (ggg), 6.45, Interpretations and Policies .01 and .02, Rule 6.47, Interpretation and Policy .02, and Rule 6.74, Interpretation and Policy .09.

[7] The proposed rule change makes a corresponding change to current paragraph (b), eliminates paragraph lettering for paragraph (b) (as that will be the only paragraph in the rule), and reletters subparagraphs (i) and (ii) as (a) and (b), consistent with paragraph lettering throughout the rules.

[8] The proposed rule change makes corresponding changes to the following rules to change cross-references to Rule 7.4 to Rule 6.11: Rules 6.13(b)(i)(A)(2) and (iii), 23.3(b), and 24.11A (the proposed rule change also deletes the Interpretations and Policies section of this rule, as there are currently none).

[9] The proposed rule change makes corresponding changes to the following rules to delete references to Order Book Officials and the rules proposed to be deleted: Rules 6.2 and Interpretation and Policy .01 (the proposed rule change also indicates the exchange may direct how trading rotations occur in Interpretation and Policy .01, which is consistent with the remainder of Rule 6.2), 6.3, Interpretations and Policies .01 and .02 (these interpretations also delete references to post directors, which are no longer used at the Exchange), 6.6(b) and (e) (which also deletes references to post directors, which are no longer used at the Exchange), 6.12A, 6.20(a) and Interpretations and Policies .02 and .04(ii), 6.43(A), 6.45, Interpretations and Policies .01 and .02 (the proposed rule change replaces references to Order Book Officials to PAR Officials, consistent with Interpretation and policy .02, which indicates PAR Officials may perform the functions of Order Book Officials for purposes of that rule), 6.73 Interpretation and Policy .01, 8.7(c) (the Exchange notes Market-Makers not permitted to enter a trading station in a floor brokerage capacity, as set forth in Rule 8.8) and Interpretation and Policy .09 (changes cross-reference to Rule 7.5 to Rule 8.7(d)(iv), which describes current Market-Maker obligations, including the obligation of Market-Maker to provide a quote upon Exchange request), and 24.13 and Interpretation and Policy .03 (which the proposed rule change renumbers to .02).

[10] The proposed rule change makes corresponding changes to the following rules to change cross-references to Rule 7.12 to Rule 6.12B: Rules 6.12A, 6.18(d)(i), and 6.20(a).

orders and quotes. The proposed rule change deletes the provision in current Rule 7.12(b)(i) regarding the definition of customer limit orders, as customer orders are now defined in Rule 1.1(www) and (yyy) (which are proposed to be relettered as (yyy) and (zzz), as described below). The proposed rule change deletes current Rule 7.12(b)(i)(C) and (e), which apply to the Intermarket Options Linkage Plan that no longer exists,[11] and Rule 7.12(b)(1)(E), which relates to orders received during a trading rotation pursuant to Rule 6.2 or HOSS pursuant to Rule 6.2B, as those rules describe how orders received prior or before a rotation are handled. The proposed rule change deletes Rule 7.12(b)(iii), as PAR Officials no longer maintain the book (as described above) and do not have the ability to remove orders from the book. The proposed rule change replaces the term ''senior Trading Operations official'' with ''senior Help Desk personnel'' in current Rule 7.12(b)(iv) (proposed Rule 6.12B(b)(iii), which term is used throughout the rules. The proposed rule change deletes Rule 7.12, Interpretation and Policy .01, as it relates to the Exchange's responsibility to appoint PAR Officials to trading stations prior to March 24, 2006. The Exchange currently has PAR Officials appointed to all trading stations on the trading floor.

• *Autoquote.* Autoquote was an Exchange electronic quotation system that automatically monitored and updated market quotes using a mathematical formula measuring certain characteristics of the option and underlying interest. Rules related to LMMs and DPMs require them to provide continuous electronic quotes in appointed classes using Autoquote or a proprietary automated quotation updating system. Currently, all Market-Makers that submit electronic quotes use a proprietary system, and Autoquote is no longer used. The proposed rule change deletes Rule 8.7, Interpretation and Policy .07, which describes Autoquote, as well as the requirement of LMMs and DPMs to provide electronic quotes, which requirement is included in Rules 8.15 and 8.85, respectively.[12]

• *S&P 100 Modified Opening Rotation.* Rule 24.13, Interpretation and Policy .02 provides a modified opening rotation that the Exchange may use for S&P 100 options, but the rule also provides the Exchange with the authority to open this class using HOSS pursuant to Rule 6.2B. The Exchange currently uses HOSS to open S&P 100 options, and does not intend to use the modified opening in the future. Therefore, this provision no longer applies to the opening of S&P 100 options.[13]

• *Rule 8.7(c)—Market-Maker Entry into Trading Station in Unappointed Class other than As Floor Broker.* Rule 8.7(c) states whenever a Market-Maker enters the trading station for a class of options contracts in a class in which it is not appointed, in other than a floor brokerage capacity, the Market-Maker must fulfill obligations established in Rule 8.7(b) and, for the rest of the trading day, as well as undertake certain additional obligations. This rule text essentially requires a Market-Maker to act like a Market-Maker when it enters a trading station in the capacity of a Market-Maker in an unappointed class. However, pursuant to Rule 8.3, on the trading floor, Market-Makers have an appointment to trade in all hybrid classes, so if it goes to any trading station on the floor as a Market-Maker, it has an appointment for the classes at that station and is subject to Market-maker obligations. That provision, in conjunction with the restriction on acting as a Market-Maker and Floor Broker on the same day, make the provision in Rule 8.7(c) unnecessary and duplicative. Therefore, the proposed rule change deletes this provision.

• *Chapter XXIVA—Flexible Exchange Options (''FLEX Options'').* When the Exchange began offering FLEX Options for trading, FLEX Options traded pursuant to Rule XXIVA on the trading floor. The Exchange then developed the FLEX Hybrid Trading System on which FLEX Options could trade both on the trading floor and electronically. Chapter XXIVB describes FLEX Options trading on this system, and provides the Exchange with ability to permit FLEX trading pursuant to Chapter XXIVA or XXIVB. The open outcry rules in Chapter XXIVA are substantially similar to those in Chapter XXIVB. The Exchange has determined all FLEX trading must occur on the FLEX Hybrid Trading System pursuant to Chapter XXIVB. Therefore, Chapter XXIVB no longer applies to the trading of any FLEX Options.[14]

• *Chapter XXVI—Market Baskets.* Chapter XXVI describes rules applicable to market basket contracts, which are contracts obligating the seller to sell and the purchaser to purchase a designated number of shares of each of the stocks comprising the index on which the market basket is based. The Exchange currently does not list, and does not intend to list in the future, market basket contracts for trading. Therefore, Chapter XXVI no longer applies to any options trading on the Exchange.[15]

• *Chapter XXVII—Buy-Write Option Unitary Derivatives (''BOUNDS'').* Chapter XXVIII describes rules applicable to BOUNDS, which are securities issued, or subject to issuance, by the Options Clearing Corporation pursuant to its rules, which gives holders and writers thereof such rights and obligations as may be provided in its rules. The Exchange currently does not list, and does not intend to list in the future, BOUNDS for trading. Therefore, Chapter XXVII no longer applies to any options trading on the Exchange.

• *Chapter XXXI—Approval of Securities for Original Listing.* Chapter XXXI describes rules pursuant to which the Exchange may list equity securities for listing on the Exchange. The Exchange currently does not list any equity securities on the Exchange. Therefore, Chapter XXXI currently applies to no securities listed on the Exchange.[16]

Section 957 of the Dodd-Frank adopted Section 6(b)(10) of the Act,[17] which requires the rules of each national securities exchange to prohibit any member that is not the beneficial owner of a security registered under Section 12 of the Act[18] from granting a proxy to vote the security in connection

[11] Chapter VI, Section E describes Exchange responsibilities pursuant to the current linkage plan, the Options Order Protection and Locked/Crossed Market Plan.

[12] The proposed rule change also deletes references to Autoquote in Rules 6.43(b), 8.15(c), 8.51(c)(1)(a)(iii), 8.60 Interpretation and Policy .02. Rules 8.7, Interpretation and Policy .07, 8.15(c), and 8.85(a)(x) provide components of a formulate used for automated quoting by Market-Makers using proprietary automated quoting systems will be disclosed unless the Exchange exempts them from disclosing this information. For competitive reasons, the Exchange exempts all Market-Makers from disclosing this information, so the proposed rule change deletes those provisions.

[13] The proposed rule change also renumbers current Interpretation and Policy .03 to .02.

[14] The proposed rule change also deletes references to Chapter XXIVA in the following rules: Rules 3.2(b), 5.9, 6.1A(c), 6.20A, Interpretation and Policy .05, 6.49A(c)(6), Introduction to Chapter XX, 20.12, Introduction to Chapter XXII, 22.16, Introduction to Chapter XXIVB, 24B.3, 28.17, 29.18, and Introduction to Chapter XXIX.

[15] The proposed rule change also deletes references to market baskets and the rules proposed to be deleted in: Rules 8.8, Interpretation and Policy .02 and 24B.10 (which is proposed to be renumbered as 24A.10).

[16] Options may be listed for trading on the Exchange pursuant to Chapter V and XXIV. The proposed rule change leaves a placeholder in Chapters XXX and XXXI for rules related to listing and trading of equity securities. The Exchange would file a proposed rule change to adopt new rules if it determines to list and trade equity securities in the future.

[17] 15 U.S.C. 78f(b)(10).

[18] 15 U.S.C. 78l.

with certain shareholder votes, unless the beneficial owner of the security has instructed the member to vote the proxy in accordance with the voting instructions of the beneficial owner. The shareholder votes covered by Section 957 include any vote with respect to (1) the election of a member of the board of directors of an issuer (except for a vote with respect to the uncontested election of a member of the board of directors of any investment company registered under the Investment Company Act of 1940 (the ''Investment Company Act''), (2) executive compensation, or (3) any other significant matter, as determined by the Commission, by rule.[19]

Rules 31.82 through 31.88 currently include provisions that cover these proxy voting requirements with respect to Trading Permit Holders. However, because this proposed rule change deletes Chapter XXXI, the proposed rule change adds Rule 4.25 to retain these provisions in accordance with Section 957.

• *Chapters XL through XLIX—Screen-Based Trading.* Chapters XL through XLIX describe trading on the Exchange's screen-based trading system. The screen-based trading system is no longer used, as all options trading on the Exchange trade on the Hybrid Trading System. Therefore, the screen-based trading rules no longer apply to any options listed for trading on the Exchange.[20]

• *Chapters L through LIV—CBOE Stock Exchange (''CBSX'').* Chapters L through LIV describe trading on CBSX, which is the Exchange's facility for trading stocks, warrants, IPRs, IPSs, and Trust Issued Receipts (non-options securities). CBSX ceased market operations on April 30, 2014. Therefore, the CBSX rules no longer apply to any trading on the Exchange.[21] The Exchange would file a proposed rule change to adopt new rules if it determines to list and trade non-options securities in the future.

Additional Nonsubstantive Changes

In addition to nonsubstantive changes described above, the proposed rule change makes the following nonsubstantive changes:

• The proposed rule change moves Interpretation and Policy .01 to the definition of Professional in Rule 1.1(ggg) to Interpretation and Policy .06 to Rule 1.1, so that all Interpretations and Policies to Rule 1.1 are in the same place.

• Currently, there are two paragraphs erroneously lettered as (mmm) and (ppp). The proposed rule change corrects this lettering and updates the paragraph lettering to reflect these corrections.

• The proposed rule change makes updates throughout the rules to conform paragraph lettering and numbering to other rules, as well as to reflect deleted rule provisions.

• Rule 6.2, Interpretation and Policy .01(b) and (c) erroneously refer to LMMs as LLMs. The proposed rule change corrects those erroneous references.

• The proposed rule change amends Rule 6.43(b) to indicate it only applies to Hybrid 3.0 classes, which is consistent with the current rule text and current trading practices.

• Renumber Chapter XXIVB and the rules in that chapter to Chapter XXIVA, and update cross-references throughout the rules.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[22] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[23] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[24] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, by deleting rules that no longer apply to Cboe Options trading (which rules have generally not been applicable in years), and making other nonsubstantive changes to better organize and more consistently number and letter rules, the rules will more clearly identify currently applicable rules, which the Exchange believes removes impediments to and perfects the mechanism of a free and open market. The Exchange believes the proposed rule change will eliminate confusion regarding which rules apply to current trading, which ultimately protects investors and the public interest. The proposed rule change has no impact on current trading on Cboe Options.

B. Self-Regulatory Organization's Statement on Burden on Competition

Cboe Options 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 proposed rule change deletes rules that no longer apply to Cboe Options trading and makes other nonsubstantive changes, and thus has no impact on current trading on Cboe Options. Therefore, the proposed rule change has no impact on competition. The proposed rule change eliminates confusion with respect to rules applicable to current trading on Cboe Options.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. Significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[25] and Rule 19b–4(f)(6)[26] thereunder.[27] At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if

[19] 15 U.S.C. 78f(b)(10)(B).

[20] The proposed rule change makes corresponding changes to the following rules to delete references to screen-based trading and the rules proposed to be deleted: Rules 1.1(fff) and (ggg), 3.2(b), and 3.3.

[21] The proposed rule change makes corresponding changes to the following rules to delete references to CBSX and the rules proposed to be deleted: Rules 3.1A, 3.2(b), 3.3, and 6.20A, Interpretation and Policy .01.

[22] 15 U.S.C. 78f(b).

[23] 15 U.S.C. 78f(b)(5).

[24] *Id.*

[25] 15 U.S.C. 78s(b)(3)(A).

[26] 17 CFR 240.19b–4(f)(6).

[27] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–CBOE–2018–003 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–CBOE–2018–003. 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 website (*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 website 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CBOE–2018–003 and should be submitted on or before February 14, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[28]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–01206 Filed 1–23–18; 8:45 am]

BILLING CODE 8011–01–P

[28] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82534; File No. SR–OCC–2017–022]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change Related to The Options Clearing Corporation's Margin Methodology

January 18, 2018.

On November 13, 2017, The Options Clearing Corporation (''OCC'') filed with the Securities and Exchange Commission (''Commission'') proposed rule change SR–OCC–2017–022 (''Proposed Rule Change'') pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] related to OCC's margin methodology.[3] The Proposed Rule Change was published for comment in the **Federal Register** on December 4, 2017.[4] To date, the Commission has received one comment letter to the Proposed Rule Change.[5]

Section 19(b)(2) of the Act[6] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this Proposed Rule Change is January 18, 2018. The Commission is extending this 45-day time period.

In order to provide the Commission with sufficient time to consider 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.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[7] designates March 4, 2018 as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove proposed rule change SR–OCC–2017–022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–01210 Filed 1–23–18; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] On November 13, 2017, OCC also filed this proposal as advance notice SR–OCC–2017–811 (''Advance Notice'') with the Commission pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, entitled the Payment, Clearing, and Settlement Supervision Act of 2010 (12 U.S.C. 5465(e)(1)) and Rule 19b–4(n)(1)(i) of the Act (17 CFR 240.19b–4(n)(1)(i)). Notice of filing of the Advance Notice was published for comment in the **Federal Register** on December 26, 2017. Securities Exchange Act Release No. 82355 (Dec. 19, 2017), 82 FR 61060 (Dec. 26, 2017) (SR–OCC–2017–811).

On January 11, 2018, the Commission sent OCC a request for additional information, which tolls the Commission's 60-day review period for the Advance Notice. *See* Memorandum from Office of Clearance and Settlement, Division of Trading and Markets, dated January 12, 2018, *available at https://www.sec.gov/comments/sr-occ-2017-022/occ2017022.htm.* The new review period will be 60 days from the date the Commission receives the information requested. *See* Section 806(e)(1). The proposal in the Proposed Rule Change and the Advance Notice shall not take effect until all regulatory actions required with respect to the proposal are completed.

[4] Securities Exchange Act Release No. 82161 (Nov. 28, 2017), 82 FR 57306 (Dec. 4, 2017) (SR–OCC–2017–022).

[5] *See* letter from Michael Kitlas, dated November 28, 2017, to Eduardo A. Aleman, Assistant Secretary, Commission, *available at https://www.sec.gov/comments/sr-occ-2017-022/occ2017022.htm.* Since the proposal contained in the Proposed Rule Change was also filed as an Advance Notice, the Commission is considering all public comments received on the proposal regardless of whether the comments are submitted to the Proposed Rule Change or the Advance Notice.

[6] 15 U.S.C. 78s(b)(2).

[7] *Id.*

[8] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82530; File No. SR–NASDAQ–2017–124]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Order Granting Approval of a Proposed Rule Change, as Modified by Amendments No. 1 and 2, To List and Trade Shares of Brandes Value NextShares Under Nasdaq Rule 5745

January 18, 2018.

I. Introduction

On November 24, 2017, The NASDAQ Stock Market LLC (''Nasdaq'' or ''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 list and trade common shares (''Shares'') of Brandes Value NextShares (''Fund'') under Nasdaq Rule 5745. The proposed rule change was published for comment in the **Federal Register** on December 5, 2017.[3] On December 20, 2017, the Exchange filed Amendment No. 1 to the proposed rule change.[4] On January 5, 2018, the Exchange filed Amendment No. 2 to the proposed rule change.[5] The Commission received no comment letters on the proposed rule change. This order approves the proposed rule change, as modified by Amendments No. 1 and 2.

II. Exchange's Description of the Proposed Rule Change

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). The Fund is a series of Brandes Investment Trust (''Trust'').[6] The Exchange represents that 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 with respect to the Fund.[7] Brandes Investment Partners L.P. will be the adviser to the Fund (''Adviser''). ALPS Distributors, Inc. will be the principal underwriter and distributor of the Fund's Shares. U.S. Bancorp Fund Services, LLC will act as the administrator, accounting agent, transfer agent, and custodian to the Fund.

The Exchange has made the following representations and statements in describing the Fund.[8] According to the Exchange, the Fund will be actively managed and will pursue the principal investment strategies described below.[9]

A. Principal Investment Strategies

The Fund seeks long-term capital appreciation by investing primarily in equity securities of U.S. companies. Equity securities include common and preferred stocks, warrants, and rights. While the Fund may purchase equity securities issued by companies of any size, it typically focuses its investments on large-capitalization equity securities.

B. Portfolio Disclosure and Composition File

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.

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 the Shares, and the specified portfolio of securities and/or cash that the Fund will deliver in a redemption of a creation unit of the Shares. The Composition File will be disseminated through the National Securities Clearing Corporation once each business day before the open of trading in the Shares on such day and also will be made available to the public each day on a free public website.[10] 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 the purchase has been completed. Similarly, securities that are held in the Fund's portfolio but are in the process of being sold may not be removed from its Composition File until the sale is substantially completed. To the extent that the Fund creates or redeems the Shares in-kind, it 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.[11]

C. Intraday Indicative Value

An estimated value of an individual Share, defined in Nasdaq Rule 5745(c)(2) as the Intraday Indicative Value (''IIV'') will be calculated and disseminated at intervals of not more than 15 minutes throughout the Regular

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 82167 (Nov. 29, 2017), 82 FR 57510.

[4] Amendment No. 1 replaces and supersedes the original proposed rule change in its entirety. In Amendment No. 1, the Exchange: (i) Updates the proposed rule change to reflect that the Commission granted Brandes Investment Trust exemptive relief under the Investment Company Act of 1940; (ii) provides a representation regarding transaction fees; (iii) represents that orders to trade the Shares of the Fund are subject to the proxy price protection threshold of plus/minus $1.00; and (iv) deletes redundant text and makes other technical and clarifying changes. Amendment No. 1 is available at: *https://www.sec.gov/comments/sr-nasdaq-2017-124/nasdaq2017124-2833043-161706.pdf.* Because Amendment No. 1 does not materially alter the substance of the proposal or raise unique or novel regulatory issues, Amendment No. 1 is not subject to notice and comment.

[5] Amendment No. 2 partially amends the proposed rule change as modified by Amendment No. 1 to add back to the filing the following representation, which is inadvertently deleted in Amendment 1: ''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.'' Amendment No. 2 is available at: *https://www.sec.gov/comments/sr-nasdaq-2017-124/nasdaq2017124-2876297-161750.pdf.* Because Amendment No. 2 does not materially alter the substance of the proposal or raise unique or novel regulatory issues, Amendment No. 2 is not subject to notice and comment.

[6] The Commission has issued an order granting the Trust and certain of its affiliates exemptive relief under the Investment Company Act of 1940. *See* Investment Company Act Release No. 32925 (November 28, 2017) (File No. 812–14809).

[7] *See* Post-Effective Amendment No. 60 to Registration Statement on Form N–1A for the Trust dated October 13, 2017 (File Nos. 033–81396 and 811–08614).

[8] The Commission notes that additional information regarding the Trust, the Fund, and the Shares, including investment strategies, risks, creation and redemption procedures, calculation of net asset value (''NAV''), fees, distributions, and taxes, among other things, can be found in Amendments No.1 and 2, and the Registration Statement, as applicable. *See supra* notes 4, 5, and 7, respectively, and accompanying text.

[9] According to the Exchange, additional information regarding the Fund will be available on a free public website for the Fund (*www.brandesfunds.com,* which may contain links for certain information to *www.nextshares.com*) and in the Registration Statement for the Fund.

[10] The Exchange represents that the free public website containing the Composition File will be *www.nextshares.com.*

[11] 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.

Market Session [12] when the 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.

The IIV will be based on current information regarding the value of the securities and other assets held by the Fund.[13] The purpose of the IIV 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.[14]

D. NAV-Based Trading

Because the Shares will be listed and traded on the Exchange, the Shares will be available for purchase and sale on an intraday basis. The Shares will be purchased and sold in the secondary market at prices directly linked to the Fund's next-determined NAV using a trading protocol called ''NAV-Based Trading.'' All bids, offers, and execution prices of the 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).[15] The Fund's NAV will be determined each business day, 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. Nasdaq represents that the Shares listed on the Exchange will have a unique identifier associated with their ticker symbols, which will indicate that the Shares are traded using NAV-Based Trading.

According to the Exchange, 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.[16] In the systems used to transmit and process transactions in the 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 represents that it 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 the Shares that are made available to the investing public follow the ''NAV − $0.01/NAV + $0.01'' (or similar) display format. Specifically, the Exchange will use the NASDAQ Basic and NASDAQ Last Sale data feeds to disseminate intraday price and quote data for the Shares in real time in the ''NAV − $0.01/NAV + $0.01'' (or similar) display format. Member firms may 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. 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.

III. Discussion and Commission Findings

After careful review, the Commission finds that the Exchange's proposal to list and trade the Shares is consistent with the Act [17] and the rules and regulations thereunder applicable to a national securities exchange.[18] In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,[19] which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Shares will be subject to Nasdaq Rule 5745, which sets forth the initial and continued listing criteria applicable to Exchange-Traded Managed Fund Shares. 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.

Nasdaq deems the Shares to be equity securities, thus rendering trading in the Shares subject to Nasdaq's existing rules governing the trading of equity securities. Every order to trade the Shares is subject to the proxy price protection threshold of plus/minus $1.00, which determines the lower and upper thresholds for the life of the order and provides that the order will be cancelled at any point if it exceeds $101.00 or falls below $99.00, the established thresholds.[20] 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.[21]

Nasdaq also represents that trading in the Shares will be subject to the existing trading surveillances, administered by both Nasdaq and FINRA on behalf of the Exchange, which are designed to detect violations of Exchange rules and applicable federal securities laws.[22] The

[12] *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).

[13] The 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.

[14] In NAV-Based Trading (as referenced herein), prices of executed trades are not determined until the reference NAV is calculated, so buyers and sellers of the Shares during the trading day will not know the final value of their purchases and sales until the end of the trading day. The Exchange represents that the Fund's Registration Statement, website and any advertising or marketing materials will include prominent disclosure of this fact. The Exchange states that although the IIV may provide useful estimates of the value of intraday trades, it cannot be used to calculate with precision the dollar value of the Shares to be bought or sold.

[15] According to the Exchange, 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 the Shares among investors, transaction fees and other costs in connection with creating and redeeming creation units of the Shares, the cost and availability of borrowing the 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.

[16] According to the Exchange, all orders to buy or sell the 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.

[17] 15 U.S.C. 78f.

[18] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[19] 15 U.S.C. 78f(b)(5).

[20] *See* Nasdaq Rule 5745(g).

[21] *See* Nasdaq Rule 5745(b)(6).

[22] The Exchange states that FINRA provides surveillance of trading on the Exchange pursuant to a regulatory services agreement and that the

Exchange represents that these surveillance procedures are adequate to properly monitor trading of the Shares on the Exchange and to deter and detect violations of Exchange rules and applicable federal securities laws. FINRA, on behalf of the Exchange, will communicate as needed with, and may obtain information from, other markets and other entities that are members of the Intermarket Surveillance Group (''ISG'') [23] regarding trading in the Shares and in exchange-traded securities held by the Fund (to the extent such exchange-traded securities are known through the publication of the Composition File and periodic public disclosures of the Fund's portfolio holdings). In addition, the Exchange may obtain information regarding trading in the Shares, and in exchange-traded securities held by the Fund (to the extent such exchange-traded securities 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 or with which the Exchange has in place a comprehensive surveillance sharing agreement.

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: (a) The procedures for purchases and redemptions of the Shares in creation units (and that the Shares are not individually redeemable); (b) Nasdaq Rule 2111A, which imposes suitability obligations on Nasdaq members with respect to recommending transactions in the Shares to customers; (c) how information regarding the IIV and Composition File is disseminated; (d) the requirement that members deliver a prospectus to investors purchasing the Shares prior to or concurrently with the confirmation of a transaction; and (e) information regarding NAV-Based Trading protocols.

The Information Circular also will identify the specific Nasdaq data feeds from which intraday Share prices in proxy price format may be obtained. As noted above, all orders to buy or sell the 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, and the Information Circular will discuss the effect of this characteristic on existing order types. In addition, 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 the Shares on the Exchange.

Nasdaq states that the Adviser is not a registered broker-dealer, and is not affiliated with a broker-dealer. The Exchange represents the Adviser will implement and will maintain a fire wall with respect to any future affiliated broker-dealer regarding access to information concerning the composition of, and/or changes to, the Fund's portfolio.[24] In 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. The Exchange represents that the Reporting Authority [25] that provides the Composition File will implement and maintain, or 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. In the event that (a) the 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 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.

The Commission finds that the proposal to list and trade the Shares on the Exchange is consistent with Section 11A(a)(1)(C)(iii) of the Act,[26] which sets forth Congress' finding that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers, and investors of information with respect to quotations for, and transactions in, securities. Information regarding NAV-based trading prices, best bids and offers for the Shares, and volume of the Shares traded will be continuously available on a real-time basis throughout each trading day on brokers' computer screens and other electronic services. All bids and offers for the Shares and all Share trade executions will be reported intraday in real time by the Exchange to the Consolidated Tape [27] and separately disseminated to member firms and market data services through the Exchange data feeds.

The Commission notes that once a Fund's daily 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 a File Transfer Protocol (''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.[28]

The Exchange will obtain a representation from the issuer of the Shares that the NAV per Share will be

Exchange is responsible for FINRA's performance under this regulatory services agreement.

[23] 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.

[24] The Exchange further represents that an investment adviser to an open-end fund is required to be registered under the Investment Advisers Act of 1940 (''Advisers Act''). As a result, the 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.

[25] *See* Nasdaq Rule 5745(c)(4).

[26] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[27] Due to systems limitations, the Consolidated Tape will report intraday execution prices and quotes for the Shares using a proxy price format. Nasdaq has represented that it 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 the Shares that are made available to the investing public follow the same display format.

[28] According to Nasdaq, 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.

calculated daily (on each business 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 the MFQS, Nasdaq will disseminate the NAV to market participants and market data vendors via the Mutual Fund Dissemination Service so all firms will receive the NAV per Share at the same time.

The Exchange further represents that it may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares. The Exchange will halt trading in the Shares under the conditions specified in Nasdaq Rule 4120 and in Nasdaq Rule 5745(d)(2)(D). Additionally, the Exchange may cease trading the Shares if other unusual conditions or circumstances exist that, in the opinion of the Exchange, make further dealings on the Exchange 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. Prior to the commencement of market trading in the Shares, the Fund will be required to establish and maintain a free public website through which its current prospectus may be downloaded.[29] The website will include additional information concerning the Fund updated on a daily basis, including the prior business day's NAV, and the following trading information for the business day expressed as premiums/discounts to NAV: (a) Intraday high, low, average and closing prices of the 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 (''Closing Bid/Ask Midpoint''); and (c) the spread between highest bid and lowest offer prices as of the close of Exchange trading (''Closing Bid/Ask Spread''). The website 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 Exchange represents that 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 IIV, or (d) the applicability of Exchange listing rules shall constitute continued listing requirements for listing the Shares on the Exchange. 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.[30] If the Fund is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under the Nasdaq 5800 Series.

The approval order is based on all of the Exchange's representations, including those set forth above and in Amendments No. 1 and 2. In particular, the Commission notes that, although the Shares will be available for purchase and sale on an intraday basis, the Shares will be purchased and sold at prices directly linked to the Fund's next-determined NAV. Further, the Commission notes that the Fund and the Shares must comply with the requirements of Nasdaq Rule 5745 and the conditions set forth in this proposed rule change to be listed and traded on the Exchange on an initial and continuing basis.

For the foregoing reasons, the Commission finds that the proposed rule change, as modified by Amendments No. 1 and 2, is consistent with Section 6(b)(5)[31] and Section 11A(a)(1)(C)(iii) of the Act,[32] and the rules and regulations thereunder applicable to a national securities exchange.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[33] that the proposed rule change (SR–NASDAQ–2017–124), as modified by Amendments No. 1 and 2, be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[34]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–01207 Filed 1–23–18; 8:45 am]

BILLING CODE 8011–01–P

[29] The Exchange represents that the website containing this information will be *www.brandesfunds.com.*

[30] The Commission notes that certain other proposals for the listing and trading of Managed Fund Shares include a representation that the exchange will ''surveil'' for compliance with the continued listing requirements. *See, e.g.,* Securities Exchange Act Release No. 78005 (Jun. 7, 2016), 81 FR 38247 (Jun. 13, 2016) (SR–BATS–2015–100). In the context of this representation, it is the Commission's view that ''monitor'' and ''surveil'' both mean ongoing oversight of a fund's compliance with the continued listing requirements. Therefore, the Commission does not view ''monitor'' as a more or less stringent obligation than ''surveil'' with respect to the continued listing requirements.

[31] 15 U.S.C. 78f(b)(5).

[32] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[33] 15 U.S.C. 78s(b)(2).

[34] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–82532; File No. SR–NYSEArca–2018–02]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Proposed Rule Change Relating to Listing and Trading of the Direxion Daily Bitcoin Bear 1X Shares, Direxion Daily Bitcoin 1.25X Bull Shares, Direxion Daily Bitcoin 1.5X Bull Shares, Direxion Daily Bitcoin 2X Bull Shares and Direxion Daily Bitcoin 2X Bear Shares Under NYSE Arca Rule 8.200–E

January 18, 2018.

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 January 4, 2018, 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 the shares of the following under NYSE Arca Rule 8.200–E, Commentary .02 (''Trust Issued Receipts''): Direxion Daily Bitcoin Bear 1X Shares, Direxion Daily Bitcoin 1.25X Bull Shares, Direxion Daily Bitcoin 1.5X Bull Shares, Direxion Daily Bitcoin 2X Bull Shares and Direxion Daily Bitcoin 2X Bear Shares. The proposed change is available on the Exchange's website 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.

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 following under NYSE Arca Rule 8.200–E, Commentary .02, which governs the listing and trading of Trust Issued Receipts: The Direxion Daily Bitcoin Bear 1X Shares (the ''1X Bear Fund''), the Direxion Daily Bitcoin 1.25X Bull Shares (the ''1.25X Bull Fund''), the Direxion Daily Bitcoin 1.5X Bull Shares (the ''1.5X Bull Fund''), the Direxion Daily Bitcoin 2X Bull Shares (the ''2X Bull Fund'') and the Direxion Daily Bitcoin 2X Bear Shares (the ''2X Bear Shares'') (each a ''Fund'' and, collectively, the ''Funds'').[4]

Each Fund is a series of the Direxion Shares ETF Trust II (the ''Trust''), a Delaware statutory trust.[5] The Trust and the Funds are managed and controlled by Direxion Asset Management, LLC (the ''Sponsor''). The Sponsor is registered as a commodity pool operator (''CPO'') with the Commodity Futures Trading Commission (''CFTC'') and is a member of the National Futures Association (''NFA'').

In its capacity as the Custodian for the Funds, Bank of New York Mellon (''BNYM'' or the ''Custodian'') may hold the Funds' investment assets and cash and cash equivalents pursuant to a custodian agreement. The Custodian is also the transfer agent for the Funds. In addition, in its capacity as Administrator for the Funds, U.S. Bancorp Fund Services, LLC (the ''Administrator'') prepares and files certain regulatory filings on behalf of the Funds.

Foreside Fund Services, LLC serves as the distributor of the Shares (the ''Distributor'').

Investment Objectives of the Funds

According to the Registration Statement, the Funds will offer investors the opportunity to obtain daily short, leveraged long or leveraged short exposure to the lead month bitcoin futures contract traded on the Chicago Mercantile Exchange (''CME'') or on Cboe Global Markets, Inc. (''CBOE'') or on any other U.S. exchange that subsequently trades bitcoin futures contracts (the ''Bitcoin Futures Contract''), the target benchmark before fees and expenses.[6] The target benchmark's value will be calculated as the last sale price published by the CME or the CBOE,[7] or any other U.S. exchange that subsequently trades bitcoin futures contracts on or before 11:00 a.m. E.T. (the ''Daily Last Sale Value'') for the Bitcoin Futures Contract and may reflect trades occurring and published by the CME and/or CBOE or another U.S. exchange that subsequently trades bitcoin futures contracts outside the normal trading session for the Bitcoin Futures Contract.[8]

Each Fund will seek daily correlation to the target benchmark and should not be expected to track the performance of the target benchmark for any period longer than one business day. Additionally, while each Fund will seek daily correlation to the target benchmark, it should not be expected to track dollar for dollar the spot price of bitcoin because the Fund will invest in Bitcoin Futures Contracts rather than directly in bitcoin, and the spot price movements of bitcoin may not correspond directly to price movements of the Bitcoin Futures Contracts. In this regard, the Funds expect the notional value of the Bitcoin Futures Contracts held by a Fund to equal the target exposure for such Fund (*i.e.,* 125%, 150%, etc.).

Each Fund will seek to engage in daily rebalancing to position its portfolio so that its exposure to the target benchmark is consistent with its daily investment objective. The impact of the target benchmark's movements during the day will affect whether a Fund's portfolio needs to be repositioned.[9]

As described below, under normal market conditions, each Fund intends to obtain exposure to its target benchmark by investing in the Bitcoin Futures Contract traded in the U.S., swaps on the Bitcoin Futures Contract or listed options on bitcoin or Bitcoin Futures Contracts (together,''Bitcoin Financial Instruments'').[10] The Funds'

[4] Commentary .02 to NYSE Arca Rule 8.200–E applies to Trust Issued Receipts that invest in ''Financial Instruments.'' The term ''Financial Instruments,'' as defined in Commentary .02(b)(4) to NYSE Arca Rule 8.200–E, means any combination of investments, including cash; securities; options on securities and indices; futures contracts; options on futures contracts; forward contracts; equity caps, collars, and floors; and swap agreements.

[5] The Trust is registered under the Securities Act of 1933. On December 15, 2017, the Trust submitted to the Securities and Exchange Commission (''Commission'') its draft registration statement on Form S–1 (the ''Registration Statement'') under the Securities Act of 1933 (15 U.S.C. 77a) (''Securities Act''). The Jumpstart Our Business Startups Act, enacted on April 5, 2012, added Section 6(e) to the Securities Act. Section 6(e) of the Securities 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 Securities Act Rule 433(h)(4). An emerging growth company is defined in Section 2(a)(19) of the Securities 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 Form S–1 Registration Statement on a confidential basis with the Commission. The description of the operation of the Trust and the Funds herein is based, in part, on the Registration Statement.

[6] A futures contract is a standardized contract traded on, and subject to the rules of, an exchange that calls for the future delivery of a specified quantity and type of a commodity at a specified time and place. Bitcoin Futures Contracts will be cash-settled. The ''lead month'' contract is the monthly contract with the earliest expiration date.

[7] The CME and CBOE are registered with the CFTC and seek to provide a neutral, regulated marketplace for the trading of derivatives contracts for commodities, such as futures, options and certain swaps. Both the CME and CBOE are members of the Intermarket Surveillance Group (''ISG''). *See* ftnt. 19, *infra.* The CME announced that its bitcoin futures contracts were scheduled to begin trading on December 18, 2017, and began trading on that date. *See* ''CME Group Self-Certifies Bitcoin Futures to Launch Dec. 18,'' December 1, 2017, available at *http://www.cmegroup.com/media-room/press-releases/2017/12/01/cme_group_self-certifiesbitcoinfuturestolaunchdec18.html.* CBOE announced that the bitcoin futures contracts on its subsidiary Cboe Futures Exchange are scheduled to begin trading on December 10, 2017, and began trading on that date. *See* ''Cboe Plans December 10 Launch of Bitcoin Futures Trading,'' December 4, 2017, available at *http://ir.cboe.com/press-releases/2017/12-04-2017. See also* ''CFTC Statement on Self-Certification of Bitcoin Products by CME, CFE and Cantor Exchange,'' dated December 1, 2017 (''CFTC Release''), available at *http://www.cftc.gov/PressRoom/PressReleases/pr7654-17.*

[8] Though this time may vary due to differences in when daylight savings time is effective between London and New York, 11:00 a.m. E.T. will govern.

[9] Daily rebalancing and the compounding of each day's return over time means that the return of each Fund for a period longer than a single trading day will be the result of each day's returns compounded over the period, which will very likely differ from either the multiple, inverse multiple or inverse, as applicable, of the return of the target benchmark for the Funds for the same period.

[10] The term ''normal market conditions'' includes, but is not limited to, the absence of trading halts in the applicable financial markets generally; operational issues (*e.g.,* systems failure) causing dissemination of inaccurate market information; or force majeure type events such as natural or

Continued

investments in Bitcoin Financial Instruments are used to produce economically ''leveraged'' or ''inverse leveraged'' investment results for the Funds. Any remaining assets will be invested in cash or cash equivalents.

Investment Objectives of the Leveraged Bull Funds

According to the Registration Statement, the 1.25X Bull Fund, 1.5X Bull Fund and 2X Bull Fund (each a ''Bull Fund'' and collectively, the ''Bull Funds'') seeks daily leveraged investment results (before fees and expenses) that correlate positively to either 125%, 150% or 200% the daily return of the target benchmark. The Bull Funds do not seek to achieve their investment objective over a period greater than a single trading day.[11] If a Bull Fund is successful in meeting its objective, its value on a given day (before fees and expenses) should gain approximately 1.25 times, 1.5 times or 2 times, as applicable, as much on a percentage basis as the level of its target benchmark when the target benchmark rises. Conversely, its value on a given day (before fees and expenses) should lose approximately 1.25 times, 1.5 times or 2 times, as applicable, as much on a percentage basis as the level of the target benchmark when the benchmark declines. Each Bull Fund acquires long exposure through any one of, or combinations of, Bitcoin Financial Instruments, including Bitcoin Financial Instruments with respect to the target benchmark, such that each Bull Fund has exposure intended to approximate either 125%, 150% or 200%, as applicable, of the target benchmark at the time of its NAV calculation.

Investment Objective of the 2X Bear Fund

The 2X Bear Fund seeks daily leveraged inverse investment results (before fees and expenses) that correlate to two times the inverse (−200%) of the daily return of the target benchmark. The 2X Bear Fund does not seek to achieve its investment objective over a period greater than a single trading day. If the 2X Bear Fund is successful in meeting its investment objective, its value on a given day (before fees and expenses) should gain approximately two times as much on a percentage basis as the level of the target benchmark when the target benchmark declines. Conversely, its value on a given day (before fees and expenses) should lose approximately two times as much on a percentage basis as the level of the target benchmark when the target benchmark rises. The 2X Bear Fund acquires short exposure through any one, or combinations of, Bitcoin Financial Instruments, including Bitcoin Financial Instruments with respect to the target benchmark, such that the 2X Bull Fund has exposure intended to approximate two times the inverse (−200%) of its target benchmark at the time of its NAV calculation.

Investment Objective of the 1X Bear Fund

The 1X Bear Fund seeks daily investment results (before fees and expenses) that correlate to the inverse (−100%) of the daily return of the target benchmark. The 1X Bear Fund does not seek to achieve its investment objective over a period greater than a single trading day. If the 1X Bear Fund is successful in meeting its investment objective, its value on a given day (before fees and expenses) should gain approximately as much on a percentage basis as the level of the target benchmark when the target benchmark declines. Conversely, its value on a given day (before fees and expenses) should lose approximately as much on a percentage basis as the level of its target benchmark when the target benchmark rises. The 1X Bear Fund acquires short exposure through any one of, or combinations of, Bitcoin Financial Instruments, including Bitcoin Financial Instruments with respect to the target benchmark, such that the 1X Bull Fund has exposure intended to approximately equal the inverse (−100%) of its target benchmark at the time of its NAV calculation.

Principal Investment Strategies

According to the Registration Statement, in seeking to achieve each Fund's daily investment objective, the Sponsor will use statistical and quantitative analysis to determine the investments each Fund makes and the techniques it employs. Using this approach, the Sponsor determines the type, quantity and mix of investment positions that the Sponsor believes in combination should produce daily returns consistent with a Fund's investment objective. The Sponsor relies upon a pre-determined model to generate orders that result in repositioning each Fund's investments in accordance with its daily investment objective. As a consequence, if a Fund is performing as designed, the return of the target benchmark will dictate the return for that Fund. Each Fund pursues its investment objective regardless of the market conditions and does not take defensive positions.

Each Fund, under normal market conditions, will seek to achieve its daily investment objective by investing in Bitcoin Financial Instruments. A Fund may invest in listed options on bitcoin and Bitcoin Futures Contracts and swaps on Bitcoin Futures Contracts in a manner consistent with its investment objective in situations where the Sponsor believes that investing in such financial instruments is in the best interests of a Fund. In addition, a Fund may invest in swap contracts referencing Bitcoin Futures Contracts if the market for a specific bitcoin futures contract experiences emergencies or if position price or accountability limits (if any) are reached with respect to any Bitcoin Futures Contracts. At the close of the U.S. equity markets each trading day, each Fund will position its portfolio to ensure that the Fund's exposure to the target benchmark is consistent with the Fund's investment objective. The impact of market movements during the day will determine whether a portfolio needs to be repositioned.

According to the Registration Statement, with futures contracts, there is minimal but some counterparty risk to the Funds since futures contracts are exchange traded and the exchange's clearinghouse, as counterparty to all exchange-traded futures contracts, effectively guarantees futures contracts against default. Many futures exchanges and boards of trade limit the amount of fluctuation permitted in futures contract prices during a single trading day. Once the daily limit has been reached in a particular contract, no trades may be made that day at a price beyond that limit or trading may be suspended for specified times during the trading day.

According to the Registration Statement, with respect to the Bitcoin Futures Contracts, as the futures contracts held by the Funds near expiration, the Funds do not intend to hold futures contracts through expiration, but instead to ''roll'' their respective positions. When the market for these contracts is such that the prices are higher in the more distant delivery months than in the nearer delivery months, the sale during the course of the ''rolling process'' of the more nearby contract would take place at a price that is lower than the price of the more distant contract. This pattern of higher futures prices for longer expiration futures contracts is often referred to as ''contango.'' Alternatively,

manmade disaster, act of God, armed conflict, act of terrorism, riot or labor disruption or any similar intervening circumstance.

[11] A ''single trading day'' is measured from the time a Fund calculates its Net Asset Value (''NAV'') to the time of a Fund's next NAV calculation. *See also,* Net Asset Value, *infra.*

when the market for these contracts is such that the prices are higher in the nearer months than in the more distant months, the sale during the course of the ''rolling process'' of the more nearby contract would take place at a price that is higher than the price of the more distant contract. This pattern of higher futures prices for shorter expiration futures contracts is referred to as ''backwardation.'' The presence of contango in certain futures contracts at the time of rolling would be expected to adversely affect the Funds with long positions, and positively affect the Funds with short positions. Similarly, the presence of backwardation in certain futures contracts at the time of rolling such contracts would be expected to adversely affect the Funds with short positions and positively affect the Funds with long positions.

To reduce the credit risk that arises in connection with swaps, a Fund will generally enter into an agreement with each counterparty based on the Master Agreement published by the International Swaps and Derivatives Association, Inc.[12]

Assets of each Fund not invested in the Bitcoin Financial Instruments will be held in cash or invested in cash equivalents such as U.S. Treasury Securities or other high credit quality short- term fixed-income or similar securities (including shares of money market funds, bank deposits, bank money market accounts, certain variable rate-demand notes and repurchase agreements collateralized by government securities) (collectively ''Money Market Investments'') that serve as collateral for, or pending investments in, the Funds' investments.

In the future, the Funds will disclose certain information relating to margin levels held at the FCM based on how each Fund will be managed. While the portfolio composition may vary over time, it is not expected that any Fund will ever have futures exposure greater than 300% of Fund assets. Thus the maximum margin held at an FCM would not exceed three times the margin requirement.

Overview of Bitcoin

According to the Registration Statement, Bitcoin is a digital asset that is not issued by any government, bank or organization. Bitcoin is a digital asset based on the decentralized, open source protocol of the peer-to-peer bitcoin computer network (the ''Bitcoin Network''). No single entity owns or operates the Bitcoin Network; the infrastructure is collectively maintained by a decentralized user base. The Bitcoin Network is accessed through software, and software governs bitcoin's creation, movement, and ownership. The value of bitcoin is determined by the supply and demand for bitcoin on websites that facilitate the transfer of bitcoin in exchange for government-issued currencies (''Bitcoin Exchanges''), and in private end-user-to-end-user transactions.

Bitcoin transactions and ownership records are reflected on the ''Blockchain'', which is a digital public record or ledger. Copies of this ledger are stored in a decentralized manner on the computers of each Bitcoin Network user. Transaction date is permanently recorded in files called ''blocks,'' which reflect transactions that have been recorded and authenticated by Bitcoin Network participants. The Bitcoin Network software source codes includes protocols that govern the creation of bitcoin and the cryptographic system that secures and verifies Bitcoin transactions.

Overview of Bitcoin Futures Contracts

According to the Registration Statement, unlike the futures markets for traditional physical commodities, the market for exchange-traded bitcoin futures contract has limited trading history and operational experience and may be riskier, less liquid, more volatile and more vulnerable to economic, market and industry changes than more established futures markets. The liquidity of the market will depend on, among other things, the adoption of bitcoin and the commercial and speculative interest in the market for the ability to hedge against the price of bitcoin with exchange-traded bitcoin futures contracts.

The CFTC has noted that the U.S. futures exchanges that will trade bitcoin futures have agreed to significant enhancements to protect customers and maintain orderly markets, and announced its expectation that futures exchanges that list and trade bitcoin futures contracts will, through information sharing agreements, monitor the trading activity on the relevant cash platforms for potential impacts on the price discovery process for bitcoin futures contracts, including potential market manipulation and market dislocations due to flash rallies and crashes and trading outages.[13]

Net Asset Value

According to the Registration Statement, the NAV per Share of each Fund is computed by dividing the value of the net assets of such Fund (*i.e.,* the value of its total assets less total liabilities) by its total number of Shares outstanding. Expenses and fees are accrued daily and taken into account for purposes of determining NAV. Each Fund's NAV is calculated on each business day that the New York Stock Exchange LLC (''NYSE'') is open. The Funds compute their NAVs as of 11:00 a.m. E.T., or such earlier time that the NYSE may close.

In calculating the NAV of a Fund, the settlement value of a Fund's non-exchange traded Bitcoin Financial Instruments is determined by applying the then-current prices for the target benchmark to the terms of such Fund's non-exchange traded Bitcoin Financial Instruments. However, in the event that an underlying Bitcoin Futures Contract is not trading due to the operation of daily limits or otherwise, the Sponsor may in its sole discretion choose to fair value the Reference Asset in order to value a Fund's non-exchange traded Bitcoin Financial Instruments for purposes of the NAV calculation.[14] Such fair value prices would generally be determined based on available inputs about the current value of the underlying Reference Assets and would be based on principles that the Sponsor deems fair and equitable so long as such principles are consistent with normal industry standards.

All open futures contracts traded on an exchange are calculated at their then current market value, which is based upon the settlement or the last traded price before the NAV calculation time, for that particular futures contract traded on the applicable exchange on the date with respect to which NAV is being determined; provided, that if a futures contract traded on an exchange could not be liquidated on such day, due to the operation of daily limits or other rules of the exchange upon which that position is traded or otherwise, the Sponsor may in its sole discretion choose to determine a fair value price as

[12] The Sponsor on behalf of the corresponding Fund intends to enter into OTC swaps only with counterparties who are, or are affiliates of, (a) banks regulated by a federal bank regulator, (b) broker-dealers regulated by the Commission, (c) insurance companies domiciled in the U.S., and (d) producers, users or traders of an underlying commodity or currency, whether or not regulated by the CFTC. Any entity acting as a counterparty must also be regulated in either the U.S. or the U.K. unless otherwise approved by the Sponsor. A Fund will also require that the counterparty be highly rated and/or provide collateral or other credit support. The Sponsor also assesses or reviews, as appropriate, the creditworthiness of each potential or existing counterparty pursuant to established guidelines.

[13] *See* CFTC Release, *supra,* ftnt. 7.

[14] The value of a futures contract is derived from the value of an underlying asset, rate or benchmark (such asset, rate or benchmark, a ''Reference Asset'').

the basis for determining the market value of such position for such day.

Money Market Investments will be valued on the basis of broker quotes, valuations provided by a third party pricing service or at amortized cost.

Indicative Fund Value

In order to provide updated information relating to the Funds for use by investors and market professionals, the Exchange will calculate an updated ''Indicative Fund Value'' (''IFV''). The IFV will be calculated by using the prior day's closing net assets of a Fund as a base and updating throughout the Exchange's Core Trading Session of 9:30 a.m. E.T. to 4:00 p.m. E.T. changes in the value of the Bitcoin Financial Instruments held by a Fund based on the most recently available prices for the Fund's investments.

The IFV will be disseminated on a per Share basis every 15 seconds during the Exchange's Core Trading Session and be widely disseminated by one or more major market data vendors during the NYSE Arca Core Trading Session.[15] In addition, circumstances may arise in which the NYSE Arca Core Trading Session is in progress, but trading in the Bitcoin Futures Contracts is not occurring. Such circumstances may result from reasons including, but not limited to, a futures exchange having a separate holiday schedule than the NYSE Arca, a futures exchange closing prior to the close of the NYSE Arca, price fluctuation limits being reached in a Bitcoin Futures Contract, or a futures exchange, imposing any other suspension or limitation on trading in a Bitcoin Futures Contract. In such instances, for IFV calculation purposes, the price of the applicable Bitcoin Futures Contracts, as well as Bitcoin Financial Instruments whose price is derived from the Bitcoin Futures Contracts, would be static or priced by a Fund at the applicable early cut-off time of the exchange trading the applicable Bitcoin Futures Contract.

Creation and Redemption of Shares

According to the Registration Statement, each Fund will create and redeem Shares in one or more Creation Units. A Creation Unit is a block of 50,000 Shares of a Fund.

A creation transaction, which is subject to acceptance by the Distributor, generally takes place when an Authorized Participant deposits a specified amount of cash in exchange for a specified number of Creation Units. Similarly, Shares can be redeemed only in Creation Units, generally for cash.

Only ''Authorized Participants'' may purchase and redeem Shares from a Fund and then only in Creation Units. An Authorized Participant is an entity that has entered into an ''Authorized Participant Agreement'' with the Trust and the Sponsor.

Creation Procedures

On any Business Day, an Authorized Participant may place an order with the Distributor to create one or more Creation Units. For purposes of processing both purchase and redemption orders, a ''Business Day'' means any day on which the NAV of a Fund is calculated. Purchase orders must be placed by 11 a.m. E.T. or earlier if the NYSE Arca closes before the cut-off time.

Redemption Procedures

According to the Registration Statement, the procedures by which an Authorized Participant can redeem one or more Creation Units mirror the procedures for the creation of Creation Units. On any Business Day, an Authorized Participant may place an order with the Distributor to redeem one or more Creation Units.

By placing a redemption order, an Authorized Participant agrees to deliver the Creation Units to be redeemed through DTC's book-entry system to the applicable Fund not later than noon (Eastern Time), on the first Business Day immediately following the redemption order date (T+1). The Sponsor reserves the right to extend the deadline for the Fund to receive the Creation Units required for settlement up to the second Business Day following the redemption order date (T+2).

Availability of Information

The NAV for the Funds' Shares will be disseminated daily to all market participants at the same time. The intraday, closing prices, and settlement prices of the Bitcoin Futures Contracts will be readily available from the applicable futures exchange websites, automated quotation systems, published or other public sources, or major market data vendors. The value of the Bitcoin Futures Contract will be disseminated by one or more major market data vendors on at least a 15-second delayed basis during the NYSE Arca Core Trading Session of 9:30 a.m. to 4:00 p.m. E.T.

Complete real-time data for the Bitcoin Futures Contracts and Options on Bitcoin Futures will be available by subscription through on-line information services. CME and CBOE will provide delayed futures and options on futures (once available) information on current and past trading sessions and market news free of charge on their respective websites. The specific contract specifications for Bitcoin Futures Contracts would also be available on such websites, as well as other financial informational sources. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the Consolidated Tape Association (''CTA''). Quotation information for Money Market Investments and OTC swaps agreements may be obtained from brokers and dealers who make markets in such instruments. Quotation information for exchange-traded swaps will be available from the applicable exchange and major market vendors. The IFV will be available through on-line information services.

In addition, the Funds' website, *www.direxioninvestments.com,* will display the applicable end of day closing NAV. The daily holdings of each Fund will be available on the Funds' website before 9:30 a.m. E.T. Each Fund's total portfolio composition will be disclosed each Business Day that NYSE Arca is open for trading, on the Funds' website. The Funds' website will also include a form of the prospectus for the Funds that may be downloaded. The website will include the Shares' ticker and CUSIP information, along with additional quantitative information updated on a daily basis for each Fund. The Funds' website will include (1) the prior business day's reported NAV and closing price, and a calculation of the premium and discount of the closing price or mid-point of the bid/ask spread at the time of NAV calculation (''Bid/Ask Price'') against the NAV; and (2) data in chart format displaying the frequency distribution of discounts and premiums of the daily closing price or Bid/Ask Price against the NAV, within appropriate ranges, for at least each of the four previous calendar quarters. The website disclosure of portfolio holdings will be made daily and will include, as applicable, (i) the name, quantity, value, expiration and strike price of Bitcoin Futures Contracts and Bitcoin Financial Instruments, (ii) the value of Bitcoin Financial Instruments, and (iii) the aggregate net value of the Money Market Investments held in each Fund's portfolio, if applicable. The Funds' website will be publicly available prior to the public offering of Shares and accessible at no charge.

The spot price of bitcoin also is available on a 24-hour basis from major market data vendors.

[15] Several major market data vendors display and/or make widely available IFVs taken from the CTA or other data feeds.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares of a Fund.[16] Trading in Shares of a Fund will be halted if the circuit breaker parameters in NYSE Arca Rule 7.12–E have been reached. Trading also may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable.

The Exchange may halt trading during the day in which an interruption to the dissemination of the IFV or the value of the Bitcoin Futures Contract occurs. If the interruption to the dissemination of the IFV or the value of the Bitcoin Futures Contract persists past the trading day in which it occurred, the Exchange will halt trading no later than the beginning of the trading day following the interruption. In addition, if the Exchange becomes aware that the NAV with respect to the Shares is not disseminated to all market participants at the same time, it will halt trading in the Shares until such time as the NAV is available to all market participants.

Trading Rules

The Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. Shares will trade on the NYSE Arca Marketplace from 4 a.m. to 8 p.m. E.T. in accordance with NYSE Arca Rule 7.34–E (Early, Core, and Late Trading Sessions). The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in NYSE Arca Rule 7.6–E, the minimum price variation (''MPV'') for quoting and entry of orders in equity securities traded on the NYSE Arca Marketplace 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.

The Shares will conform to the initial and continued listing criteria under NYSE Arca Rule 8.200–E. The trading of the Shares will be subject to NYSE Arca Rule 8.200–E, Commentary .02(e), which sets forth certain restrictions on Equity Trading Permit (''ETP'') Holders acting as registered Market Makers in Trust Issued Receipts to facilitate surveillance. The Exchange represents that, for initial and continued listing, each Fund will be in compliance with Rule 10A–3 [17] under the Act, as provided by NYSE Arca Rule 5.3–E. A minimum of 100,000 Shares of each Fund will be outstanding at the commencement of trading on the Exchange.

Surveillance

The Exchange represents that trading in the Shares of each Fund will be subject to the existing trading surveillances administered by the Exchange, as well as cross-market surveillances administered by 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.[18] 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 and certain Bitcoin Futures Contracts 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 and certain Bitcoin Futures Contracts from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and certain Bitcoin Futures Contracts from markets and other entities that are members of ISG or with which the Exchange has in place a comprehensive surveillance sharing agreement (''CSSA'').[19] The Exchange is also able to obtain information regarding trading in the Shares, futures, the commodity underlying futures or options on futures through ETP Holders, in connection with such ETP Holders' proprietary or customer trades which they effect through ETP Holders on any relevant market. The Exchange can obtain market surveillance information, including customer identity information, with respect to transactions (including transactions in cash-settled Options) occurring on US futures exchanges, which are members of the ISG.

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 portfolios of the Funds or the target benchmark, (b) limitations on portfolio holdings, reference assets or the target benchmark, or (c) the applicability of Exchange listing rules specified in this rule filing shall constitute continued listing requirements for listing the Shares on the Exchange.

The issuer has represented to the Exchange that it will advise the Exchange of any failure by the Funds 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 a Fund is not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under NYSE Arca Rule 5.5–E(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 risks involved in trading the Shares during the Early and Late Trading Sessions when an updated IFV will not be calculated or publicly disseminated; (2) the procedures for purchases and redemptions of Shares in Creation Units (and that Shares are not individually redeemable); (3) 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; (4) how information regarding the IFV is disseminated; (5) how information regarding portfolio holdings is disseminated; (6) that a static IFV will be disseminated, between the close of trading on the CME and CBOE and the close of the NYSE Arca Core Trading Session; (7) the requirement that ETP Holders deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the

[16] *See* NYSE Arca Rule 7.12–E.

[17] 17 CFR 240.10A–3.

[18] 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.

[19] For a list of the current members of ISG, *see www.isgportal.org*. The Exchange notes that not all components of a Fund may trade on markets that are members of ISG or with which the Exchange has in place a CSSA.

confirmation of a transaction; and (8) trading information.

Prior to the commencement of trading, the Exchange will inform its ETP Holders of the suitability requirements of NYSE Arca Rule 9.2–E(a) in an Information Bulletin. Specifically, ETP Holders will be reminded in the Information Bulletin that, in recommending transactions in the Shares, they must have a reasonable basis to believe that (1) the recommendation is suitable for a customer given reasonable inquiry concerning the customer's investment objectives, financial situation, needs, and any other information known by such ETP Holder, and (2) the customer can evaluate the special characteristics, and is able to bear the financial risks, of an investment in the Shares. In connection with the suitability obligation, the Information Bulletin will also provide that ETP Holders must make reasonable efforts to obtain the following information: (1) The customer's financial status; (2) the customer's tax status; (3) the customer's investment objectives; and (4) such other information used or considered to be reasonable by such ETP Holder or registered representative in making recommendations to the customer.

Further, the Exchange states that FINRA has implemented increased sales practice and customer margin requirements for FINRA members applicable to inverse, leveraged and inverse leveraged securities (which include the Shares) and options on such securities, as described in FINRA Regulatory Notices 09–31 (June 2009), 09–53 (August 2009), and 09–65 (November 2009) (collectively, ''FINRA Regulatory Notices''). ETP Holders that carry customer accounts will be required to follow the FINRA guidance set forth in these notices. As noted above, the Funds will seek investment results that daily short, leverage long or leverage short the performance of the target benchmark. Over a period of time in excess of one day, the cumulative percentage increase or decrease in the NAV of the Shares of a Fund may diverge significantly from a multiple or inverse multiple of the cumulative percentage decrease or increase in the relevant benchmark due to a compounding effect.

In addition, the Information Bulletin will advise ETP Holders, prior to the commencement of trading, of the prospectus delivery requirements applicable to a Fund. The Information Bulletin will also discuss any exemptive, no-action, and interpretive relief granted by the Commission from any rules under the Act. In addition, the Information Bulletin will reference that a Fund is subject to various fees and expenses described in the Registration Statement. The Information Bulletin will also reference that the CFTC has regulatory jurisdiction over the trading of Bitcoin Futures Contracts traded on U.S. markets.

The Information Bulletin will also disclose the trading hours of the Shares that the NAV for the Shares will be calculated after 11:00 a.m. E.T. each trading day. The Information Bulletin will disclose that information about the Shares will be publicly available on the Funds' website.

2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under Section 6(b)(5) [20] 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 and to protect investors and the public interest in that the Shares will be listed and traded on the Exchange pursuant to the initial and continued listing criteria in NYSE Arca Rule 8.200–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 or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares, and certain Bitcoin Futures Contracts 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 and certain Bitcoin Futures Contracts from such markets and other entities. In addition, the Exchange may obtain information regarding trading in the Shares and certain Bitcoin Futures Contracts from markets and other entities that are members of ISG or with which the Exchange has in place a CSSA. The Exchange is also able to obtain information regarding trading in the Shares, the commodity underlying futures or options on futures through ETP Holders, in connection with such ETP Holders' proprietary or customer trades which they effect through ETP Holders on any relevant market.

The Exchange can obtain market surveillance information, including customer identity information, with respect to transactions (including transactions in cash-settled Options) occurring on U.S. futures exchanges, which are members of the ISG. The intraday, closing prices, and settlement prices of the Bitcoin Futures Contracts will be readily available from the applicable futures exchange websites, automated quotation systems, published or other public sources, or major market data vendors website or on-line information services.

Complete real-time data for the Bitcoin Futures Contracts and Options on Bitcoin Futures will be available by subscription from on-line information services. CME and CBOE will provide delayed futures information on current and past trading sessions and market news free of charge on their websites. The specific contract specifications for Bitcoin Futures Contracts would also be available on such websites, as well as other financial informational sources. Information regarding options will be available from the applicable exchanges or major market data vendors. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA. The Funds' website will also include a form of the prospectus for the Funds that may be downloaded. The website will include the Shares' ticker and CUSIP information, along with additional quantitative information updated on a daily basis for each Fund. The Funds' website will include (1) the prior business day's reported NAV and closing price, and a calculation of the premium and discount of the closing price or mid-point of the Bid/Ask Price against the NAV; and (2) data in chart format displaying the frequency distribution of discounts and premiums of the daily closing price or Bid/Ask Price against the NAV, within appropriate ranges, for at least each of the four previous calendar quarters. The website disclosure of portfolio holdings will be made daily and will include, as applicable, (i) the name, quantity, value, expiration and strike price of Bitcoin Futures Contracts and Bitcoin Financial Instruments, (ii) the value of Bitcoin Financial Instruments, and (iii) the aggregate net value of the Money Market Investments held in each Fund's portfolio, if applicable. The Funds' website will be publicly available prior to the public offering of Shares and accessible at no charge.

[20] 15 U.S.C. 78f(b)(5).

In addition, the CFTC has noted that the U.S. futures exchanges that will trade bitcoin futures have agreed to significant enhancements to protect customers and maintain orderly markets, and announced its expectation that futures exchanges that list and trade bitcoin futures contracts will, through information sharing agreements, monitor the trading activity on the relevant cash platforms for potential impacts on the price discovery process for bitcoin futures contracts, including potential market manipulation and market dislocations due to flash rallies and crashes and trading outages.

Moreover, prior to the commencement of trading, the Exchange will inform its Equity Trading Permit Holders in an Information Bulletin of the special characteristics and risks associated with trading the Shares and of the suitability requirements of NYSE Arca Rule 9.2–E(a). The Information Bulletin will advise ETP Holders, prior to the commencement of trading, of the prospectus delivery requirements applicable to a Fund. The Information Bulletin will also discuss any exemptive, no-action, and interpretive relief granted by the Commission from any rules under the Act. In addition, the Information Bulletin will reference that a Fund is subject to various fees and expenses described in the Registration Statement. The Information Bulletin will also reference that the CFTC has regulatory jurisdiction over the trading of Bitcoin Futures Contracts traded on U.S. markets. The Information Bulletin will also disclose the trading hours of the Shares and that the NAV for the Shares will be calculated after 11:00 a.m. E.T. each trading day. The Information Bulletin will disclose that information about the Shares will be publicly available on the Funds' website.

Trading in Shares of a Fund will be halted if the circuit breaker parameters in NYSE Arca Rule 7.12–E have been reached or because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable.

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 a new type of Trust Issued Receipt based on the price of Bitcoin Futures Contracts 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 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.

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 purpose of the Act. The Exchange notes that the proposed rule change will facilitate the listing and trading of a new type of Trust Issued Receipt based on the price of Bitcoin Futures Contracts and that will enhance competition among market participants, to the benefit of investors and the marketplace.

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–2018–02 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–2018–02. 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 website (*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 website 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 will also be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEArca–2018–02 and should be submitted on or before February 14, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–01209 Filed 1–23–18; 8:45 am]

BILLING CODE 8011–01–P

[21] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice 10284]

E.O. 13224 Designation of Khalid Batarfi, aka Khaled Batarfi, aka Khaled Saeed Batarfi, aka Abu Miqdad, aka Abu al-Miqdad al-Kindi, aka Khalid bin Umar Batarfi, aka Khalid Saeed Batarfi, as a Specially Designated Global Terrorist

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the person known

as Khalid Batarfi, also known as Khaled Batarfi, also known as Khaled Saeed Batarfi, also known as Abu Miqdad, also known as Abu al-Miqdad al-Kindi, also known as Khalid bin Umar Batarfi, also known as Khalid Saeed Batarfi, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States. Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: January 4, 2018.

Rex W. Tillerson,

Secretary of State.

[FR Doc. 2018–01282 Filed 1–23–18; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF STATE

[Public Notice: 10285]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition Determinations: ''Fra Angelico: Heaven on Earth'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be included in the exhibition ''Fra Angelico: Heaven on Earth,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Isabella Stewart Gardner Museum, Boston, Massachusetts, from on or about February 20, 2018, until on or about May 20, 2018, and at possible additional exhibitions or venues yet to be determined, is in the national interest.

FOR FURTHER INFORMATION 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. 2018–01311 Filed 1–23–18; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 10283]

E.O. 13224 Designation of Abdelatif Gaini as a Specially Designated Global Terrorist

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the person known as Abdelatif Gaini, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: December 19, 2017.

Rex Tillerson,

Secretary of State.

[FR Doc. 2018–01284 Filed 1–23–18; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF STATE

[Public Notice: 10286]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition Determinations: ''Unknown Tibet: Buddhist Paintings From the Tucci Expeditions'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be included in the exhibition ''Unknown Tibet: Buddhist Paintings from the Tucci Expeditions,'' imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Asia Society, New York, New York, from on or about February 27, 2018, until on or about May 20, 2018, and at possible additional exhibitions or venues yet to be determined, is in the national interest.

FOR FURTHER INFORMATION 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. 2018–01312 Filed 1–23–18; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 10282]

E.O. 13224 Designation of Siddhartha Dhar, aka Abu Rumaysah, aka Abu Dhar, aka Saiful Islam, aka Jihadi Sid, aka Abu Rumaysah al Britani, aka Siddartha Dhar as a Specially Designated Global Terrorist

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the person known as Siddhartha Dhar, aka Abu Rumaysah, aka Abu Dhar, aka Saiful Islam, aka Jihadi Sid, aka Abu Rumaysah al Britani, aka Siddartha Dhar, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States. Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: December 19, 2017.

Rex Tillerson,

Secretary of State.

[FR Doc. 2018–01283 Filed 1–23–18; 8:45 am]

BILLING CODE 4710–AD–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent of Waiver With Respect to Land; Bolton Field Airport, Columbus, OH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA is considering a proposal to change 2.128 acres of airport land from aeronautical use to non-aeronautical use and to authorize the lease of airport property located at Bolton Field Airport, Columbus, OH. The aforementioned land is not needed for aeronautical use. The property is located in the northeast corner of the airport adjacent to the existing Columbus State Community College Building. The property is currently designated as aeronautical use for future hangar development. The proposed non-aeronautical use of the property is for the expansion of the Columbus State Community College Campus for the construction of a Fire Science Training Facility.

DATES: Comments must be received on or before February 23, 2018.

ADDRESSES: Documents are available for review by appointment at the FAA Detroit Airports District Office, Evonne M. McBurrows, Program Manager, 11677 South Wayne Road, Suite 107, Romulus, Michigan, 48174 Telephone: (734) 229–2900/Fax: (734) 229–2950 and Columbus Regional Airport Authority, 4600 International Gateway, Columbus, Ohio, and (614) 239–4000.

Written comments on the Sponsor's request must be delivered or mailed to: Evonne M. McBurrows, Program Manager, Federal Aviation Administration, Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan, 48174, Telephone Number: (734) 229–2900/ FAX Number: (734) 229–2950.

FOR FURTHER INFORMATION CONTACT: Evonne M. McBurrows, Program Manager, Federal Aviation Administration, Detroit Airports District Office, 11677 South Wayne Road, Suite 107, Romulus, Michigan, 48174. Telephone Number: (734) 229–2900/ FAX Number: (734) 229–2950.

SUPPLEMENTARY INFORMATION: In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The property is currently designated as aeronautical use for future corporate hangar development. This parcel of land (2.128 acres) was acquired with Airport Improvement Program (AIP) funds under AIP federal project number 8–39–0026–01. Columbus Regional Airport Authority (CRAA) proposed non-aeronautical use is for the expansion of Columbus State Community College (CSCC) campus which consists of construction of a Fire Science Training Facility. CRAA will lease the land to CSCC for 25 years and receive fair market value (FMV) for the duration of the lease.

The disposition of proceeds from the lease of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999 (64 FR 7696).

This notice announces that the FAA is considering the release of the subject airport property at the Bolton Field Airport, Columbus, OH from its obligations to be maintained for aeronautical purposes. Approval does not constitute a commitment by the FAA to financially assist in the change in use of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA.

Property Legal Description

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Survey No. 3026 of the Virginia Military District, being a part of the 380.25 acre tract conveyed as Tracts 22, 23, 24, 25, & 30 to Columbus Regional Airport Authority by deed of record in Instrument Number 200712310221193, (all records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows;

Begin for reference at Franklin County Engineer Monument FCGS 5144 found at the centerline intersection of Lone Eagle Street (60 feet in width) dedicated by Plat Book 50, Page 9 and Alkire Road (varies in width);

Thence South 87°12′43″ East, a distance of 564.70 feet, along the centerline of Alkire Road to a magnetic nail set at the northwesterly corner of 6.811 acre Lease Area to Columbus State Community College;

Thence South 01°20′47″ West, a distance of 389.90 feet, across the said 380.25 acre tract along the westerly line of the said 6.811 acre Lease Area, passing a ¾ inch iron pipe found at 30.00 feet, to a ¾ inch iron pipe set at the Point of True Beginning for the herein described tract;

Thence the following courses and distances across the 380.25 acre tract:

1. South 01°20′47″ West, a distance of 556.65 feet, to a ¾ inch iron pipe set;
2. North 57°51′58″ West, a distance of 215.37 feet, to a ¾ inch iron pipe set;
3. North 01°20′47″ East, a distance of 445.56 feet, to a ¾ inch iron pipe set;
4. South 88°55′01″ East, a distance of 185.02 feet, to the Point of True Beginning, containing 2.128 acres, more or less. Being subject to all easements, restrictions and rights-of-way of record.

Issued in Romulus, Michigan, on January 4, 2018.

John L. Mayfield, Jr.,

Manager, Detroit Airports District Office, FAA, Great Lakes Region.

[FR Doc. 2018–01301 Filed 1–23–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans), pursuant to 23 U.S.C. 327, and the United States Fish and Wildlife Service.

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans, and USFWS. The actions relate to a proposed highway project on Interstate 10 (I–10), the I–10/Avenue 50 New Interchange Project, located in the eastern portion of the City of Coachella in the County of Riverside, State of California. The proposed interchange is located approximately 3.4 miles east of the existing I–10/Dillon Road interchange, and approximately 9.1 miles west of the existing Cactus City Safety Road Rest Area. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(*l*)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before June 25, 2018. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: James Shankel, Senior Environmental Planner, Environmental Studies ''C'' Branch Chief, California Department of Transportation District 8, Division of Environmental Planning, 464 West 4th Street, 6th Floor, MS 827, San Bernardino, California, 92401–1400, during normal business hours from 8:00 a.m. to 5:00 p.m., telephone (909) 383–6379, or email *james.shankel@dot.ca.gov.*

SUPPLEMENTARY INFORMATION: Effective July 1, 2007, the Federal Highway Administration (FHWA) assigned, and the California Department of Transportation (Caltrans) assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that Caltrans and USFWS have taken final agency actions subject to 23 U.S.C. 139(*l*)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California: The Interstate 10/Avenue 50 New Interchange Project would construct a new interchange at Interstate 10 (I–10) and Avenue 50, from Post Mile (PM) R62.3 to R63.7, in the eastern portion of the City of Coachella, in the County of Riverside. The proposed I–10/Avenue 50 interchange is located approximately 3.4 miles east of the existing I–10/Dillon Road interchange (PM 58.9) and approximately 9.1 miles west of the existing Cactus City Safety Road Rest Area (PM R72.2). Project construction is scheduled to begin in 2019. The project has an opening year/completion date of 2020. The purpose of the project is to provide a new regional access point with I–10 for the City of Coachella and eastern Coachella Valley as identified in the City of Coachella's General Plan, to address anticipated increased traffic demand on the regional transportation system, and to provide access to approved development. The project is included in the Southern California Association of Government's (SCAG's) 2016 Regional Transportation Plan titled *2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (2016–2040 RTP/SCS): A Plan for Mobility, Accessibility, Sustainability and a High Quality of Life,* identified as RTP ID RIV030901. The project is also listed in SCAG's financially constrained 2017 Federal Transportation Improvement Program (2017 FTIP), currently including Amendments 1–15, for fiscal years FY 2016/2017—2021/2022 as a State Highway Project, with project ID RIV030901. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) with a Finding of No Significant Impact (FONSI) for the project, approved on October 30, 2017, and in other documents in the project records. The EA/FONSI, and other project records are available by contacting Caltrans at the address provided above. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) (42 U.S.C. 4321–4351);
2. Federal Aid Highway Act of 1970;
3. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy of Users (SAFETEA–LU), PL 109–59;
4. Moving Ahead for Progress in the 21st Century Act (MAP–21), PL 112–141;
5. Fixing America's Surface Transportation Act (FAST Act), PL 114–94;
6. Title VI of the Civil Rights Act of 1964, as amended;
7. Clean Air Act Amendments of 1990;
8. Noise Control Act of 1979;
9. 23 CFR part 772 FHWA Noise Standards, Policies and Procedures;
10. Department of Transportation Act of 1966, Section 4(f);
11. Clean Water Act of 1977 and 1987;
12. Endangered Species Act of 1973;
13. Migratory Bird Treaty Act;
14. National Historic Preservation Act of 1966, as amended;
15. Historic Sites Act of 1935;
16. Executive Order 11990—Protection of Wetlands;
17. Executive Order 12898—Environmental Justice;
18. Executive Order 13112—Invasive Species;
19. Executive Order 11988—Floodplain Management;
20. Uniform Relocation Assistance and Real Property Acquisition Act of 1970;

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(*l*)(1).

Shawn Oliver,

Env/ROW Team Leader Transportation, Engineer, Federal Highway Administration, Sacramento, California.

[FR Doc. 2018–01316 Filed 1–23–18; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Transfer of Federally Assisted Land or Facility

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of proposed transfer of federally assisted land or facility.

SUMMARY: The Federal Transit Administration (FTA) is issuing this notice to inform other Federal agencies that FTA intends to authorize the Greater Lynchburg Transit Company to convey certain property in Lynchburg, Virginia (Property), to the City of Lynchburg Police Department, if there is no interest in acquiring the Property for Federal Government use.

DATES: Any Federal agency interested in acquiring the Property must notify the FTA Region 3 office of its interest not later than February 23, 2018.

ADDRESSES: Federal agencies should notify the FTA Region 3 office of their

interest by writing to Regional Administrator Theresa Garcia Crews, Federal Transit Administration, 1760 Market Street, Suite 500, Philadelphia, PA 19103.

FOR FURTHER INFORMATION CONTACT: Christopher T. Hall, Acting Regional Counsel, at (202) 366–5218.

SUPPLEMENTARY INFORMATION:

Background

If a recipient of Federal transit assistance under 49 U.S.C. Chapter 53 decides an asset acquired at least in part with that assistance is no longer needed for the purpose for which it was acquired, the Secretary of Transportation may authorize the recipient to transfer the asset to a local governmental authority to be used for a public purpose with no further obligation to the Government if (A) the asset will remain in public use for at least 5 years after the date the asset is transferred; (B) there is no purpose eligible for assistance under this chapter for which the asset should be used; (C) the overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and (D) through an appropriate screening or survey process, that there is no interest in acquiring the asset for Government use if the asset is a facility or land. 49 U.S.C. 5334(h)(1). If the asset is a facility or land, the Secretary may authorize a transfer for a public purpose other than public transportation only if the Secretary decides, through an appropriate screening or survey process, that there is no interest in acquiring the asset for Government use. 49 U.S.C. 5334(h)(1)(D).

The Property

The Property is parcel number 02701002, located at 1305 Kemper Street, Lynchburg, Virginia. The Property is 0.883 acres situated in an area zoned light industrial. The Property bears a one-story masonry office building of approximately 16,000 square feet constructed in 1953.

Federal Interest in Acquiring the Property

FTA has determined that the proposed transfer from the Greater Lynchburg Transit Company to the City of Lynchburg Police Department otherwise satisfies the requirements of 49 U.S.C. 5334(h)(1). This Notice serves the purpose of an appropriate screening or survey process to determine whether there is interest in acquiring the Property for Government use. Any Federal agency interested in acquiring the Property should notify FTA as described above.

Theresa Garcia Crews,

Regional Administrator, FTA Region 3.

[FR Doc. 2018–01238 Filed 1–23–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Transfer of Federally Assisted Land or Facility

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of intent to transfer federally assisted land or facility.

SUMMARY: The Federal Transit Administration (FTA) is issuing this notice to inform other Federal agencies that FTA intends to authorize Pierce Transit to convey certain property in Gig Harbor, Washington (Property) to the City of Gig Harbor to use as a community service facility if no Federal agency expresses an interest in acquiring the Property for a Federal government use.

DATES: Any Federal agency interested in acquiring the facility must notify the FTA Region 10 office of its interest no later than February 23, 2018.

ADDRESSES: Federal agencies should notify the FTA Region 10 office of their interest by writing to Regional Administrator Linda Gehrke, Federal Transit Administration, 915 2nd Avenue, Suite 3142, Seattle, WA 98314.

FOR FURTHER INFORMATION CONTACT: Francis Eugenio, Regional Counsel, at (206) 220–7515 or *francis.eugenio@dot.gov.*

SUPPLEMENTARY INFORMATION:

Background

If a recipient of Federal assistance under 49 U.S.C. Chapter 53 decides that an asset acquired at least in part with that assistance is no longer needed for a transit purpose, the Secretary of Transportation may authorize the recipient to transfer the asset to a local governmental authority to be used for a public purpose with no further obligation to the Federal Government if (A) the asset will remain in public use for at least 5 years after the date the asset is transferred; (B) there is no purpose eligible for assistance under chapter 53 for which the asset should be used; (C) the overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and (D) through an appropriate screening or survey process, that there is no interest in acquiring the asset for Government use if the asset is a facility or land. 49 U.S.C. 5334(h)(1). 49 U.S.C. 5334(h)(1). If the asset is a facility or land, the Secretary may authorize a transfer for a public purpose other than public transportation only if the Secretary determines, through an appropriate screening or survey process, that no Federal agency has an interest in acquiring the asset for a government use. 49 U.S.C. 5334(h)(1)(D).

The Property

The Property is comprised of two parcels of land located at (1) 3607 Hunt Street NW, Gig Harbor, WA (Pierce County Assessor's Parcel 0221083054), a site containing an area of 23,100 square feet; and (2) 3611 Hunt Street NW, Gig Harbor, WA (Pierce County Assessor's Parcel 0221083032), a site containing an area of 20,909 square feet. The two parcels total 1.01 acres and each has a single-family residence that had been converted to small business use prior to acquisition by Pierce Transit. The zoning is B–2, General Business District. The Property is adjacent to SR 16 and the site is located at a dead end of Hunt Street. The highest and best use of these parcels was identified as demolition of the existing structures and redevelopment of the sites with low intensity uses that utilize private septic systems. The site lacks sewer service. The nearest sewer line is located approximately 3,300 feet away. The lack of sewer at the site results in significant limitations to its future use.

Pierce Transit purchased both properties in 2006 for a park and ride lot, but the project was canceled in 2009. 3607 Hunt Street NW was acquired for $345,000, and 3611 Hunt Street NW was acquired for $500,000. Both parcels have depreciated significantly in value. The City of Gig Harbor proposes to use the property for a community service facility.

Federal Interest in Acquiring the Property

FTA has determined that the proposed transfer from Pierce Transit to the City of Gig Harbor otherwise satisfies the requirements of 49 U.S.C. 5334(h)(1). This notice serves as an appropriate screening or survey process to determine whether a Federal agency has an interest in acquiring the Property for Federal government use. Any Federal agency interested in acquiring

the Property should notify FTA as described above.

Linda Gehrke,

Regional Administrator, FTA Region 10.

[FR Doc. 2018–01261 Filed 1–23–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the name of a person whose property and interests in property has been unblocked and removed from the list of Specially Designated Nationals and Blocked Persons. Additionally, OFAC is publishing an update to the identifying information of a person currently included in the list of Specially Designated Nationals and Blocked Persons.

DATES: See **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, tel: 202–622–2420; 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 General Counsel: Office of the Chief Counsel (Foreign Assets Control), 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 on OFAC's website (*http://www.treasury.gov/ofac*).

Notice of OFAC Actions

On January 4, 2018, OFAC determined that the property and interests in property of the following person are unblocked and removed from the SDN List under the relevant sanctions authority listed below.

Individual

1. TOUZARD ROMO, Lucia, Ave. Samuel Lewis y Calle 54, Urb. Obarrio Torre Generali, piso 11, Apartado 0831–02–513, Panama, Panama; DOB 24 Jan 1971; POB Panama; citizen Panama; Passport 0159068 (Panama) (individual) [SDNTK] (Linked To: WAKED MONEY LAUNDERING ORGANIZATION).

Additionally, on January 4, 2018, OFAC updated the SDN List for the following person, whose property and interests in property continue to be blocked under the relevant sanctions authority listed below.

Individual

1. AGUINO ARBOLEDA, Onofre Junior (Latin: AGUIÑO ARBOLEDA, Onofre Junior) (a.k.a. ''DIOS Y CIEGO''), Colombia; DOB 16 Sep 1989; POB Tumaco, Narino, Colombia; Gender Male; Cedula No. 1087132209 (Colombia) (individual) [SDNTK].

Dated: January 4, 2018.

Gregory T. Gatjanis,

Associate Director, Office of Global Targeting, Office of Foreign Assets Control.

[FR Doc. 2018–01225 Filed 1–23–18; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

VA New Hampshire Vision 2025 Task Force; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act that the VA New Hampshire Vision 2025 Task Force, which is a subcommittee of the Special Medical Advisory Group (SMAG), will meet February 14, 2018 from 8:00 a.m.–5:00 p.m. ET and February 15, 2018 from 8:00 a.m.–5:00 p.m. ET at the Department of Veterans Affairs, Manchester VA Medical Center, 718 Smyth Road Manchester, NH 03104, Building 1, 1st Floor, Training & Education Room. There will also be a teleconference line available for those attendees unable to attend in person. The meeting is open to the public.

The purpose of the Subcommittee is to develop a comprehensive set of options and recommendations to develop a future vision of what VA must do to best meet the needs of New Hampshire Veterans. The recommendations will be reviewed by the SMAG and then those final recommendations will be forwarded to the Secretary and Under Secretary for Health for decision and action.

The agenda will include review of the online questionnaire on the task force's website and being shared with all Veterans across New Hampshire. Furthermore, the agenda will also include both review of recommendations and proposals from the various clinical service lines and facilitated decision making by the taskforce as it begins to develop its final set of recommendations to the SMAG. The listen only teleconference line is reached by dialing 1–800–767–1750 and then entering the access code: 91129#. However, there are a limited number of lines. Consequently, if more than one person at an organization wants to join, we encourage you to use one phone line to allow other organization to listen. Otherwise, you are welcome to join in person. No time will be allocated at this meeting for receiving oral presentations from the public. However, the public may submit written statements for the Subcommittee's review to Brenda Faas, Designated Federal Officer, Department of Veterans Affairs at *Brenda.Faas@va.gov,* or Thomas Pasakarnis, Alternate Designated Federal Officer, Department of Veterans Affairs at *Thomas.Pasakarnis@va.gov.* Any member of the public wishing to attend the meeting or listen in via the teleconference line or seeking additional information should contact Mr. Pasakarnis.

Because the meeting will be held in a federal government building, anyone attending must be prepared to show a valid photo government issued ID. Please allow 15 minutes before the meeting begins for this process.

Dated: January 18, 2018.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2018–01211 Filed 1–23–18; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

National Research Advisory Council; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act (FACA) that the National Research Advisory Council will hold a meeting on Wednesday, March 7, 2018, in Suite 102, Conference Room C100, at 31 Hopkins Place, Baltimore, MD 21201. The meeting will convene at 9:00 a.m. and end at 3:30 p.m. This meeting is open to the public.

The agenda will include introduction of newly appointed members, annual Ethics and Advisory Committee Management Office training, research priorities, service updates, communications update, and scientific presentations. No time will be allocated at this meeting for receiving oral presentations from the public. Members of the public wanting to attend may contact Melissa Cooper, Designated

Federal Officer, ORD (10P9), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, at (202) 461–6044, or by email at *Melissa.Cooper@va.gov* no later than close of business on February 28, 2018. Because the meeting is being held in a Government building, a photo I.D. must be presented at the Guard's Desk as a part of the clearance process. Due to security protocols, and in order to prevent delays in clearance processing, you should allow an additional 30 minutes before the meeting begins. Any member of the public seeking additional information should contact Melissa Cooper at the phone number or email address noted above.

Dated: January 18, 2018.

LaTonya L. Small,

Federal Advisory Committee Management Officer.

[FR Doc. 2018–01203 Filed 1–23–18; 8:45 am]

BILLING CODE P

FEDERAL REGISTER

Vol. 83 Wednesday,

No. 16 January 24, 2018

Part II

Department of Defense

General Services Administration

National Aeronautics and Space Administration

48 CFR Chapter 1, et al.

Federal Acquisition Regulations; Final Rules

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

[Docket No. FAR 2018–0001, Sequence No. 1]

Federal Acquisition Regulation; Federal Acquisition Circular 2005–97; Introduction

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Summary presentation of a final rule.

SUMMARY: This document summarizes the Federal Acquisition Regulation (FAR) rule agreed to by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) in this Federal Acquisition Circular (FAC) 2005–97. A companion document, the *Small Entity Compliance Guide* (SECG), follows this FAC. The FAC, including the SECG, is available via the internet at *http://www.regulations.gov.*

DATES: For effective date see the separate document, which follows.

FOR FURTHER INFORMATION CONTACT: Ms. Cecelia Davis, Procurement Analyst, at 202–219–0202 for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755. Please cite FAC 2005–97, FAR case 2018–001.

RULE LISTED IN FAC 2005–97

Subject	FAR case	Analyst
Trade Agreements Thresholds.	2018–001	Davis.

SUPPLEMENTARY INFORMATION: A summary for the FAR rule follows. For the actual revisions and/or amendments made by this FAR Case, refer to the specific item number and subject set forth in the document following this item summary. FAC 2005–97 amends the FAR as follows:

Trade Agreements Thresholds (FAR Case 2018–001)

This final rule amends the Federal Acquisition Regulation to adjust the thresholds for application of the World Trade Organization Government Procurement Agreement and the Free Trade Agreements as determined by the United States Trade Representative, according to predetermined formulae under the agreements.

Dated: January 18, 2018.

William F. Clark,

Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.

Federal Acquisition Circular (FAC) 2005–97 is issued under the authority of the Secretary of Defense, the Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration.

Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 2005–97 is effective January 24, 2018.

Dated: January 11, 2018.

Shay D. Assad,

Director, Defense Pricing/Defense Procurement and Acquisition Policy

Dated: January 18, 2018.

Jeffrey A. Koses,

Senior Procurement Executive/Deputy CAO, Office of Acquisition Policy, U.S. General Services Administration.

Dated: January 9, 2018.

William P. McNally,

Assistant Administrator, Office of Procurement National Aeronautics and Space Administration.

[FR Doc. 2018–01198 Filed 1–23–18; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 22, 25, and 52

[FAC 2005–97; FAR Case 2018–001; Docket No. 2018–0004; Sequence No. 1]

RIN 9000–AN60

Federal Acquisition Regulation; Trade Agreements Thresholds

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: DoD, GSA, and NASA are issuing a final rule amending the Federal Acquisition Regulation (FAR) to incorporate revised thresholds for application of the World Trade Organization Government Procurement Agreement and the Free Trade Agreements, as determined by the United States Trade Representative.

DATES: *Effective Date:* January 24, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Cecelia L. Davis, Procurement Analyst, at 202–219–0202, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755. Please cite FAC 2005–97, FAR Case 2018–001.

SUPPLEMENTARY INFORMATION:

I. Background

Approximately every two years, the thresholds for the World Trade Organization Government Procurement Agreement (WTO GPA) and the free trade agreements (FTAs) are adjusted according to predetermined formulae under the agreements. On December 11, 2017 (82 FR 58248), the United States Trade Representative published new procurement thresholds. These thresholds became effective on January 1, 2018. The United States Trade Representative has specified the following new thresholds:

Trade agreement	Supply contract (equal to or exceeding)	Service contract (equal to or exceeding)	Construction contract (equal to or exceeding)
WTO GPA	$180,000	$180,000	$6,932,000
FTAs:			
Australia FTA	80,317	80,317	6,932,000
Bahrain FTA	180,000	180,000	10,441,216

Trade agreement	Supply contract (equal to or exceeding)	Service contract (equal to or exceeding)	Construction contract (equal to or exceeding)
CAFTA–DR (Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua)	80,317	80,317	6,932,000
Chile FTA	80,317	80,317	6,932,000
Colombia FTA	80,317	80,317	6,932,000
Korea FTA	100,000	100,000	6,932,000
Morocco FTA	180,000	180,000	6,932,000
NAFTA:			
—Canada	25,000	80,317	10,441,216
—Mexico	80,317	80,317	10,441,216
Oman FTA	180,000	180,000	10,441,216
Panama FTA	180,000	180,000	6,932,000
Peru FTA	180,000	180,000	6,932,000
Singapore FTA	80,317	80,317	6,932,000
Israeli Trade Act	50,000		

II. Discussion and Analysis

This final rule implements the new thresholds in FAR subpart 25.4, Trade Agreements, and other sections in the FAR that include trade agreements thresholds (*i.e.,* 22.1503, 25.202, 25.603, 25.1101, and 25.1102).

In addition, changes are required to the provision at FAR 52.204–8, Annual Representations and Certifications, and clause at FAR 52.222–19, Child Labor—Cooperation with Authorities and Remedies, with conforming changes to the clause dates in 52.212–5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items, and 52.213–4, Terms and Conditions—Simplified Acquisitions (Other Than Commercial Items).

III. Publication of This Final Rule for Public Comment Is Not Required by Statute

''Publication of proposed regulations,'' 41 U.S.C. 1707, is the statute which applies to the publication of the FAR. Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure, or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure, or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because it only adjusts the thresholds according to predetermined formulae to adjust for changes in economic conditions, thus maintaining the status quo, without significant effect beyond the internal operating procedures of the Government.

IV. Applicability to Contracts at or Below the Simplified Acquisition Threshold and for Commercial Items, Including Commercially Available Off-the-Shelf Items

This rule amends the FAR to revise thresholds for application of the WTO GPA and the FTAs. The revisions do not add any new burdens or impact applicability of clauses and provisions at or below the simplified acquisition threshold, or to commercial items.

V. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

VI. Executive Order 13771

This rule is not subject to E.O. 13771, Reducing Regulation and Controlling Regulatory Costs, because this rule is not a significant regulatory action under E.O. 12866.

VII. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule, because this final rule does not constitute a significant FAR revision within the meaning of FAR 1.501–1, and 41 U.S.C. 1707 does not require publication for public comment.

VIII. Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. chapter 35) does apply to this final rule, since the rule affects the prescriptions for use of the certification and information collection requirements in the provisions at 52.225–4 and 52.225–6 and the clauses at FAR 52.225–9, 52.225–11, 52.225–21, and 52.225–23, currently approved under OMB Control Number 9000–0024, entitled ''Buy American Act, Trade Agreements, and Duty-Free Entry.'' The impact, however, is expected to be negligible, because the threshold changes are in line with inflation and maintain the status quo. As a result, there is no change to the estimated burden.

List of Subjects in 48 CFR Parts 22, 25, and 52

Government procurement.

Dated: January 18, 2018.

William F. Clark,

Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.

Therefore, DoD, GSA, and NASA amend 48 CFR parts 22, 25, and 52 as set forth below:

■ 1. The authority citation for 48 CFR parts 22, 25, and 52 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 51 U.S.C. 20113.

PART 22—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

22.1503 [Amended]

■ 2. Amend section 22.1503 by—

■ a. Removing from paragraph (b)(3) ''$77,533'' and adding ''$80,317'' in its place; and

■ b. Removing from paragraph (b)(4) ''$191,000'' and adding ''$180,000'' in its place.

PART 25—FOREIGN ACQUISITION

25.202 [Amended]

■ 3. Amend section 25.202 by removing from paragraph (c) ''$7,358,000'' and adding ''$6,932,000'' in its place.

■ 4. Amend section 25.402 by revising the table in paragraph (b) to read as follows:

25.402 General.

* * * * *

(b) * * *

Trade agreement	Supply contract (equal to or exceeding)	Service contract (equal to or exceeding)	Construction contract (equal to or exceeding)
WTO GPA	$180,000	$180,000	$6,932,000
FTAs:			
Australia FTA	80,317	80,317	6,932,000
Bahrain FTA	180,000	180,000	10,441,216
CAFTA–DR (Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua)	80,317	80,317	6,932,000
Chile FTA	80,317	80,317	6,932,000
Colombia FTA	80,317	80,317	6,932,000
Korea FTA	100,000	100,000	6,932,000
Morocco FTA	180,000	180,000	6,932,000
NAFTA:			
—Canada	25,000	80,317	10,441,216
—Mexico	80,317	80,317	10,441,216
Oman FTA	180,000	180,000	10,441,216
Panama FTA	180,000	180,000	6,932,000
Peru FTA	180,000	180,000	6,932,000
Singapore FTA	80,317	80,317	6,932,000
Israeli Trade Act	50,000	.....	.....

25.603 [Amended]

■ 5. Amend section 25.603 by removing from paragraph (c)(1) ''$7,358,000'' and adding ''$6,932,000'' in its place.

25.1101 [Amended]

■ 6. Amend section 25.1101 by—

■ a. Removing from paragraph (b)(1)(i)(A) ''$191,000;'' and adding ''$180,000;'' in its place;

■ b. Removing from paragraphs (b)(1)(iii) and (iv) and (b)(2)(iii) and (iv) ''$77,533'' and adding ''$80,317'' in its place; and

■ c. Removing from paragraphs (c)(1) and (d) ''$191,000'' and adding ''$180,000'' in its place.

25.1102 [Amended]

■ 7. Amend section 25.1102 by—

■ a. Removing from the introductory text of paragraphs (a) and (c) ''$7,358,000'' and adding ''$6,932,000'' in its place;

■ b. Removing from paragraph (c)(3) ''$7,358,000'' and ''$10,079,365'' and adding ''$6,932,000'' and ''$10,441,216'' in their places, respectively; and

■ c. Removing from paragraph (d)(3) ''$7,864,000'' and ''$10,079,365'' and adding ''$6,932,000'' and ''$10,441,216'' in their places, respectively.

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 8. Amend section 52.204–8 by—

■ a. Revising the date of the provision; and

■ b. Removing from paragraphs (c)(1)(xx)(C) and (D) ''$77,533'' and adding ''$80,317'' in its place.

The revision reads as follows:

52.204–8 Annual Representations and Certifications.

* * * * *

Annual Representations and Certifications (Jan 2018)

* * * * *

■ 9. Amend section 52.212–5 by revising the date of the clause and paragraph (b)(26) to read as follows:

52.212–5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items.

* * * * *

Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items (Jan 2018)

* * * * *

(b) * * *

____ (26) 52.222–19, Child Labor—Cooperation with Authorities and Remedies (Jan 2018) (E.O. 13126).

* * * * *

■ 10. Amend section 52.213–4 by revising the date of the clause and paragraph (b)(1)(ii) to read as follows:

52.213–4 Terms and Conditions—Simplified Acquisitions (Other Than Commercial Items).

* * * * *

Terms and Conditions—Simplified Acquisition (Other Than Commercial Items) (Jan 2018)

* * * * *

(b) * * *

(1) * * *

(ii) 52.222–19, Child Labor—Cooperation with Authorities and Remedies (Jan 2018) (E.O. 13126) (Applies to contracts for supplies exceeding the micro-purchase threshold).

* * * * *

■ 11. Amend section 52.222–19 by—

■ a. Revising the date of the clause;

■ b. Removing from paragraph (a)(3) ''$77,533'' and adding ''$80,317'' in its place; and

■ c. Removing from paragraph (a)(4) ''$191,000'' and adding ''$180,000'' in its place.

The revision reads as follows:

52.222–19 Child Labor—Cooperation with Authorities and Remedies.

* * * * *

Child Labor—Cooperation with Authorities and Remedies (Jan 2018)

* * * * *

[FR Doc. 2018–01199 Filed 1–23–18; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

[Docket No. FAR 2018–0001, Sequence No. 1]

Federal Acquisition Regulation; Federal Acquisition Circular 2005–97; Small Entity Compliance Guide

AGENCY: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Small Entity Compliance Guide.

SUMMARY: This document is issued under the joint authority of DOD, GSA, and NASA. This *Small Entity Compliance Guide* has been prepared in accordance with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It consists of a summary of the rule appearing in Federal Acquisition Circular (FAC) 2005–97, which amends the Federal Acquisition Regulation (FAR). An asterisk (*) next to a rule indicates that a regulatory flexibility analysis has been prepared. Interested parties may obtain further information regarding this rule by referring to FAC 2005–97, which precedes this document. These documents are also available via the internet at *http://www.regulations.gov.*

DATES: January 24, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Cecelia Davis at 202–219–0202 for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755. Please cite FAC 2005–97, FAR Case 2018–001.

RULE LISTED IN FAC 2005–97

Subject	FAR case	Analyst
Trade Agreements Thresholds.	2018–001	Davis.

SUPPLEMENTARY INFORMATION: Summary for the FAR rule follows. For the actual revisions and/or amendments made by this FAR case, refer to the specific item number and subject set forth in the document following this item summary. FAC 2005–97 amends the FAR as follows:

Trade Agreements Thresholds (FAR Case 2018–001)

This final rule amends the Federal Acquisition Regulation to adjust the thresholds for application of the World Trade Organization Government Procurement Agreement and the Free Trade Agreements as determined by the United States Trade Representative, according to predetermined formulae under the agreements.

Dated: January 18, 2018.

William F. Clark,

Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.

[FR Doc. 2018–01200 Filed 1–23–18; 8:45 am]

BILLING CODE 6820–EP–P

Reader Aids

Federal Register

Vol. 83, No. 16

Wednesday, January 24, 2018

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations	
General Information, indexes and other finding aids	**202–741–6000**
Laws	**741–6000**
Presidential Documents	
Executive orders and proclamations	**741–6000**
The United States Government Manual	**741–6000**
Other Services	
Electronic and on-line services (voice)	**741–6020**
Privacy Act Compilation	**741–6050**
Public Laws Update Service (numbers, dates, etc.)	**741–6043**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: **www.fdsys.gov.**

Federal Register information and research tools, including Public Inspection List, indexes, and Code of Federal Regulations are located at: **www.ofr.gov.**

E-mail

FEDREGTOC (Daily Federal Register Table of Contents Electronic Mailing List) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to **https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new**, enter your email address, then follow the instructions to join, leave, or manage your subscription.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to **http://listserv.gsa.gov/archives/publaws-l.html** and select *Join or leave the list (or change settings);* then follow the instructions.

FEDREGTOC and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: **fedreg.info@nara.gov**

The Federal Register staff cannot interpret specific documents or regulations.

CFR Checklist. Effective January 1, 2009, the CFR Checklist no longer appears in the Federal Register. This information can be found online at **http://bookstore.gpo.gov/.**

FEDERAL REGISTER PAGES AND DATE, JANUARY

1–208 2
209–462 3
463–588 4
589–704 5
705–970 8
971–1172 9
1173–1288 10
1289–1510 11
1511–2028 12
2029–2328 16
2329–2526 17
2525–2732 18
2733–2884 19
2885–3058 22
3059–3260 23
3261–3400 24

CFR PARTS AFFECTED DURING JANUARY

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:
9688 587
9689 2883
9690 3057

Executive Orders:
13799 (Revoked by EO 13820) 969
13820 969
13821 1507
13822 1513

Administrative Orders:
Memorandum of January 8, 2018 1511
Notices:
Notice of January 17, 2018 2731

5 CFR

890 3059
1201 1173
2634 2329
2636 2329

6 CFR

46 2885

7 CFR

1c 2885
927 589
959 592

Proposed Rules:
Subtitle A 474
Subtitle B 474
205 ..... 2373, 2498
929 72
930 77
1220 2747
1260 2747

9 CFR

Proposed Rules:
Ch. I 474
Ch. II 474
Ch. III 474

10 CFR

2 1515
13 1515
50 ..... 2331, 2525
72 3261
205 1174
207 1289
218 1289
429 1289
431 1289
490 1289
501 1289
601 1289
745 2885
820 1289
824 1289
851 1289
1013 1289
1017 1289
1050 1289

Proposed Rules:
429 2566
430 2566

12 CFR

19 1517
109 1517
217 705
263 1182
308 1519
622 1293
747 2029
1083 1525

Proposed Rules:
213 286

14 CFR

25 ..... 463, 2032, 2035, 2038, 2526, 2529, 2532, 3062
39 ... 209, 594, 596, 1527, 1529, 1532, 1535, 2039, 2042, 2354, 2358, 2361, 2364, 2366, 2733, 2894, 2896, 2899, 3064, 3263
71 ..... 1184, 1185, 1537, 2535, 2737, 3067
95 971
121 1186
135 1188
1230 2885
1264 2045
1271 2045

Proposed Rules:
39 ..... 80, 83, 1198, 1311, 1313, 1579, 2088, 2090, 2373, 2375, 2378, 3283, 3287
71 ..... 1201, 1582, 1584, 2574, 2747, 3100
73 ..... 1316, 1319

15 CFR

6 706
27 2885
774 709

16 CFR

1 2902
303 3068
1028 2885

Proposed Rules:
Ch. II 2382
460 2934

17 CFR

3 1538
9 ..... 1538, 1548
211 1295
230 2046

232....2369
275....1296
Proposed Rules:
200....291

18 CFR

11....1
40....3268
250....1550
381....468
385....1550
Proposed Rules:
401....1586
440....1586
1304....2382

20 CFR

404....711
416....711
431....2885
655....7
702....7
725....7
726....7

21 CFR

1....598
11....598
16....598, 2057
106....598
110....598
111....598
112....598
114....598
117....598
120....598
123....598
129....598
179....598
211....598
507....598
573....19
801....2057
803....2057
806....2057
810....2057
814....2057
820....2057
821....2057
822....2057
830....2057
864....20, 232
878....22
892....600
1301....3071
1308....469
Proposed Rules:
7....2758
10....2388
15....2952
101....2393
201....2092
800....2388
801....2092
1100....2092

22 CFR

35....234
103....234
127....234, 2738
138....234
225....2885

25 CFR

514....2903
547....2738
575....2059

26 CFR

301....24

27 CFR

16....1552

29 CFR

5....7
21....2885
500....7
501....7
503....7
530....7
570....7
578....7
579....7
801....7
825....7
1601....2536
1902....7
1903....7
2560....7
2575....7
2590....7
4022....1553
4071....1555
4302....1555
Proposed Rules:
2510....614

30 CFR

100....7
250....2538
553....2540
1218....3075
1241....2907
Proposed Rules:
901....2953

32 CFR

205....1556
219....2885
269....3077

33 CFR

83....3273
100....237
117....237, 2060, 2738, 2909
147....237
165....237, 2910
Proposed Rules:
100....1597
165....1599, 2394

34 CFR

36....2062
97....2885
350....1556
356....1556
359....1556
364....1556
365....1556
366....1556
668....2062

36 CFR

2....2065
14....2069
242....3079
1194....2912
Proposed Rules:
220....302

37 CFR

2....1559
201....2070, 2542
202....2070, 2371, 2542
381....2739
Proposed Rules:
1....2759
42....2759

38 CFR

16....2885
17....974
Proposed Rules:
1....2762
17....2396
74....1203

39 CFR

111....980
113....1189
266....3085
Proposed Rules:
111....995
3050....1320

40 CFR

19....1190
26....2885
52....33, 983, 984, 1194, 1195, 1302
63....1559
81....1098
122....712
123....712
180....33
260....420
262....420
263....420
264....420
265....420
271....420
282....985
300....2549
Proposed Rules:
52....636, 764, 997, 1001, 1003, 1212, 1602, 2097, 2955, 3101
62....768
63....1604
81....636, 651
257....2100
282....1003
300....2576

41 CFR

50–201....7
105–70....1303
300–3....602
300–70....602
301–10....602
301–70....602
App. C to Chap. 301....602
302–1....602
302–4....602
304–2....602

42 CFR

2....239
Proposed Rules:
493....1004

44 CFR

Ch. I....472
64....252

45 CFR

46....2885
690....2885
1149....2071
1158....2071
1230....2073
1302....2743
1611....3085
2554....2073

46 CFR

506....1304
Proposed Rules:
401....2581
404....2581

47 CFR

0....732, 2554
1....37, 2554
2....37
10....1565
11....2557
15....37, 3274
25....37
30....37
51....2554
54....254, 2075
61....2554
63....2563
64....1566
73....733
90....1577
96....992
101....37
Proposed Rules:
1....1215
2....85
25....85
30....85
54....303, 2104, 2412
64....770
73....774
76....2119

48 CFR

Ch. I....3396, 3399
22....3396
25....3396
52....3396
515....3275
538....3275
552....3275
Proposed Rules:
812....1321
813....1321
852....1321

49 CFR

11....2885
367....605
395....2744
1022....992
Proposed Rules:
395....1220, 1222, 2765
571....2607

50 CFR

17....257, 2085, 3086
100....3079
223....2916
622....65, 1305, 2931
660....757
665....3099
679....284, 2564, 2932, 3281, 3282

Proposed Rules:
17 .....330, 475, 490, 1223
300.....2412, 3108
648.....780
660.....1009, 3291

LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. This list is also available online at *http://www.archives.gov/federal-register/laws*.

The text of laws is not published in the **Federal Register** but may be ordered in ''slip law'' (individual pamphlet) form from the Superintendent of Documents, U.S. Government Publishing Office, Washington, DC 20402 (phone, 202–512–1808). The text will also be made available on the Internet from GPO's Federal Digital System (FDsys) at *http://www.gpo.gov/fdsys*. Some laws may not yet be available.

S. 139/P.L. 115–118
FISA Amendments Reauthorization Act of 2017 (Jan. 19, 2018; 132 Stat. 3)
Last List January 19, 2018

Public Laws Electronic Notification Service (PENS)

PENS is a free electronic mail notification service of newly enacted public laws. To subscribe, go to *http://listserv.gsa.gov/archives/publaws-l.html*

Note: This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.