

adjudication process, and if so how its processes and Rules could be updated, streamlined, or revised to better achieve the Bureau's statutory objectives; to minimize burdens, impacts, or costs on parties subject to these proceedings; to align the Bureau's administrative adjudication Rules more closely with those of other agencies; and to better provide fair and efficient process to individuals and entities involved in the adjudication process, including ensuring that they have a full and fair opportunity to present evidence and arguments relevant to the proceeding. Interested parties may also be well-positioned to identify those parts of the Bureau's administrative adjudication processes and Rules that they believe may be most in need of improvement, and, thus, assist the Bureau in prioritizing and properly tailoring its process for reviewing its processes and Rules. In short, engaging members of the public in an open, transparent process will help inform the Bureau's review of its processes related to administrative adjudications.

Questions for Commenters

To allow the Bureau to more effectively evaluate suggestions, the Bureau requests that, where possible, comments include:

- Specific discussion of the positive and negative aspects of the Bureau's administrative adjudication processes, including whether a policy of proceeding in Federal court in all instances would be preferable;
- Specific suggestions regarding any potential updates or modifications to the Bureau's administrative adjudication processes, including the Bureau's Rules, consistent with the Bureau's statutory purposes and objectives, and including, in as much detail as possible, the potential update or modification, supporting data or other information on impacts and costs, or information concerning alignment with the processes of other agencies; and
- Specific identification of any aspects of the Bureau's administrative adjudication processes, including the Bureau's Rules, that should not be modified, consistent with the Bureau's statutory purposes and objectives, and including, in as much detail as possible, supporting data or other information on impacts and costs, information related to consumer and public benefit resulting from these processes, or information concerning alignment with the processes of other agencies.

The following list of general areas represents a preliminary attempt by the Bureau to identify elements of Bureau

processes related to administrative adjudications that may be deserving of more immediate focus. This non-exhaustive list is meant to assist in the formulation of comments and is not intended to restrict the issues that may be addressed. In addressing these questions or others, the Bureau requests that commenters identify with specificity the Bureau regulations or practices at issue, providing legal citations where appropriate and available. Please feel free to comment on some or all of the questions below, but please be sure to indicate on which area you are commenting.

The Bureau is seeking feedback on all aspects of its administrative adjudication process, including but not limited to:

1. Whether, as a matter of policy, the Bureau should pursue contested matters only in Federal court rather than through the administrative adjudication process;
2. The Rules' protection of the rights and interests of third parties;
3. 12 CFR 1081.200(b)'s requirements for the contents of the Bureau's notice of charges;
4. The policy, expressed in 12 CFR 1081.101 for administrative adjudication proceedings to be conducted expeditiously, including:
 - a. 12 CFR 1081.201(a)'s requirement that respondents file an answer to a notice of charges within 14 days;
 - b. 12 CFR 1081.115(b)'s requirement that the hearing officer in administrative adjudications strongly disfavor motions for extensions of time except upon a showing of substantial prejudice;
 - c. 12 CFR 1081.212(h)'s requirement that the hearing officer decide any motion for summary disposition within 30 days; and
 - d. the Bureau's implementation of the requirement in 12 U.S.C. 5563(b)(1)(B) that hearings take place within 30 to 60 days of the notice of charges, unless the respondent seeks an extension of that time period;
5. 12 CFR 1081.206's requirements that the Bureau make documents available for copying or inspection, including whether the Bureau should produce those documents in electronic form to respondents in the first instance, at the Bureau's expense;
6. 12 CFR 1081.208's requirements for issuing subpoenas, and whether counsel for a party should be entitled to issue subpoenas without leave of the hearing officer;
7. 12 CFR 1081.209(g)(3)'s provision that failure to object to a question or document at a deposition is, with some exception, not deemed a waiver of the objection;

8. 12 CFR 1081.210(b)'s limitation on the number of expert witnesses any party may call at a hearing, absent "extraordinary circumstances";

9. 12 CFR 1081.210(c)'s requirements for expert reports, including whether that paragraph should expressly incorporate the requirements of the Federal Rules of Civil Procedure relating to the required disclosures of expert witnesses;

10. 12 CFR 1081.212(e)'s instruction that extensions of the length limitation for motions for summary disposition are disfavored;

11. 12 CFR 1081.303(b)'s rules pertaining to admissible evidence in administrative adjudications, including:

- a. Whether, in general, the Bureau should expressly adopt the Federal Rules of Evidence; and
- b. whether, if the Bureau does not expressly adopt the Federal Rules of Evidence, the acceptance of prior testimony hearsay evidence pursuant to 12 CFR 1081.303(b)(3) should comply with the requirements of Federal Rule of Evidence 804(b)(1);

12. The Rules' lack of authorization for parties to conduct certain discovery, including deposing fact witnesses or serving interrogatories; and

13. Whether respondents should be afforded the opportunity to stay a decision of the Director pending appeal by filing a supersedeas bond, consistent with Federal Rule of Civil Procedure 62(d).

Authority: 12 U.S.C. 5511(c).

Dated: January 30, 2018.

Mick Mulvaney,

Acting Director, Bureau of Consumer Financial Protection.

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CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1500 and 1507

[Docket No. CPSC-2006-0034]

Amendments to Fireworks Regulations; Notice of Opportunity for Oral Presentation of Comments

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of proposed rulemaking; opportunity for oral presentation of comments.

SUMMARY: The Consumer Product Safety Commission (Commission or CPSC) will be holding a meeting to provide interested parties with an opportunity to present oral comments on the notice of

proposed rulemaking (NPR) the Commission issued regarding amendments to the fireworks regulations. Any oral comments will be part of the rulemaking record.

DATES: The meeting will begin at 10 a.m. Eastern Standard Time (EST) on March 7, 2018. The Office of the Secretary must receive requests to make oral presentations, along with the written text of the oral presentations, no later than 5 p.m. EST on February 28, 2018.

ADDRESSES: The meeting will be in the Hearing Room, on the 4th Floor of the Bethesda Towers Building, 4330 East-West Highway, Bethesda, MD 20814. Submit requests to make oral presentations and the written text of oral presentations to the Office of the Secretary, with the caption, "Fireworks NPR; Oral Presentation," by email to cpssc-os@cpssc.gov, or by mail to the Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814.

FOR FURTHER INFORMATION CONTACT: For information about the subject matter of this meeting, contact Rodney Valliere, Project Manager, Directorate for Laboratory Sciences, Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: (301) 987-2526. For information about the procedure to make an oral presentation, contact Rockelle Hammond, Office of the Secretary, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone: (301) 504-7923.

SUPPLEMENTARY INFORMATION:

I. Background

On February 2, 2017, the Commission published an NPR in the **Federal Register**, proposing to amend its fireworks regulations under the Federal Hazardous Substances Act (FHSA; 15 U.S.C. 1261-1278), and seeking written comments. 82 FR 9012. The NPR proposed amendments that would create new requirements for fireworks devices, as well as modify or clarify existing requirements. On April 14, 2017, the Commission published a notice extending the comment period for the NPR to July 17, 2017. 82 FR 17947. The NPR is available at: <https://www.gpo.gov/fdsys/pkg/FR-2017-02-02/pdf/2017-02014.pdf> and Commission staff's briefing package for the NPR is available at: <https://www.cpsc.gov/s3fs-public/ProposedRuleAmendmentsToFireworksRegulations.pdf>.

In the Request for Comments section of the NPR (82 FR 9029), the

Commission sought information on specific topics, in addition to requesting comments on all aspects of the proposed rule. Comments on the topics listed in the NPR would be helpful at the public hearing. In particular, the Commission would find information and data on the following topics useful:

- The public safety need for the proposed chemical composition and pyrotechnic weight limits for ground devices;
- the public safety need for prohibiting hexachlorobenzene and lead tetroxide and other lead compounds in fireworks devices;
- the public safety need for the proposed test method to evaluate side ignition and the appropriateness of the proposed ignition-resistance period;
- the public safety need for the proposed ban of fireworks devices that project fragments when functioning; and
- the appropriate trace contamination allowance levels for prohibited chemicals.

II. The Public Meeting

Under the FHSA and the Administrative Procedure Act (5 U.S.C. 551-562), the Commission must provide interested parties with an opportunity to submit "written data, views, or arguments" regarding a proposed rule. 5 U.S.C. 553(c). Neither statute requires the Commission to provide an opportunity for oral comments about a rulemaking, but the Commission is providing this forum to give interested parties an additional opportunity to comment on the NPR.

To request the opportunity to make an oral presentation, see the information under the **DATES** and **ADDRESSES** sections of this notice. Participants should limit their presentations to approximately 10 minutes, excluding time for questioning by the Commissioners or CPSC staff. To avoid duplicate presentations, groups should designate a spokesperson, and the Commission reserves the right to limit presentation times or impose further restrictions, as necessary.

Alberta E. Mills,

Acting Secretary, Consumer Product Safety Commission.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 25

[IB Docket No. 16-408; Report No. 3084]

Petitions for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petitions for reconsideration.

SUMMARY: Petitions for Reconsideration (Petitions) have been filed in the Commission's rulemaking proceeding by Joseph A. Godles, on behalf of Iridium Constellation LLC et al., Brian D. Weimer, on behalf of WorldVu Satellites Limited, and John P. Janka, on behalf of Viasat, Inc.

DATES: Oppositions to the Petitions must be filed on or before February 20, 2018. Replies to an opposition must be filed on or before March 2, 2018.

ADDRESSES: Federal Communications Commission, 445 12th Street SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Clay DeCell, 202-418-0803, Clay.DeCell@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, Report No. 3084, released January 26, 2018. The full text of the Petitions is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW, Room CY-A257, Washington, DC 20554. They also may be accessed online via the Commission's Electronic Comment Filing System at: <http://apps.fcc.gov/ecfs/>. The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5 U.S.C. because no rules are being adopted by the Commission.

Subject: Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters, FCC 17-122, published at 82 FR 59972, December 18, 2017. This document is being published pursuant to 47 CFR 1.429(e). See also 47 CFR 1.4(b)(1) and 1.429(f), (g).

Number of Petitions Filed: 3.

Federal Communications Commission.

Marlene H. Dortch,

Office of the Secretary, Office of Managing Director.

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